

COMMONWEALTH OF MASSACHUSETTS

MIDDLESEX, ss.

CITY OF WALTHAM
BOARD OF APPEALS
CASE NO.: 2020-20

In The Matter Of George & Elizabeth
Steinhubel,

Petitioners.

PROPOSED FINDINGS OF FACT

The Board of Appeals of the City of Waltham makes the following findings of fact after hearing on the above-captioned Petition:

1. The Board of Appeals, having met all legal prerequisites by proper publications and posting as provided in Massachusetts General Laws, C. 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 relief sought by Petitioner.
2. The locus is known and numbered as 21 Arcadia Ave., Waltham, Massachusetts.
3. The locus is a single parcel of land containing 3,976+/- square feet and consists of a pre-existing legally non-conforming vacant corner lot.
4. The Locus is located on the North side of Arcadia Ave. and the west side of Huntington Street.
5. The property was part of (but not directly affected by) a Zoning Board of Appeals Decision dated May 23, 1961 subdividing and combining portions of two of the four (4) lots involved.

6. The Locus (Lot 103) retained and was recently granted old lot status.
7. Petitioners propose to construct a modest single-family home thereon in the center of the lot that will meet all dimensional requirements but for one (1) of the two (2) front-yard setbacks.
8. Petitioners seek the following relief to accomplish the project:

Front-Yard Setback: In accordance with Art. IV, § 4.11, the minimum front-yard setback shall be twenty-five feet (25'). Petitioners propose a single-family home with one front-yard setback of 10.3'.
9. This Board has both the power to grant the variance under G.L. c. 40A, §§ 9, 10 and 14; and the authority to do so under Article VII, § 7.2 of the Ordinance, respectively.
10. Allowance of the variance will not result in substantial derogation from the intent and purpose of the Ordinance.