

ZBA Case No.: 930A Address 323 King St

**TOWN OF LITTLETON
BOARD OF APPEALS**

37 Shattuck Street
P.O. Box 1305
Littleton, MA 01460
Tel: 978-540-2420



APPLICATION FOR PUBLIC HEARING

Pursuant to MGL Chapter 40A, 40B and 41 and the Littleton Zoning Ordinance

TOWN USE ONLY

Received by the Town Clerk Office

received
6/20/2019 Noon
Heather Cross

The filing is not official until stamped by the Town Clerk

Filing Fee paid: \$ 300 Check # 6927

Pursuant to the provisions of Chapter 40, §57 of the Massachusetts General Laws as adopted by Town of Littleton, this document must be signed by the Tax Collector verifying payment of taxes.

Deborah A. Richards

Signature of Tax Collector

The undersigned hereby submits this petition for the following action (check all that apply):

- ☐ Appeal of decision of Building Inspector or other administrative official (see page 2)
- ☐ Special Permit (40A) (see page 2)
- ☐ Variance (see page 3)
- ☐ Complete additional application (see page 2)

PETITIONER: Signature JWZ

Date: 6/19/19

Print Name

Joseph W King
323 King St.
Littleton Ma. 01460

Phone #

978 360-1885

Email Address

jwking@comcast.net

Deed Reference: Bk _____ Page _____

PROPERTY OWNER: include authorization of Owner for Petitioner to represent Owner, if unsigned

Signature

Date

Phone #

Print Name (if different from petitioner)

Email

Address (if different from petitioner)

ASSESSOR MAP PARCEL NUMBER W18 110

ZONING DISTRICT: R VC B IA IB (Circle all that apply)

Check box if applicable

☐ AQUIFER DISTRICT

☐ WATER RESOURCE DISTRICT

ZBA Case 930A - 323 King St

Appeal

Under MGL c. 40A § 8

The undersigned hereby appeals a written order or decision of the Building Commissioner / Zoning Board / other administrative official alleged to be in violation of the provisions of MGL c. 40A or the Zoning Bylaw to the Board of Appeals for the Town of Littleton.

1. From what Town Official or Board is the appeal being sought?

Mandatory: Attach copies of written order or decision under appeal

Administrative

Date of order / decision

2. Which Zoning Bylaw do you rely for your appeal?

MGL c.

Zoning Bylaw §

Code of Littleton §

You may also consider whether you qualify for relief under any other authority of the Board to grant a Special Variance.

3. I hereby certify that I have read the Board of Appeals Instructions for Appellants and that the statements and attachments are true and accurate to the best of my knowledge and belief.

Print name

Special Permit 40A

Under MGL c. 40A § 9

The undersigned hereby petitions the Board of Appeals for the Town of Littleton to grant a Special Permit as set forth and in accordance with the applicable provisions of the Zoning Bylaw.

1. Special Permit is expressly permitted in the Zoning Bylaws. Which Zoning Bylaw section do you rely for your appeal? Zoning Bylaw § 173-53

2. Why do you need a Special Permit? Attach a written statement that specifically describes existing conditions, objectives, and any other information necessary exhibits as listed in the filing instructions. *You may also consider whether you qualify for a Board to grant a variance.*

3. I hereby certify that I have read the Board of Appeals Instructions for petitioners and that the statements within attachments are true and accurate to the best of my knowledge and belief.

Signature

Print Name

Special Permit 40B

Under MGL c. 40B

See supplementary instructions: Littleton Zoning Board of Appeals Rules for the Issuance of a Comprehensive Zoning Bylaw.

Variance

Under MGL c. 40A § 80

The undersigned hereby petitions the Board of Appeals for the Town of Littleton to vary, in the manner and for the reasons hereinafter set forth, the applicable provisions of the Zoning By-law.

1. Specifically, from what Zoning bylaw section are you seeking relief? _____
2. Why are you seeking relief from a literal enforcement of this Zoning Bylaw?
Attach a statement that specifically describes existing conditions and your objectives, along with a specific site plan and plot plan and any documentation necessary to support your request.
3. Show evidence that you meet the minimum requirements of a variance under section 173-6 B (2) of the Littleton Zoning By-law.
Attach a statement which specifically includes why, owing to conditions (soil, shape, or topography) especially affecting the premises, but not affecting generally the zoning district in which it is located, a literal enforcement of the Zoning By-law would result in a substantial hardship to you. Applicant must clearly state the lack of alternative remedies.
4. I hereby declare that I have read the Board of Appeals Instructions for petitioners and that the statements and attachments are true and accurate to the best of my knowledge and belief.

