

TOWN OF WAREHAM
ZONING BOARD OF APPEALS

APPLICATION FOR A PUBLIC HEARING FOR A VARIANCE/SPECIAL PERMIT

Certain uses are allowed in several zoning districts only by means of a Variance and/or Special Permit from the Zoning Board of Appeals. Those uses are indicated in the Wareham Zoning By-Laws. To apply for a Variance/Special Permit from the Zoning Board of Appeals, please do the following:

- o Complete this form.
- o Complete information packets. (Directions attached)
- o Submit application form and packet to Town Clerk for signature.
- o Submit application form and packet to Town Collector for signature.
- o Submit completed form, packets, and appropriate fees** to the Zoning Board of Appeals secretary.

**Permits may be issued only after a public hearing. There is a filing fee of \$300.00 per lot, per application for all non-conforming residential lots, whether built upon or not. There is a filing fee of \$750.00 per lot, per application for all commercial applications. In the case of a multi-family development, the fee is \$300.00 plus an additional \$50.00 for every unit over two (2). Please make check payable to the Town of Wareham.

**A check to cover two (2) legal advertisements for the public hearing should be made payable to Wareham Week in the amount of \$100.00.

**The applicant will also be responsible for the costs of sending out abutter notifications by Certified Mail. The cost is \$6.90 per certified letter to each abutter. Please see Zoning Board secretary for cost of mailings. Please make check payable to the Town of Wareham.

I hereby apply for a Variance/Special Permit for a use to be made of the following described place:

STREET & NUMBER: 9 MALLARD RD. LOT: 97 MAP: 133A

ZONING DISTRICT: MR-30

USE REQUESTED: CONSTRUCT A NEW 10' X 14' SHED

OWNER OF LAND & BUILDING: DEREK J. ROGERS TEL.# (508) 989-7011

ADDRESS OF OWNER: 9 MALLARD RD., WAREHAM, MA

PERSON(S) WHO WILL UTILIZE PERMIT: DEREK J. ROGERS / EAST COAST SHED

ADDRESS: 9 MALLARD RD., WAREHAM, MA

DATE: 4/26/2021 SIGNATURE: 

This application was received on the date stamped here:

WAREHAM TOWN CLERK
2021 APR 28 PM 1:37

Town Clerk: _____ Date: _____

Tax Collector: Paula Davis Date: 4/8/21

Planning/Zoning Dept.: Stella Kapan Date: 4/28/21

Application fee paid: 100.00 Check #: 310 Receipt: _____

Advertising fee paid: 100.00 Check #: 313 Receipt: _____

Abutters fee paid: 118.17 Check #: 312 Receipt: _____

TOWN OF WAREHAM

APPLICANT/CONTRACTOR/REPRESENATIVE INFORMATION SHEET

Check One: Variance Special Permit Site Plan Appeal

Date stamped in: _____ Date decision is due _____

Applicant's Name: DEREK J. ROGERS

Applicant's Address: 9 MALLARD RD., WAREHAM, MA

Telephone Number: (508) 989-7011

Cell Phone Number: (508) 989-7011

Email Address: ROGERS.DEREK.J@GMAIL.COM

Address of Property/Project: 9 MALLARD RD., WAREHAM, MA

Landowner's Name: DEREK J. ROGERS

Owner's Address: 9 MALLARD RD., WAREHAM, MA

Telephone Number: (508) 989-7011

Contact Person: DEREK J. ROGERS Telephone Number: (508) 989-7011

Map 133A Lot 97 Zone MR-30

Date Approved _____ Date Denied _____

Comments: _____



2011 00085684
Bk: 40518 Pg: 21 Page: 1 of 1
Recorded: 10/31/2011 01:35 PM
ATTEST: John R. Buckley, Jr. Register
Plymouth County Registry of Deeds

QUITCLAIM DEED

We, Robert R. Rocha and Cynthia A. Rocha, of Wareham, Massachusetts 02571 for consideration of Two Hundred Nineteen Thousand and 00/100 Dollars (\$219,000.00) grants to Derek J. Rogers, being unmarried, Individually, of 21 11th Street, Dartmouth, Massachusetts 02748

with **QUITCLAIM COVENANTS**

The land in Wareham, Plymouth County, Massachusetts, known as Lot #97 on a Plan Entitled: Subdivision of Gateway at Wareham, owned by Gateway Shores, Inc., dated February 21, 1967, modified March 21, 1967, Walter E. Rowley & Associates, Surveyors, recorded with the Plymouth County Registry of Deeds as Plan No. 275 on April 28, 1967.

BEING the same premises conveyed to within Grantors, Robert R. Rocha and Cynthia A. Rocha, by Deed Dated October 15, 2004 and Recorded with the Plymouth Registry of Deeds at Book 29302 Page 196.

Executed as a sealed instrument this 31st day of October, 2011.

