

TOWN OF MILTON
ZONING BOARD OF APPEALS

APPLICATION FOR ZONING BOARD OF APPEALS HEARING
To be completed by all Applicants

Date Submitted: 2/3/2022

Applicant Name: Thomas & Ericka martin Phone: Ericka: (860) 712-5303 Tom: (978) 836-6051

Applicant Address: 37 Howard St. South Hamilton, MA 01982

Applicant respectfully petitions the Board of Appeal for the following:

That he/she is seeking (check all that apply):

- Variance: (State Type) FRONT SETBACK
- Extension or Alteration of a Non-Conforming Use, Structure, or Lot
- Site Plan Review
- Abbreviated Site Plan Review
- Special Permit: (State Type)
- Appeal of Decision of the Building Inspector
- Conversion for Temporary Living Area
- Comprehensive Permit
- Other:

Address of Property if different from Applicant Address above:

Owner of property if different from Applicant noted above:

Note: If not the owner of the property, applicant must provide proof they are either the holder of a written option to purchase the property (or) verification they have authority to act on behalf of the owner of the property.

Zoning District: R1A

Existing Lot Size: 20,000sf

State Briefly what structures are on the property: Existing 24' x 34' 2-story colonial home, and a small shed. Although razed more than 2 years ago, there was an existing detached garage on the property that extended approximately 15' into the front setback.

State in detail what the petitioner desires to do at said subject property:

Owners wish to add a one-car garage with a mudroom connector and a master suite above. Given the 50' no-build zone, the proposed addition cannot extend further back than the existing driveway edge. To accommodate even a smaller than standard garage (22' deep), the front of the addition extends 3.25' (+/-) into the front setback.

State whether any petition as to the said premises has been submitted to this Board within the last five years. If so, give details: No

State if any Building Permit has been granted to said premises within the past two years. If yes, give details: No

Signed: 
Ericka Martin

Address: 37 Howard St.

S. Hamilton, MA 01982

Phone: 860-712-5303 or
978-836-6051

APPLICATION CHECK SHEET
HAMILTON ZONING BOARD OF APPEALS

VARIANCE

8 copies of all Materials. Refer to Instruction Sheet.

Section of the Zoning By-Law covering desired Board action(s)

4.1.2

Variance Requested. Check all that apply.

- Lot coverage
- Side yard setback
- Front yard setback
- Rear yard setback
- Frontage
- Parking
- Other. Specify. _____

State hardship for which relief is sought:

- Soil conditions
- Shape of the land
- Topography of the land

Visual Materials Required - Scaled drawings showing at a minimum the following

1. Site Plan: Include at a minimum:
 - Plan showing total parcel of land
 - Title block with Date
 - Scale
 - North Arrow
 - All property lot lines with dimensions
 - Area of parcel of land
 - All building locations with dimensions of structures and dimensions to lot lines
 - Location and use of all adjacent structures with dimensions to lot lines if applicant is seeking relief to construct within 20 feet of another building
 - Zoning District including Watershed Protection areas and Historic District areas. If property falls within more than one district, plan shall show all district lines.
 - Location of wetlands protected areas.
2. Exterior Elevations of the Building
3. Scaled floor plan of both new and existing structure



**TOWN OF HAMILTON
ZONING BOARD OF APPEALS**

**REQUEST FOR FINDINGS OF FACT
VARIANCE**

Date Submitted: 2.3.22

Applicant Name: Ericka and Tom Martin
Property Located at: 37 Howard Street

That literal enforcement of the Zoning By-Law would impose a substantial hardship on the petitioner due to circumstances relating to the soil conditions, shape or topography of the land or structures especially affecting the subject property but not affecting generally the area in which it is located, for the following reasons:

Much of the existing house is in the 50' no-build zone to the wetlands. A portion of the existing driveway is in the no-build zone which, per Conservation Commission, should allow for an addition over the disturbed area. Extending further into the no-build zone would not be allowed as it is undisturbed. To have a functioning garage, it requires a portion of it to be in the front setback.

That no substantial detriment to the public good would exist were the variance granted, for the following reasons:

Many other homes on the street have a one or two car garage and are similar scale, if not larger, to this home. Parking in front of the proposed garage would be accommodated.

That no nullification or substantial derogation from the intent or purpose of the Zoning By-Law would exist were the variance granted, for the following reasons:

There is no affect to the five stated purposes of the Zoning Bylaw. Placing the addition as shown is in-keeping with purpose #4 which is to "conserve natural conditions.....preserve and protect sites...."

The Zoning Board of Appeals has allowed variances for single-car garages in the past. The proposed is a single-car garage while also incorporating additional living space above. The addition is still in-keeping with the neighborhood in aesthetics and scale and will improve property values and enhance the visual nature of the area.

Signed: Ericka Martin

Address: 37 Howard St.

South Hamilton, MA 01982

Phone: 860-712-5303 (Ericka)
978-836-6051 (Tom)