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TOWN OF WEYMOUTH
BOARD OF ZONING APPEALS APPLICATION

2021 JUN 1 PM 2:14

TO BE COMPLETED BY STAFF

Case Number:

3452

Town Clerk Stamp

Submittal Accepted:

Date

5/20/21

Signature of Planning Dept. Staff for minimal requirements

Determined to be complete and may now be filed with Town Clerk:

Signature of Principal Planner or Director

PROPERTY INFORMATION - TO BE COMPLETED BY APPLICANT

PROJECT / PROPERTY STREET ADDRESS: 234 River St.

Assessor's Map Sheet, Block, & Lot: 3-2-34

Zoning District: R-1

Overlay District:

OWNER OF RECORD (S) (print & sign):

(The owner of record is the person or entity who owns title to the property as of today's date)

Address of owner of record: JAMES & KENDRA CALABRO

Norfolk County Registry of Deeds Book and Page No. BK 4567, PG 383

Or registered in Land Registration Office under Certificate No.

NAME OF APPLICANT (S) (print & sign):

Applicant's Address: JAMES CALABRO

Contact Information: Email Jcal02191@gmail.com>

Phone 781.385.1404

Check if you are an: owner(s) ☒ lessee(s) ☐ optionee (s) ☐

NAME & AFFILIATION OF REPRESENTATIVE:

Address: 88 Front St. Suite 20

Contact Information: Email jedh@atlanticcoastengineeringllc.com

Phone 617.963.6044

NAME OF ENGINEER AND / OR ARCHITECT: Joseph Hannon. PE

Prior to submitting your application you must review this entire package and the Board Rules and Regulations outlining the Board's policies and procedures. Your signature signifies that you have read the required material and you will be expected to adhere to them.

I (we) hereby certify that I (we) have read the Board of Zoning Appeals Rules and Regulations and that the statements within my (our) application are true and accurate to the best of my (our) knowledge.

Applicant / Petitioner - Date (sign & print)

NATURE OF REQUEST

Application is for: _____ Special Permit _____ Variance Other: _____

Applicable Section of Zoning Ordinance (specify Section (s) of the Zoning Ordinance from which relief is sought):

Owner is seeking relief from the R-1 ZONING building coverage percentage requirement of 30% or less. The proposed plan lot coverage is 34%.

The above relief and Ordinance sections will be further reviewed after a complete package is submitted. This may be amended by the Planning or Building staff during the application review process after having the benefit of plan to accurately advertise the application before the Board.

PETITIONER'S DESCRIPTION AND NARRATIVE:

To be completed by all Board of Appeals Applicants. Attach additional sheets as necessary.

1. Describe what is presently located on the property (use as much detail as possible including all uses and square footage of each use):

Two family house with driveway. No garage

2. The applicant seeks to (describe what you want to do on the property in as much detail as possible):

Construct 26'x26' garage, 1 story.

3. Such a use is permitted by the Town of Weymouth Zoning Ordinance under Article (insert Article, Section of the Zoning Ordinance which permits the proposed use of the property).

4. Are you aware if this property has been previously granted approvals from any Town Board or Commission? If so, please list (provide dates of previous approvals, book and page numbers or any recorded decisions and copies of past decisions).

5. Any other additional information as relevant to the Variance or Special Permit:

ZONING COMPUTATION WORKSHEET

(To be attached with all Board of Zoning Appeals Applications)

The Zoning Computation Worksheet must be completed by the Applicant / Petitioner. All information should be measured and calculated in accordance with the Weymouth Zoning Ordinance (Section 120-51 Table 1 "Schedule District Regulations" and other applicable sections of the Zoning Ordinance). The information should be based on engineer/surveyor/architectural prepared plans and or calculations. Further guidance can also be provided by the Board's step-by-step application instructions and by contacting the Planning or Building Department while completing this section.

Data	Required	Existing	Proposed
Use			
Lot Area / Size (Sq. Ft.)	25,000	5,486	NO CHANGE(N.C.)
Dwelling Units	1	2	N.C.
Frontage (ft.)			
Lot Width (ft.)	120'	90'	N.C.
Front Yard Setback (ft.)	18'	9.7'	N.C.
Front Yard Setback (ft.) – corner lots	18'	0	N.C.
Side Yard Setback (ft.)	10'	43.7'	6'
Side Yard Setback (ft.)	-	-	-
Rear Yard Setback (ft.)	12.4	0.9'	N.C.
Height (ft.) & # of Stories	35' & 2.5 STORIES	27'	N.C.
Lot Coverage	30%	22%	34%
Off-Street Parking Spaces	4	6	N.C.
Off-Street Loading Spaces	N.A.	N.A.	N.A.
Parking Setback	N.A.	N.A.	N.A.
Accessory Structure Setback	5'	N.A.	6'
Landscaping	-	-	-
Floor Area Ratio	-	-	-
Signage	-	-	-
Other:			

SPECIAL PERMIT APPLICATION

To be completed for Special Permit Applications only.