Signature

Print name

Filing Instructions

1. **IMMEDIATELY FILE WITH THE BUILDING COMMISSIONER/ZONING ENFORCEMENT OFFICER BEFORE FILING WITH THE BOARD OF APPEALS.** He will assist you with the proper zoning sections and application request(s) and may save time by avoiding delays in the hearing process.
2. **Attach a list of abutters** list with the Assessors office (request for certified list of abutters form enclosed)
3. **Bring the completed application packet to the Administrative Assistant to the Building Commissioner** who will assist you with the Town Clerk.
4. **Neighborhood Meeting** - You must file 3 hard copies and an electronic copy of the following with the completed application:
 - most recently recorded plan of land or where no such plan exists, a copy of a plot plan registered with a registered engineer or land surveyor. The plan should show:
 - boundaries of the subject land
 - street names and other names and readily identifiable landmarks and fixed objects
 - location of all buildings
 - setbacks from the various boundaries
 - dimensions, setbacks and specifications of any new construction, alterations, additions or improvements
 - orientation of North
 - name of each abutting property owner
 - a copy of the most recently recorded deed
 - a statement detailing the basis for your petition
 - photographs, drawings and models are always helpful in explaining the problem
 - a scale print of the sign lettering and colors
 - a map showing the location of land, prints should show the proposed subdivision endorsed by a registered engineer or land surveyor
 - a map showing the location of any necessary dwellings evidence that the Board of Health has approved the septic system
 - a map showing the location of any necessary construction and the history of ownership are useful in finding facts about the case

Complete the application and file with the Town Clerk by the third Thursday of the month will be considered at the next meeting, held on the third Thursday of the following month. The Board may dismiss an application or petition for failure to comply with any of the foregoing rules.

To whom it may concern –

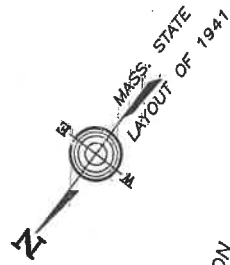
I would like to appeal the restriction on my barn pursuant to the zoning by law #173-53 and make detached residence on the second floor. I will leave first floor the barn piece.

Thanks

Joseph w Brine

DEED REFERENCE: BOOK 50740, PAGE 395
PLAN REFERENCE: PLAN 1941 STATE LAYOUT
ASSESSOR'S REFERENCE: MAP U-18, PCL 110
ZONING DISTRICT: RESIDENTIAL

U/F 110



N/F TOWN OF LITTLETON

966'±

975'±

N/F EALEY

LOT AREA=3.52 ACRES±

30.8'

FOUNDATION ONLY
40.0'x30.0'

20.1'

FOUNDATION ONLY
36.0'x36.0'

40.0'

L=64.16'

L=60.73'
R=584.13

48.9'

45.2'

97.62'

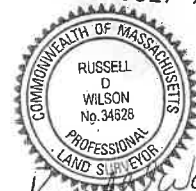
SB (FND)

78.75'

KING STREET
(1941 STATE LAYOUT)

I CERTIFY THAT THE EXISTING FOUNDATIONS ARE CONSTRUCTED WHERE SHOWN ON THIS PLAN, AND COMPLY WITH THE ZONING BYLAWS (DIMENSIONAL REQUIREMENTS) OF THE TOWN OF LITTLETON AS OF THIS DATE.

I FURTHER CERTIFY THAT THE STRUCTURE DOES NOT LIE IN THE FLOOD HAZARD ZONE SHOWN ON THE F.E.M.A. MAP OF MIDDLESEX COUNTY, MASS. PANEL 238 OF 656, MAP # 25017C0238F EFFECTIVE DATE: JULY 7, 2014



Russell O. Wilson
10/4/17

PLOT PLAN OF LAND
AT
323 KING STREET
LITTLETON, MASS.

OWNER: JOSEPH BRINE AND LIVIA DEMAGGIO
323 KING STREET, LITTLETON, MA 01460

SCALE: 1 INCH = 40 FEET

DATE: OCTOBER 4, 2017

R. WILSON AND ASSOCIATES
LAND SURVEYORS AND CIVIL ENGINEERS
360 MASSACHUSETTS AVE. ACTON MASS. 01720
PHONE: 978-266-0203 FAX: 978-266-0202
FILE NO. 2159 DWG NO. 2159 WP SHEET NO. 1 OF 1

OK MB 11-29-17