



OFFICE OF THE
LITTLETON BOARD OF APPEALS
LITTLETON, MASSACHUSETTS 01460

received
Althea JF 10:05 am

Petitioner: R. D. KANNIARD CUSTOM HOMES, INC.

Case No: 863A

Date Filed: October 9, 2015

The Littleton Board of Appeals conducted a public hearing on November 19, 2015 at 7:30 P.M. at the Shattuck Street Municipal Building, Shattuck Street, Littleton, for a Special permit pursuant to Section 173-10B (1), or a Variance from Section 173-31, to allow change or extension of a pre-existing non-conforming structure to allow a garage addition at 18 White Pine Drive, Littleton, Ma, within the side setback. Notice of the hearing was given by publication in the Littleton Independent, a newspaper circulated in Littleton, on November 5 and 12, 2015, and by mail to all abutters and parties in interest. Present and voting: Sherrill R. Gould, Chairman, Alan Bell, Jeff Yates, Rod Stewart, and Cheryl Hollinger, Members. Present and not voting was Roseanne Rico Bales, Alternate.

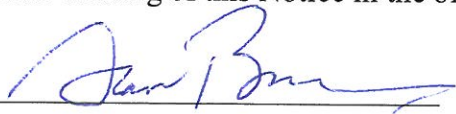
The Petitioners presented a proposal to raze an existing garage on a nonconforming property and replace it with a more functional two car garage with laundry, mudroom, powder room facilities in the rear, at the home at 18 White Pine Drive, Littleton, Massachusetts. The Petitioner submitted plans showing that the existing garage currently conforms to the sideline setback. The property is nonconforming in that the lot size is 10,000 square feet and has only 100 feet of frontage. The properties in this neighborhood are generally similar with small lots, ranch style homes and small frontage. The current building conforms to the front, side and rear setback requirements. The proposal to raze and replace the existing garage with a two car functional garage would encroach into the side setback on the westerly side, leaving only a 9' setback. The new reduced setback requires this application be treated as a variance. The petitioner explained that the current garage is too small to be functional for vehicles and equipment and demonstrated that a standard two car garage is 22 feet in width. He produced plans showing that there was no other location on this small lot for the garage to be built to conform since the septic system covers much of the rear yard. His proposal includes some needed additional living space in the rear. The Board solicited the Petitioner's willingness to reduce the garage size so that the setback could be 10', which is the allowed setback for detached accessory structures, and would represent less of a variance from the zoning intent. The Petitioner agreed. No abutters appeared in opposition to the petition.

FINDINGS: The Board found that the lot was unique and that not having a functional garage would create a hardship in having no location for the yard equipment. The garage replacement as amended would not be substantially more detrimental to the neighborhood than the existing nonconforming structure.

DECISION: The Board voted unanimously to GRANT a Variance to construct a garage approximately as shown on the site plan submitted with the petition, provided that the side setback would be not less than 10 feet.

Appeals, if any, shall be made pursuant to G.L. 40A, Section 17 and shall be filed within twenty days after the date of filing of this Notice in the office of the Town Clerk.

Signed: _____

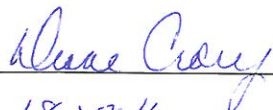


Date: March 30, 2015

Book: 65911, Page 136.

I hereby signify that twenty (20) days have elapsed since the filing of the above Decision by the Board of Appeals and that no appeal concerning said decision has been filed or that any appeal that has been filed has been dismissed or denied.

True Copy Attest: _____



Town Clerk, Littleton, Massachusetts

February 18, 2016