



City of Waltham

COMMONWEALTH OF MASSACHUSETTS

ZONING BOARD OF APPEALS

LEGAL NOTICE

DATE FILED: July 9, 2013

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 AUGUST 13, 2013 AT 7:00 P.M. ON THE FOLLOWING:

Case #: 2013-15. **Petitioner:** Frank D. Valentino, Jr. and Michael D. Valentino. **Nature of Appeal:** Application for a Variance- side yard and Application for two Special Permits for expansion of non-conforming building. **Subject Matter:** Variance on the northerly side yard from the required 15 feet to existing 11.05 feet setback; and one special permit to create additional non-conformity for 390 square foot expansion of building footprint on northerly side yard authorized by variance; and a second special permit to remove third floor, install a new roof at a height conforming to the zoning requirement, and to maintain second floor living area above existing first floor. The renovations proposed in the second special permit do not intensify the non-conforming aspects of the structure. **Location and Zoning District:** 753-755 South Street; Residence A-3 Zoning District. **Provisions of Zoning Ordinance Involved:** Article IV, Section 4.111; Article III, Section 3.7222 and G.L. 40A, Section 6. **Specific Manner in Which Subject Matter Varies From Zoning Ordinance:** The property has a current side yard of 11.05 feet. A side yard of 15 feet is required in the zoning district. A variance of 3.95 feet is therefore required. The footprint of the building has been expanded by 390 square feet. A special permit is required to maintain the footprint since the expansion creates a new non-conformity. A second special permit is required to remove the third floor, install a new roof at a height conforming to current zoning requirements for the district, and to permit the second floor addition over the existing first floor to remain. The renovations proposed in the second special permit do not intensify the non-conforming aspects of the structure. 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.