SPECIAL PERMIT FINDINGS OF FACT

In the spaces below explain how the adverse effects of the proposal will not outweigh its beneficial impacts to the Town with respect to each of the following considerations per Article XXV, Section 120-122 of the Zoning Ordinance. The Special Permit Granting Authority may approve any such application for a special permit **only** if it finds that, in its judgment, all of the following conditions are met. (Attach additional supporting documentation as necessary).

1. Is the specific site an appropriate location for such a use? Please explain.

YES. GARAGE NEEDED FOR 2 CARS

2. Will the proposed use / structure be detrimental or adversely affect the character of the neighborhood or town? Please explain.

NO. Simple 1 story garage.

3. Is there potential for nuisance or serious hazard to vehicles or pedestrians? Please explain.

NO

4. Will adequate and appropriate facilities, utilities and other public services be provided for the proper operation of the proposed use? Please explain.

YES

5. Will the public convenience and welfare be substantially serviced with this proposal? Please explain.

N/A

SUPPLEMENTARY QUESTIONS - SECTION 120-40 SPECIAL PERMITS

Extension, Alteration or Change of a Privileged Pre-existing, Nonconforming Structure or Use

(Article XIII "Nonconforming Uses" Section 120-40 "Extension or Change")

To be completed by Applicants applying for a Special Permit under Section 120-40 Only.

EXTENSION OR CHANGE FINDINGS OF FACT:

Any lawful structure or use in existences at the time the Zoning Ordinance was adopted or amended may be extended or altered, provided that no such extension or alteration shall be permitted unless there is a finding by the Board of Zoning Appeals that such change, extension or alteration shall not be substantially more detrimental than the existing nonconforming use or structure to the neighborhood.

1. Describe what is currently nonconforming about this structure (list specific dimensional nonconformities):

LOT SIZE

2. Indicate how long the nonconforming aspects of the structure have been in existence:

1900

3. At the time the nonconformity was created (the structure or use initiated) was it compliant with the current zoning requirements? Past zoning ordinances are available for research at the Town Clerk's office and Planning Department. Past zoning maps are available at the Planning Department.

No zoning regs in 1900

4. Explain how the extension, alteration, or change itself complies with the current Zoning Ordinance requirements:

The proposed garage structure is as small as it can be to fit 1 truck and 1 car. The layout complies with zoning setbacks for R1, the only relief needed is on the lot coverage amount.

5. Indicate the number of off-street parking spaces currently provided and to be provided for the proposed structure as extended, altered or changed:

6

6. Explain how the use or structure as extended, altered or changed will not be substantially more detrimental to the neighborhood than the existing structure:

Proposed garage is simply 1 story and low profile so it does not obstruct neighbors.

VARIANCE APPLICATION

To be completed for Variance applications only.

VARIANCE FINDINGS OF FACT:

Criteria for approval. The Board may approve any such application for a Variance **only** if it finds that, in its judgment, all of the following conditions are met.

Complete the following questions. Your responses should provide justifications as to why the requested Variance(s) should be granted. Attach additional documentation as necessary.

1. Describe how a literal enforcement of the provision of the Town of Weymouth Zoning Ordinance would involve a substantial hardship, financial or otherwise, to the petitioner.

It would cause a hardship due to their vehicles being out in the winter, rain and salt air exposure which causes premature depreciation.

2. Describe how the hardship is owing to circumstances relating to the soil conditions, shape, and/or topography of the land or structures and how the hardship especially affects said land or structures, but does not affect generally the zoning district in which it is located.

The size of the pre-existing non-confirming lot creates the hardship from a geomtery standpoint and does not have the space for a 2 car garage given the zoning requirements.

3. Describe how desirable relief may be granted without detriment to the public good and without nullifying or substantially derogating from the intent or purpose of the Town of Weymouth Zoning Ordinance.

This zoning relief/variance request for additional lot coverage of 4% is rather small and we tried to minimize the proposed garage footprint as much as possible.

4. Describe how the dimensional variance as it relates to floor space, bulk, number of occupants or other relevant measures, if granted, shall be no greater than the minimum necessary to provide relief from the statutory hardship.

This zoning relief/variance request for additional lot coverage of 4% is rather small and we tried to minimize the proposed garage footprint as much as possible.

NOTE THAT THE LAW DOES NOT PERMIT THE BOARD TO GRANT A VARIANCE UNLESS ALL OF THE REQUIREMETNS SET FORTH IN CHAPTER 40A SECTION 10 OF THE GENERAL LAWS AND IN ARTICLE XXIV SECTION 120-119 OF THE WEYMOUTH ZONING ORDINANCE ARE SATISFIED. EACH OF THE ABOVE FINDINGS MUST BE ANSWERED IN DETAIL. ATTACH ADDITIONAL SHEETS IF NECESSARY.



