



Town of Reading

16 Lowell Street, Reading, MA 01867

Zoning Board of Appeals

Ph: 781-942-6654 or Fax: 781-942-9071

readingma.gov/zoning-board-of-appeals

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Decision on the Petition of

R.O.D

On the Property Located at

18 Henzie Street, Reading, Massachusetts

Case No. 21-02

March 4, 2021

The Zoning Board of Appeals (the "Board") opened a public hearing via Zoom virtual meeting, in lieu of meeting in the Select Board's Meeting Room at Town Hall, 16 Lowell Street in Reading, Massachusetts to hear the petition of **R.O.D** (The "Petitioner"). The Petitioner sought a Variance under Sections 4.5.2, 6.0, 6.3 and 7.4 of the Zoning By-laws to create an 8' x 16.7' covered entry way with stairs that results in a non-conforming front-yard setback of 18', where 20' is required, on the property located at **18 Henzie Street** in Reading, Massachusetts (the "Property").

The Property is located in the **S-15** residential district of Reading. The existing lot is considered legal non-conforming, due to the fact that it does not meet the current lot area requirements for the zoning district it is in. The property maintains 13,000sf of area where 15,000sf is required. The existing dwelling (a "cape" style house, circa 1950) was found to be a conforming structure in terms of dimensional requirements and setbacks. The Petitioner was present at the meeting, along with the homeowner Jaykiran Teraiya. It was stated that the Petitioner is seeking a Variance for a covered entry way at the south façade of the existing dwelling. The proposal would result in a non-conforming front setback of 18'. The existing dwelling with the proposed entry way and stairs is depicted on a Certified Plot Plan ("the Plot Plan") prepared and certified by Alexander Crucioli, Professional Surveyor No. 10300, of Global Associates – 9 Broadway Street, Wakefield, MA 01880, dated October 20, 2020. Architectural layouts and elevations for the proposed addition, consisting of sheets one through five, dated October 8, 2020, prepared by Rod Rivera, 97 Beach Street, Malden, MA 02148, were also submitted with the Petitioner's application.

The Applicant informed the Board that the proposal was needed for to improve the formal entry way into the dwelling and to provide additional ancillary space. The proposed entry way and stairs could not be built to the east due to the existing below-grade garage. The proposal would raise the value of the dwelling in the future.


The Board discussed and found that the Applicant should explore a 6' wide entry way that would conform to the front-yard setback requirements. The existing entry way is 4' wide and an

additional 2' would give the homeowners a 50% increase to the structure. The Board found that the proposed 2' of relief (or 10% of required 20' front-yard setback) was not fully justified within the Variance Criteria. Bringing a conforming dwelling into non-conformance was not an ideal that the Board felt warranted for the neighborhood. The Board reviewed the options to move forward with the Applicant. After discussion the Applicant moved to withdraw their request without prejudice.

A motion was made, seconded and the Board voted in the affirmative (5-0-0) to grant the Applicant's request to *Withdraw Without Prejudice* the request for a Variance on the property located at **18 Henzie Street**, Reading, Massachusetts (Case No. 21-02).

Any person aggrieved by the decision of the Board may appeal to the appropriate court pursuant to M.G.L. c. 40A, § 17, within twenty (20) days after the date of filing this Decision with the Town Clerk. Notice of appeal with a copy of the complaint must also be filed with the Town clerk within twenty (20) days as provided in § 17.

ON BEHALF OF THE READING ZONING BOARD OF APPEALS



Robert Redfern, Chair

Board members sitting and voting on Case No. 21-02
Nick Pernice, Cynde Hartman, Jamie Maughan, Chris Emilius, Alex Normandin