

CITY OF WALTHAM
BOARD OF APPEALS

APPLICATION OF)	
BARBARA ALIRE and LUKE FRENCH)	Case No. 2020-08
FOR A VARIANCE)	April 28, 2020

PROPOSED DECISION

Therefore, the Board of Appeals of the City of Waltham, after due deliberation, on motion duly made and seconded, voted:

To grant the variances requested in Case No. 2020-08 and incorporates by reference the Findings of Fact and further cites as reasons the following:

The Board finds that there are circumstances specially affecting this locus which do not generally affect other lots in the Residence C Zoning District in which it is located, in that:

The structure on the locus has sat in the same footprint since at least 1923. Perhaps since 1775. The structure has had a 9.69 foot east side yard setback. The west side yard, north front yard setback, and south rear yard setbacks all conform to current zoning requirements.

The proposed alterations to the single family residence shall not change the existing lot coverage.

The existing single family residence faces north onto School Street. The proposed alteration will be at the rear of the building causing minimal change to the overall aesthetic of the property from the street or the neighborhood.

A literal enforcement of the Zoning Ordinance would involve substantial hardship to the Petitioners, both practically and financially, in that:

The petitioners, one of whom is legally blind, would have trouble living in their own home, especially as they age, if they are not allowed to reduce or eliminate the 16" step on the second floor between the front half and back half of their property. The back half of the 2nd floor is where there is, and will be, a master bedroom and bathroom.

The alterations would allow the sleeping quarters to be safely accessed from the front and lower portions of the house. The alterations will also allow the petitioners to age in place instead of being forced to eventually move or limit their movements within their own home.

This Petition may be granted without substantial detriment to the public good and without nullifying or substantially derogating from the intent or the purpose of the Ordinance.

The requested variance affects the side yard setback of the proposed alteration. None of the setbacks will be increased from the existing footprint.