TOWN OF HINGHAM **FORM 2**

BOARD OF APPEALS
781-741-1494

PLANNING BOARD
781-741-1419

APPLICATION FOR ZONING HEARING

Application Date JUNE 1, 2020

The undersigned hereby petitions the Board of Appeals and/or the Planning Board for the following:

_____ Appeal	✓ Variance	_____ Special Permit A1
_____ Special Permit A2	_____ Site Plan Review	_____ Special Permit A3

Subject Property 145 MARTINS LANE Zoning District _____

Petitioner's Name JOHN AND OR SUSAN BRADSHAW Address 145 MARTINS LANE

Name _____ Address _____

Name _____ Address _____

Brief Description of Work:

THE OWNER PROPOSES TO REMOVE THE 80 SF STORAGE SHED AND CONSTRUCT A 210 S.F. GARAGE ATTACHED TO THE NORTH SIDE OF THE EXISTING RESIDENCE ADJACENT TO THE EXISTING STOCKADE FENCE. VISUALLY, THE NEW GARAGE WILL REPLACE THE VOLUME OF THE EXISTING STORAGE SHED. GIVEN THE STEEP CONTOUR OF THE WEST AND THE NORTHEAST PROPERTY LINES AND THE EXISTING ON-SITE SEPTIC SYSTEM, THE PROPOSED LOCATION IS THE ONLY PRACTICAL AREA FOR THE GARAGE TO BE PLACED. THE ABSENCE OF A GARAGE ON THE NEW ENGLAND COASTLINE PRESENTS A FINANCIAL VALUE AND PRACTICAL USE HARDSHIP IN THIS LOCATION. GRANTING RELIEF WOULD NOT DEROGATE FROM THE INTENT OR PURPOSE OF THE ZONING BY-LAW.

Applicants for an **Appeal** must complete **Form 2A**
Applicants for a **Variance** must complete **Form 2B**
Applicants for a **Special Permit A1** must complete **Form 2C**
Applicants for a **Special Permit A2** must complete **Form 2D**
Applicants for a **Special Permit A3** must complete **Form 2E**

Form 2

The undersigned is ✓ the owner of the subject property, or _____ the holder of a written option to purchase the subject property, or _____ the holder of a valid lease to the subject property. (In this last instance written authorization from the property owner must be submitted with the other application documents.)

Record title to the subject property stands in the name(s) JOHN & SUSAN BRADSHAW

Address of owner of record 145 MARTINS LANE, HINGHAM, MA 02043

Title Reference:

(Unregistered land) Plymouth County Registry of Deeds, Book _____, Page _____

(Registered land) Land Court Certificate of Title No. _____, Book _____, Page _____

State briefly what is currently on the premises: SINGLE FAMILY RESIDENCE.

Attorney, agent, or other representative acting for petitioner:

Name ROGER O. HOIT, AIA, ARCHITECT Address 1175 MAIN ST. HINGHAM MA. 02043

Name _____ Address _____

Written evidence of agent's standing to represent petitioner may be requested.

Signed as a statement of fact under the pains and penalties of perjury, this 1ST day of JUNE, 20 20.

SIGNATURE [signature]
(Petitioner/Agent)

Print Name JOHN AND SUSAN BRADSHAW

Address 145 MARTINS LANE

Tel. No. 607.280.3959

check all that apply:

- ✓ Property Owner(s)
- ✓ Applicant
- Owner's Agent
- Applicant's Agent

Note: Do not attempt to discuss the merits of your case with any member of the Board of Appeals and/or the Planning Board at any time after filing this application and prior to the hearing thereon.

