



City of Waltham

COMMONWEALTH OF MASSACHUSETTS

ZONING BOARD OF APPEALS

LEGAL NOTICE

DATE FILED: January 8, 2015

THE ZONING BOARD OF APPEALS OF THE CITY OF WALTHAM WILL HOLD A PUBLIC HEARING IN THE GOVERNMENT CENTER, 119 SCHOOL STREET, WALTHAM, MA ON February 3, 2015 AT 7:00 P.M. ON THE FOLLOWING:

Case #: 2015-01. **Petitioner:** KM Dover LLC. **Owner:** Brian W. Chen and Datong Tang
Nature of Appeal: Application for Variance- rear yard setback, side yard setbacks.
Subject Matter: The locus at 45 Charles Street is a vacant parcel of land. Up until June of 2014, a three family residential structure was situated on the Locus. The structure was completely demolished by a fire. The Petitioner proposes to reconstruct a new three family residence on the locus. **Location and Zoning District:** 45 Charles Street; Commercial Zoning District. **Provisions of Zoning Ordinance Involved:** Article III, §3.7224 and Article IV §4.11. **Specific Manner in Which Subject Matter Varies From Zoning Ordinance:** §4.11 states that structures in a Commercial Zoning District shall have a rear yard setback of 25 (twenty-five) feet. Here, the rear yard setback was 2.4 feet prior to the fire. The Petitioner proposes to construct, use and maintain a residential structure with a rear yard setback of 5.4 feet. §4.11 states that structures in a Commercial Zoning District shall have a side yard setback of 15 feet. Here, the side yard setback on the westerly side of the lot was 2.1 feet. The Petitioner now proposes a westerly side yard setback of 8.6 feet and an easterly side yard setback of 8.5 feet. Further information and plans concerning this case may be viewed at the Zoning Board of Appeals' Office, 119 School Street, Waltham, Massachusetts 02451; Hours: Monday - Friday 8:30-4:30. **MEMBERS:** Chair Barbara Rando, Michael Cotton, Mark Hickernell, John Sergi, Glenna Gelineau. **ASSOCIATE MEMBERS:** Edward McCarthy, Oscar LeBlanc, Marc Rudnick, Michael Squillante, Gordon LaSane.