



City of Waltham

COMMONWEALTH OF MASSACHUSETTS

ZONING BOARD OF APPEALS

LEGAL NOTICE

DATE FILED: November 12, 2020

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 DECEMBER 15, 2020 AT 7:00 P.M. ON THE FOLLOWING:

Case #: 2020-36. **Petitioner/ Owner:** John Bianchi and Karen E. Bianchi. **Nature of Application/ Petition:** Variances – Front Yard and Side Yard Setbacks and Relief from §3.7225. **Subject Matter:** The locus consists of a single parcel of land with an existing single-family residence thereon. The Petitioners propose to construct, use and maintain a one-story addition to the residence and to construct, use and maintain an accessory building or pool house accessory to the swimming pool. **Location and Zoning District:** 60 Mountain Road; Residence A-2 Zoning District. **Provisions of Zoning Ordinance Involved:** Article IV, §4.11 – Table of Dimensional Regulations, §4.222, Article III, §3.7225, Article VII, §7.2. **Specific Relief Sought:** (1) §4.11 states that structures in a Residence A-2 Zoning District shall have a front yard setback of forty (40) feet. Here, the proposed addition shall have a front yard setback of 22.85 feet. The existing front yard setback is 26.20 feet. (2) §4.11 states that structures in a Residence A-2 Zoning District shall have a side yard setback of twenty (20) feet. Here, the proposed side yard setbacks shall be of 12.65 feet on south side of the residence, and 4.30 on the north side of the residence. The existing side yard setback on the north side is 4.30 feet. (3) §4.222 states that swimming pools and all accessory buildings related thereto shall have a side yard setback of 10 feet. Here, the proposed accessory building to the swimming pool shall be 4.30 feet from the south side yard. (4) §3.775 provides that pre-existing nonconforming single-family residential structures may be altered, reconstructed or extended provided such alteration does not increase the nonconforming nature of said structure. The Petitioner seeks relief here as the proposed alteration into the existing nonconforming south side yard setback shall be cured by the variance proposed above. (5) In Case No. 2008-13, the Board of Appeals granted certain zoning relief to the locus property for lot area, front and side yard setbacks. The Notice of Decision provides at Condition No. 2 that all use of the property shall be substantially in accordance with the plans filed therein, excluding the wide of the driveway. The Petitioners request an amendment to said Decision pursuant to §7.2 so that all construction and use of the locus shall now conform to the plans filed herein in this current petition. For further information and plans concerning this case please contact the Zoning Board of Appeals' Office, 119 School Street, Waltham, Massachusetts 02451; Hours: Monday - Friday 8:30-4:30.

NOTE: if a Stay-at-home order is in effect at time of hearing the Board may meet remotely through Zoom. Please check city website for updates <https://www.city.waltham.ma.us/>.