

BOARD OF APPEALS
781-741-1494



PLANNING BOARD
781-741-1419

APPLICATION FOR
ZONING HEARING

Application Date ____ August , 2020 _____

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

____ Appeal X Variance ____ Special Permit

A1 ____ Special Permit A2 ____ Site Plan Review ____ Special Permit

A3
Subject Property 17 Otis Hill Road, Hingham Zoning District Residence A

Petitioner's Name Thomas Traylor Address 17 Otis Hill Road, Hingham, MA

Name Sarah Traylor Address "

Name _____ Address _____

Brief Description of Work:

Reconstruct existing two car garage in need of significant repair with a 24' by 26 two car garage
being slightly larger size to safely accommodate two vehicles (including SUVs) having
storage space on a dormered second floor

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 X 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) Thomas Traylor and Sarah Traylor

Address of owner of record 17 Otis Hill Road, Hingham, MA 02043

Title Reference:
(Unregistered land) Plymouth County Registry of Deeds, Book 51048 , Page 319
(Registered land) Land Court Certificate of Title No. _____, Book _____, Page _____

State briefly what is currently on the premises:
 Single Family residential dwelling with detached garage

Attorney, agent, or other representative acting for petitioner: Issadore Law LLC
 17 Accord Park Dr. - Suite 100
Name Bruce A. Issadore, Esq/ Address Norwell, MA 02061

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 27th day of August , ~~200~~ 2020 .

SIGNATURE Bruce A. Issadore

(Petitioner/Agent)
Print Name Bruce A. Issadore, Esq

Address 17 Accord Park Dr. - Suite 100, Norwell, MA 02061

Tel. No. 781 878 9981

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 Thomas Traylor and Sarah Traylor seeks

a Variance from Section (s) IV-A Minimum yard dimensions, side 15'

of the Zoning By-Law for property located at 17 Otis Hill Road, Hingham

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 topography of the Property falls rather significantly from the northwest to southwest making construction or the location of a garage at other locations very difficult and unworkable for access from both the street to the garage or the garage to the existing dwelling. Applicants are attempting to use the same location as existing garage in disrepair. These circumstances in combination especially affect the lot and not generally the zoning district.

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.

To comply with the side yard requirement by relocating garage would cause substantial financial and other hardship as it would require moving of access driveway, construction of retaining walls, significant landscaping and interior renovations of dwelling as access from garage to dwelling will be relocated. Absent relief, the Applicant would be prohibited from making an improvement to the property that is consistent with allowed single family uses within residential zoning districts. Literal enforcement of the By-Law would limit the Applicant from improving the Property in a manner consistent with others in the neighborhood or Town of Hingham and negatively affect the overall use and enjoyment of the Property.

ZBA – 10/2001

Form 2B

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

The proposed project will not create any noise, traffic, or result in other similar negative impacts. The reconstructed garage is only slightly larger than existing garage and is being constructed on the same northerly side line as existing garage, so side yard setbacks remain the same. The area in which the Property is located has two story detached garages similar in size and design of the Applicants proposed garage. The proposed garage is consistent with a single family use allowed within residential zoning districts.

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

Existing zoning allows for a two car garage, and the size and shape of today's vehicles, including up to 7 passenger SUVs mandates for practical purposes a two car garage with the footprint being proposed. Having a second story under existing height requirements is consistent with the intent or purpose of the Zoning By-Law and will be used only for storage and not for occupancy. The granting of a dimensional variance in this instance is consistent with the purposes of the Zoning By-law.

NOTE: The law does not permit the Board of Appeals to grant a variance unless all 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 August 27 , 2020

SIGNATURE Bruce A. Issadore
(Petitioner/Agent)

Address Issadore Law LLC, 17 Accord Park Dr., Suite 100, Norwell, MA 02061

Tel. No. 781 878 9981

Please attach additional sheets if space provided is insufficient