

CITY OF WALTHAM
BOARD OF APPEALS

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

PROPOSED FINDINGS OF FACT

The Board of Appeals of the City of Waltham makes the following findings of the fact after a hearing on the above captioned Petition for a variance.

1. The Board of Appeals, having met all legal prerequisites by proper publications and posting as provided in Massachusetts General Laws, Chapter 40A, 11 and having by mail notified all parties in interest and having heard all the evidence, is now empowered to exercise the power to grant or deny the variance sought by the Petitioners.
2. The locus is 70 School Street and is situated in a Residence C Zoning District.
3. The locus is shown as #70 School Street, Waltham, MA 02452 on Survey Record certified by Edward J Farrell, P. L. S., dated November 13, 2019.
4. The Petitioners are Barbara Alarie and Luke French. The Property was original purchased by Barbara Alarie in 2001. It was transferred to both husband and wife, Luke French and Barbara Alarie on June 4th, 2019. The petitioners intend to continue living in the property.
5. The existing single family residence was constructed on the locus lot on or about 1775.

6. The petitioners propose to raise the second floor and roof on back half of the existing home, to alleviate the 16" step between sections of the house with the intent of making the house more accessible and usable for the petitioners.

7. The zoning relief requested is as follows:

Variance. 4.11 states that structures in Residence C Zoning District will have a side yard setback of ten (10) feet. Here, the existing yard setback on the east side of the structure is 9.69 feet. The proposed renovation will continue this nonconformity. It will remain at 9.69 feet.

8. The variance requested is dimensional and the Board of Appeals has the power (M.G.L.c.40A 10 and 14) and authority to grant it.

9. As to the facts concerning the petition for the variance, the Board takes note of the following:

- a. The locus contains 5,902 square feet of land.
- b. The original lot was built on or around 1775 according to the accessor's database.
- c. No permitted additions or structural alterations have been completed on the property since at least March 30th, 1923 when a detached 2 car garage was added to the property. The main single family building has remained structurally unchanged since that time.
- d. The locus at 70 School Street is abutted by single family residences the east and multifamily residences to the west and south.
- e. The existing single family residence was constructed within the existing side yard setback at 9.69 feet from the lot line.
- f. All construction will be within the original footprint of the existing structure. Only elevation and interior changes will be made.
- g. All construction on the South and West side of the property will fall within the required side and rear yard setbacks.