Town of Weymouth Property Card

Property Location: 234 RIVER ST

Parcel ID: 3-2-34

Current Owner:

LEE KENDRA J & CALABRO JAMES
JT
234 RIVER ST
WEYMOUTH, MA 02191

Current Assessments (All Land and Buildings)

Buildings	\$266,700
Other	\$0
Land	\$212,700
TOTAL	\$479,400

Land Line Valuation

Size	0.13 acres
Zone	
Assessed Value	\$479,400

Parcel Record of Ownership

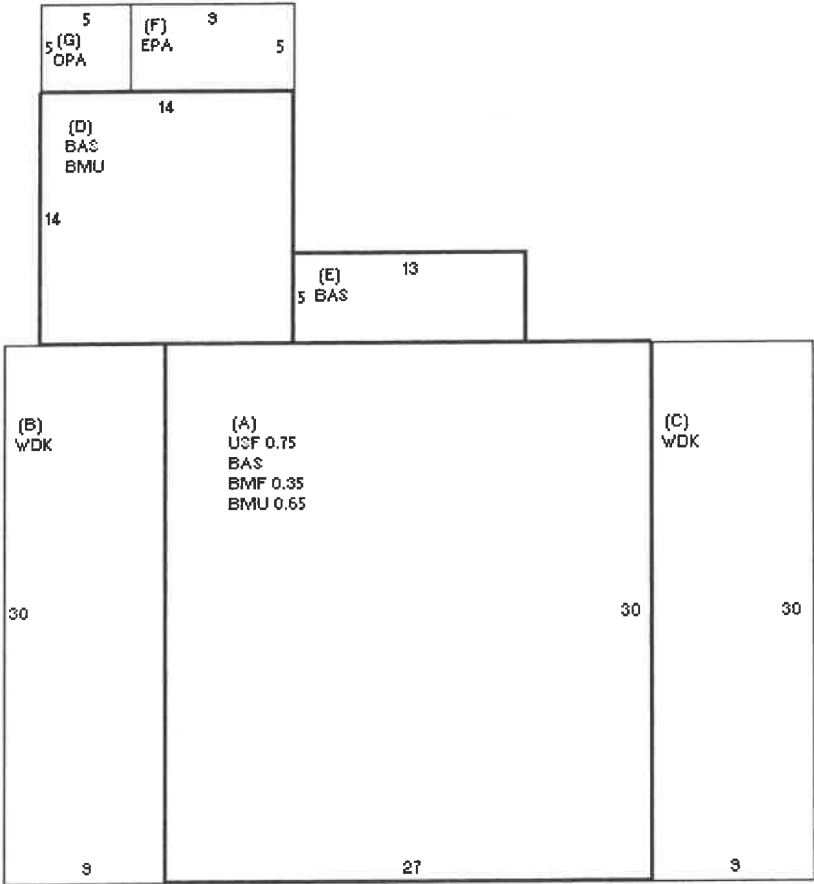
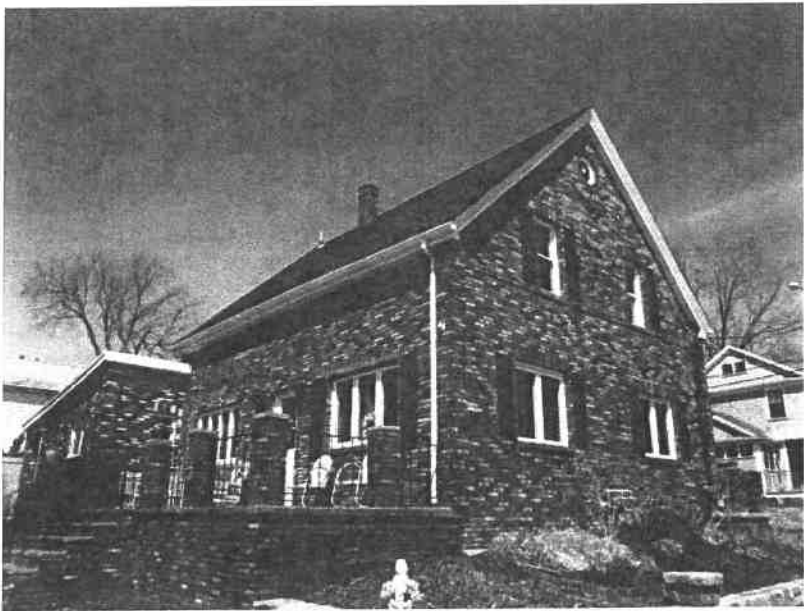
Grantor	Grantee	Date	Type	Price	Book/Page (Cert)
CALABRO JOSEPH M	LEE KENDRA J & CALABRO JAMES	6/10/2016	A	\$450,000	34163/465
X	CALABRO JOSEPH M	12/29/1983	QS	\$0	6313/749

Primary Building Information

For additional building information, please review the building tab of the map viewer.

State Classification Code	TWO FAMILY DWG	Finished Basement	Yes
Building Square Footage	1,679	Attached Garage	No
Year Built	1900	Detached Garage	No
Dwelling Style	CONVENTIONAL	Number of Bedrooms	5
Exterior Walls		Number of Full Bathrooms	2
Foundation Type	BRICK/STONE	Number of Half Bathrooms	0
Deck Area	540 SF	Heating/Cooling Type	WARM/COOL AIR
Porch Area	70 SF	Number of Fireplaces	0
Basement Area	1007 SF		

Building 1



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