

Town of Scituate

ZONING BOARD OF APPEALS

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SCITUATE, MASS.

600 CHIEF JUSTICE CUSHING WAY
SCITUATE, MASSACHUSETTS 02066
(781) 545-8716



Decision of the Scituate Zoning Board of Appeals on the application of Rosendo J. and Florlinda L. Sanchez of 455 Old Line Ave., Laurel, MD 20724 for a Special Permit/Finding under M.G.L., Chapter 40A, Section 6 of the Scituate Zoning Bylaw to construct an addition 6'6" from the left side setback and 14.85" from the front (street) setback to their house at 14 Hawthorne St., Scituate, MA 02066.

The application was received, advertised, and a public hearing was duly held on April 15, 2010 with the following members of the Zoning Board of Appeals hearing the application:

Peter Morin, Chairman
Brian B. Sullivan
Sara J. Trezise

The applicant was represented at the hearing by Chris Dealy, who represented that he is doing business as Excel Remodeling. The property located at 14 Hawthorne St. is in the Humarock A-3 residential district and is owned by Rosendo J. and Florlinda L. Sanchez, pursuant to a Deed with quitclaim covenants dated August 31, 2007. Pursuant to town records, the house on the property was constructed in 1940, prior to the adoption of the dimensional zoning bylaws in 1953, and therefore enjoys grandfathered status. The dwelling does not comply with the current zoning bylaw requirements as to lot size, frontage, front set back and left side set back.

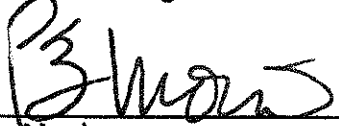
In order to make the dwelling suitable for year round occupancy, the applicant wishes to construct an addition approximately 8' by 16' at the left front corner of the dwelling to install such upgrades as a heating system, a bath and a closet. In order to construct the addition, the applicant proposed to extend the current pre-existing non-conforming side yard set back and front yard set back.

The applicant presented photos of the existing home, the neighborhood and neighboring properties, as well as photocopies of the plot plan showing existing conditions and the proposed addition. Based upon the testimony and the documentary evidence, the proposed improvements would not be out of character with the neighborhood and in fact would enhance the property significantly.

In view of the foregoing, the Board FINDS that based on the applicant's representations and the documents submitted, the addition to be constructed on the property will not be substantially more detrimental to the neighborhood than the existing dwelling.

Accordingly, the Board GRANTS the Special Permit to allow the applicant to construct the addition as proposed on the Plan dated September 21, 2009 as filed.

Scituate Zoning Board of Appeals



Peter Morin



Brian Sullivan



Sara J Trezise

Filed with the Town Clerk on May 10, 2010.

This Special Permit/Finding will not become effective until such time as an attested copy of this decision has been filed with the Plymouth County of Deeds after the appeal period of twenty (20) days.

Appeal of any decision of the Zoning Board of Appeals may be made pursuant to M.G.L. Chapter 40A, Section 17, and shall be filed in a court of competent jurisdiction. Proof of that filing shall be provided to the Town Clerk within twenty (20) days of the date of the filing of the decision with the Town Clerk.