



City of Waltham

COMMONWEALTH OF MASSACHUSETTS

ZONING BOARD OF APPEALS

LEGAL NOTICE

DATE FILED: March 15, 2016

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 MAY 3, 2016 AT 7:00 P.M. ON THE FOLLOWING:

Case #: 2016-06. **Petitioner/Owner:** CRP/King 830 Winter LLC. **Nature of Application/Petition:** Application for Variance – Height. **Subject Matter:** The Petitioner seeks relief from the building height calculation method of the Zoning Code to establish a specific elevation from which the height of an existing building is measured. The subject of this petition is a lot with an address of 830 Winter Street (the “Property”), which is located in the Limited Commercial District and currently takes advantage of the alternative building height calculation method and the additional height allowed in Section 4.12(18). The property currently contains an existing three-story building (“Existing Building”) that currently fully complies with the building height limits of the Zoning Code. The Petitioner proposes to add to the existing building an addition that would increase the FAR on the property above 0.25 and thereby no longer allow Section 4.12(18) to be applicable to the existing building as modified by the addition. Because of the irregular topography of the property, measuring the building height from the sides or boundaries of the lot per Section 2.326 would lead to a result that causes the existing building to exceed the maximum allowable building height. The construction of the addition to the existing building and the additional FAR will require a special permit, which will be sought separately from the City Council. The addition will comply with all other provisions of the Zoning Code, and the required parking shall be provided. **Location and Zoning District:** 830 Winter Street; Limited Commercial Zoning District. **Provisions of Zoning Ordinance Involved:** Article 4, Section 4.11 and Article 2, Section 2.326. **Specific Relief Sought:** Article 4, Section 4.11 allows a maximum building height of 40 feet and 3 stories in a Limited Commercial Zone with building height being calculated based on average existing grade (elevation) as defined in Section 2.326. Because of the irregular topography of the property the Petitioner requests to use the existing ground contour line (base elevation) of 284.0 to determine the height of the building rather than the average existing elevation of 227.9 as measured at the property’s lot or boundary lines. Based on this request for a base elevation of 284.0 the building height requirement of Section 4.11 shall be met. 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, Sarah Hankins.