TOWN OF HINGHAM

SUPPORTING STATEMENT – STATUTORY FINDINGS

FORM 2B VARIANCE

BOARD OF APPEALS

Petitioner JOHN AND/OR SUSAN BRADSHAW seeks

a Variance from Section (s) IV-A SCHEDULE OF DIMENSIONAL REQUIREMENTS

of the Zoning By-Law for property located at 145 MARTINS LANE

and presents the following findings of fact in accordance with the provisions of M.G. L. 40A, §10:

1. The following circumstances relating to the soil conditions, shape, or topography especially affect the land or structure(s) in question, but do not affect generally the zoning district in which the land or structure(s) are located. THE LOT CONTAINS 6,100 S.F. OF AREA. THE DRIVEWAY FROM SURREY ROAD IS LOCATED IN A RIGHT OF WAY. THE ENTRANCE COURTYARD IS BRICK WITH THE ON SITE SEWAGE DISPOSAL SYSTEM UNDER THE BRICK SURFACE. THE EXISTING SIDES OF THE HOUSE ARE 9 (SOUTH) AND 12 (NORTH) FEET FROM THE PROPERTY LINES. THE MARTINS LANE PROPERTY LINE IS DOWN 18 FEET FROM THE PATIO TERRACE AND FIRST FLOOR ELEVATION. THERE ARE LEDGE OUTCROPINGS IN VARIOUS LOCATIONS AROUND THE SITE.

2. Owing to the circumstances described above, a literal enforcement of the provision of the Zoning By-Law would involve substantial hardship, financial or otherwise, to the undersigned for the following reasons. THERE IS NO GARAGE ON THE PROJECT SITE. THERE IS AN 80 SF. STORAGE SHED TO THE NORTH OF THE HOUSE LOCATED 2 FEET FROM THE PROPERTY SIDE LINE. THERE IS ALSO A STORAGE SHED ON THE "MERRILL" PROPERTY 2 FEET FROM THE SAME PROPERTY LINE. NOT HAVING A GARAGE IS A SUBSTANTIAL HARDSHIP GIVEN THE STEEP SLOPE OF THE SITE AND THE NEW ENGLAND SEACOAST WEATHER. THE PROPOSED GARAGE WOULD BE NO CLOSER TO THE SIDELINE THAN THE EXISTING SHEDS.

210 Central Street, Hingham, MA 02043-2759 ● Telephone (781) 741-1494 ● Fax: (781) 740-0239

Form 2B

3. Relief may be granted without substantial detriment to the public good for the following reasons.

RELIEF MAY BE GRANTED WITHOUT SUBSTANTIAL DETRIMENT TO THE NEIGHBORS BECAUSE THE STRUCTURE WILL NOT CHANGE THE VIEWS OF THE 2 AFFECTED NEIGHBORS. THE HOUSE AND GARAGE ARE 18 AND 14 FEET ABOVE THE ADJACENT STREET ELEVATIONS. THERE IS AN EXISTING 6 FT. HIGH STOCKADE FENCE ON THE "MERRILL" PROPERTY SIDE LINE. THE EAVE LINE OF THE PROPOSED GARAGE IS 9' ABOVE THE GROUND AND THE ROOF INTERSECTS WITH THE HOUSE WALL 12' ABOVE GRADE. THE RIDGE OF THE EXISTING HOUSE ROOF IS 34' ABOVE THE AVERAGE PERIMETER GRADE.

4. Relief may be granted without nullifying or substantially derogating from the intent or purpose of the Zoning By-Law for the following reasons.

RELIEF MAY BE GRANTED WITHOUT SUBSTANTIALLY DEROGATING FROM THE INTENT OR PURPOSE OF THE ZONING BY LAW BECAUSE THE PROPOSED GARAGE ADDITION DOES NOT SUBSTANTIALLY AFFECT EITHER OF THE ADJACENT NEIGHBORS IN LAND USE OR VISUAL CONSIDERATION.

NOTE: The law does not permit the Board of Appeals to grant a variance unless <u>all</u> of the legal requirements are satisfied. Each one of the above findings must be answered in detail.

The rights authorized by a variance expire one year from the date the decision is filed with the Town Clerk, unless exercised or extended in accordance with the terms of M.G. L. 40A, §10.

Date JUNE 1, 2020

SIGNATURE Roger O. Hoit, ARCHITECT
(Petitioner/Agent)

Address 1175 MAIN ST. HINGHAM, MA. 02043

Tel. No. 781-749-5563

Please attach additional sheets if space provided is insufficient