

Town of Scituate

ZONING BOARD OF APPEALS

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



Decision of the Scituate Zoning Board of Appeals on the application of Eric and Julia Sax of 9 Old Sudbury Road, Lincoln, Massachusetts for a finding under MGL 40A § 6 and a special permit to add a second story and single story addition to the pre-existing non-conforming single-family dwelling at 4 Dickens Row, Scituate.

The application was received, advertised and a public hearing was duly held on June 17, 2010 with the following members of the Zoning Board of Appeals hearing the application:

Peter Morin
Brian Sullivan
John Hallin

The subject property is owned by the applicant pursuant to a deed dated June 25, 2005, and recorded at the Plymouth Registry of Deeds at Book 30830 and pages 233-234. The subject home was initially constructed in 1920 per the Assessors records. The pre-existing non-conformities are that the lot has 8,460 square feet in the A-3, or 10,000 square foot zone, the lot width is 66.8 feet versus the required 100 feet, the front yard set back of 30 feet has a slight encroachment of 29.1 feet. And the rear yard set back requirement of 20 feet has an encroachment at 5.9 feet. The applicant proposes to renovate the existing dwelling and not create any new encroachments, or exacerbate any existing encroachments.

The Board reviewed the plan of Ross Engineering dated January 25, 2010 showing the existing conditions and encroachments, the plans of Henry Finch, Architect, dated May 3, 2010 showing the proposed improvements to the home. The proposed renovations of the dwelling will not create any new non-conformities or exacerbate any pre-existing non-conformities, the home will be in the exact same footprint, per the plans.

For the foregoing reasons, the Board unanimously voted to FIND the proposed improvements will not be more substantially detrimental to the neighborhood than the current pre-existing, non-conformities at the locus, and the Board voted unanimously to GRANT the Special Permit allowing the work to be completed to expand the dwelling, as proposed on the plans presented to the Board, and as described above.


ZONING BOARD OF APPEALS


Peter Morin

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SCITUATE, MASS.



Brian Sullivan



John Hallin

Filed with the Town Clerk on: July 29, 2010.

This Special Permit will not become effective until such time as an attested copy of this decision has been filed with the Plymouth County Registry 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.