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Decision of the Scituate Zoning Board of Appeals on the application of Robert Stebbins of 472 Beechwood Street, unit 2R, Cohasset, MA 02025 (herein after the "Applicant") requests M. G. L. C40A, Section 6 special permit/finding to construct a second floor addition that will increase the gross square foot area by more than 20% of the pre-existing non-conforming single family dwelling located at 25 Standish Avenue.

The application was received, advertised, and a public hearing was duly held on July 19, 2012 with the following members of the Zoning Board of Appeals hearing the application:

Peter Morin, Chairman
Sara Trezise
John Hallin

The subject property at 25 Standish Avenue (the "subject property") is owned by Elaine M. Crosseboom, Trustee of the Elaine M. Crosseboom Trust and Trustee of the Elaine M. Crosseboom Minor Trust. (See Quitclaim Deed, Doc. 106338 07-30-2004, bk28765 and PG196 Plymouth registry of Deeds). The subject property is located in an R-3 Zoning District. The subject property has a 50.06 foot frontage on Standish Avenue, a 3.9' & 6.3' side set back and is 4850 sq. ft. in area. The applicant has provided a copy of the purchase and sales agreement. The pre-existing nonconformities of the subject property are (a.) lot frontage and width of 50.06'; the required frontage and width are 100' (b.) lot area of 4850; the required area is 10,000 square feet. (c.) side setbacks of 3.9' and 6.3' and front set back of 17.1'; the required side setback is 8' and required front set back is 20'. In all other respects the lot and dwelling are conforming.

The applicant is proposing to add a 915 s. f. 2nd floor addition over the existing dwelling in accordance with plans from Rockwood Design, Inc., dated 7/2/2012. The proposed plans do not increase the existing non-conformities to the subject property.

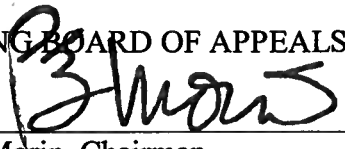
M. G. L. Ch. 40A Section 6 provides that "pre-existing nonconforming structures and uses may be extended or altered, provided that no such extension or alteration be permitted unless there is a finding by the permit granting authority or by the special permit granting authority designated by the ordinance or by-law that such change, extension or alteration shall not be substantially more detrimental than the existing non-conforming structure or use to the neighborhood."

The board finds that the existing single-family dwelling is a pre-existing, nonconforming structure/use entitled to the protection afforded in M. G. L. Ch. 40A section 6.

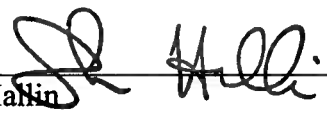
Based on the information presented, the board finds that the proposed alterations or use will not be substantially more detrimental to the neighborhood than the existing non-conforming structure or use.

For the forgoing reasons, the Board unanimously voted to grant the Applicant a special permit and the requested finding to increase gross floor area of the existing single-family dwelling by more than 20% in accordance with plans from Rockwood Design, Inc., dated 7/2/2012 and the submitted site plan prepared by Morse Engineering Co., dated 7/12/2012.

ZONING BOARD OF APPEALS


Peter Morin, Chairman


Sara Trezise


John Hallin

Filed with the Town Clerk on: July 20, 2012

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.