



OFFICE OF THE
LITTLETON BOARD OF APPEALS
LITTLETON, MASSACHUSETTS 01460

Petitioner: Raymond O'Neil
Property Address: 30 Pickard Lane
Case No: 780A
Date Filed: April 30, 2010

The Littleton Board of Appeals conducted a public hearing on May 17, 2010, at 8:30 P.M. at the Shattuck Street Municipal Building on the petition of Raymond O'Neil for a variance to add a front porch, partially within the 30 foot required front yard setback, at his home at 30 Pickard Lane, Littleton, MA. Notice of the hearing was given by publication in the Littleton Independent, a newspaper published in Acton and circulated in Littleton, on May 6 and 13, 2010, and by mail to all abutters and parties in interest. Present and voting: Sherrill Gould, Chairman; Julia Adam, John Cantino, and Jeff Yates, Members; Rod Stewart, Alternate.

Raymond O'Neil appeared and presented a request for a variance to add an 8' x 32' farmer's porch across the front of his home at 30 Pickard Lane. Mr. O'Neil explained that the farmer's porch was on the original specifications for building when he purchased the home in 1993 but that he did not then have sufficient funds to build the porch. The house is located on the cul de sac at the end of Pickard Lane and has a slope easement approximately in the 30 feet setback. The farmer's porch addition to the house would meet the front setback across the entire width of the home except at one corner. Because of the grade and slope of Pickard Lane, the cul de sac right of way comes as close to the house as 31.2 feet only at the most westerly corner of the structure and the porch would be in violation of the front yard setback only at that corner. The petitioner explained that it would constitute a hardship to be denied the ability to improve his home similarly to those properties around him for such a *diminimus* violation. He expressed the need for a covered entry offering protection from the weather in the winter and pointed out that the rear deck is not usable in certain rainy and humid seasons because of the insects around the conservation lands and wetlands in the rear of the home. He also explained that it would constitute a hardship to have to build a hybrid or architecturally designed front porch to meet the setback at that one corner. The lot is unique in that the road cuts in closer to the property only at that one area. Abutters on the side and facing the home appeared to support his petition.

FINDINGS: The Board found that the Petitioner satisfied the requirements for a variance by showing the lot was unique due to the location on the cul de sac and by the way the road cut into the lot at one corner. They also concluded that a literal enforcement of the zoning bylaw for this situation, due to the variance being required for such a *diminimus* area, would result in a financial hardship to the Petitioner.

DECISION: The Board voted unanimously to GRANT a Variance to the applicant for an 8' x 32' farmer's porch across the front of the home at 30 Pickard Lane, as shown on the original house plans submitted with the petition.

Appeals, if any, shall be made pursuant to M.G.L. Chapter 40A, Section 17, and shall be filed within twenty (20) days after the date of filing of this Decision in the office of the Town Clerk.

The Variance shall not take effect until a copy of the Decision bearing the certificate of the Town Clerk is recorded with the Middlesex District Registry of Deeds in accordance with the provisions of M.G.L. Chapter 40A, Sections 11 and 15, stating that twenty (20) days have elapsed after the Decision has been filed in the office of the Town Clerk and no appeal has been filed, or if such appeal has been filed it has been dismissed or denied.

Signed Julia A. Adam Date 5/27/10
Clerk, Zoning Board of Appeals

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I hereby signify that twenty 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 _____ Date _____
Town Clerk, Littleton, Massachusetts