Robert R. Rocha
Robert R. Rocha
Cynthia A. Rocha
Cynthia A. Rocha

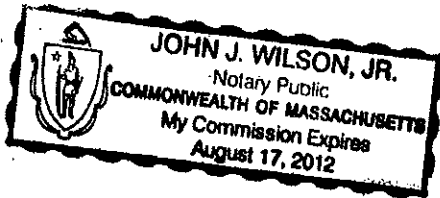
COMMONWEALTH OF MASSACHUSETTS
County of *Plymouth*

MASSACHUSETTS EXCISE TAX
Plymouth District ROD #11 001
Date: 10/31/2011 01:35 PM
Ctrl# 052730 26641 Doc# 00085684
Fee: \$998.64 Cons: \$219,000.00

CANCELLED

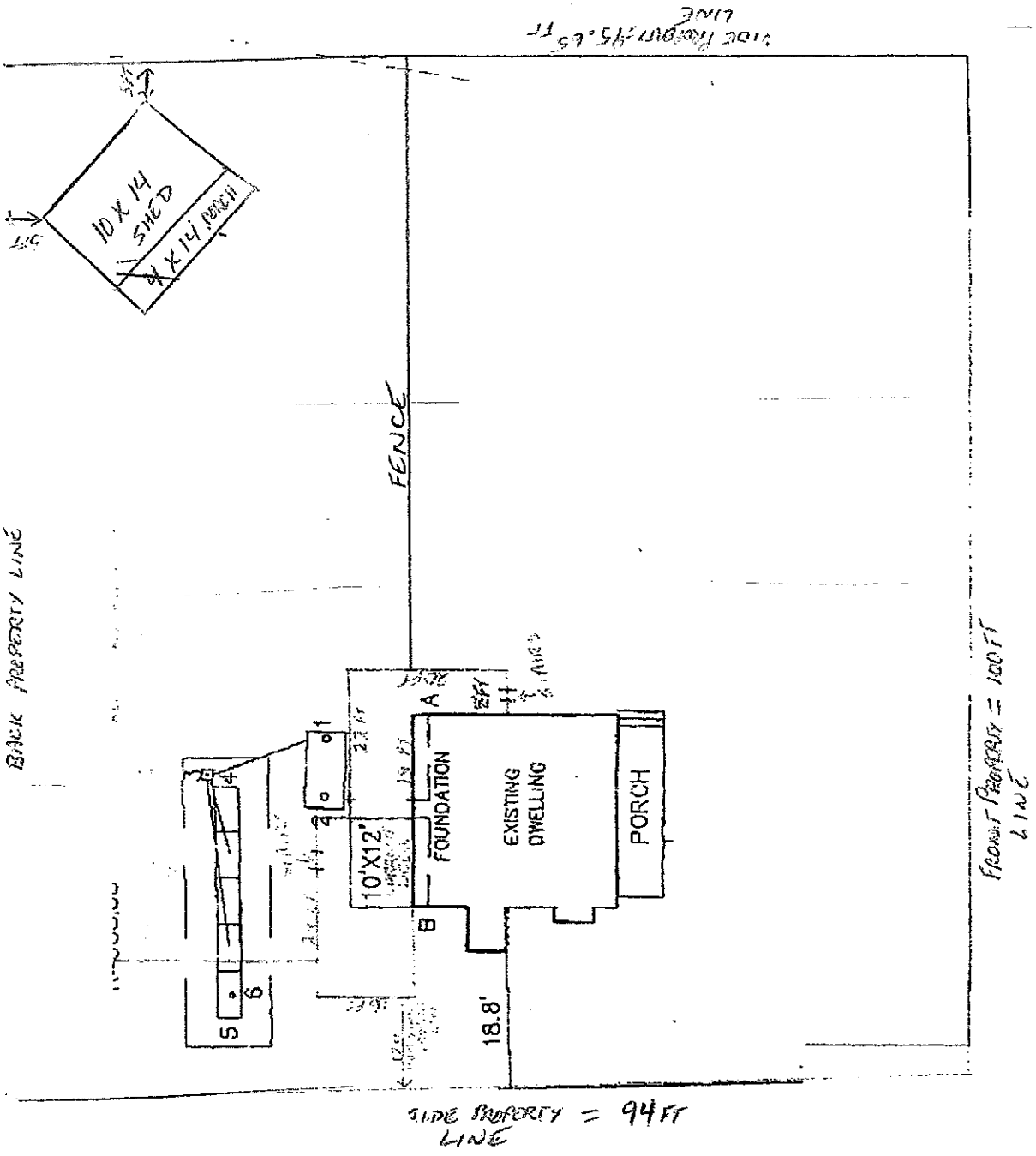
On this *31st* day of October, 2011, before me, the undersigned notary public, personally appeared *Robert R. Rocha and **, proven to me through satisfactory evidence of identification, which was photographic identification with signature issued by a federal or state governmental agency, oath or affirmation of a credible witness, personal knowledge of the undersigned, to be the person(s) whose name(s) is/are signed on the preceding document in my presence and acknowledged to me that he/she/they signed it voluntarily for its stated purpose.

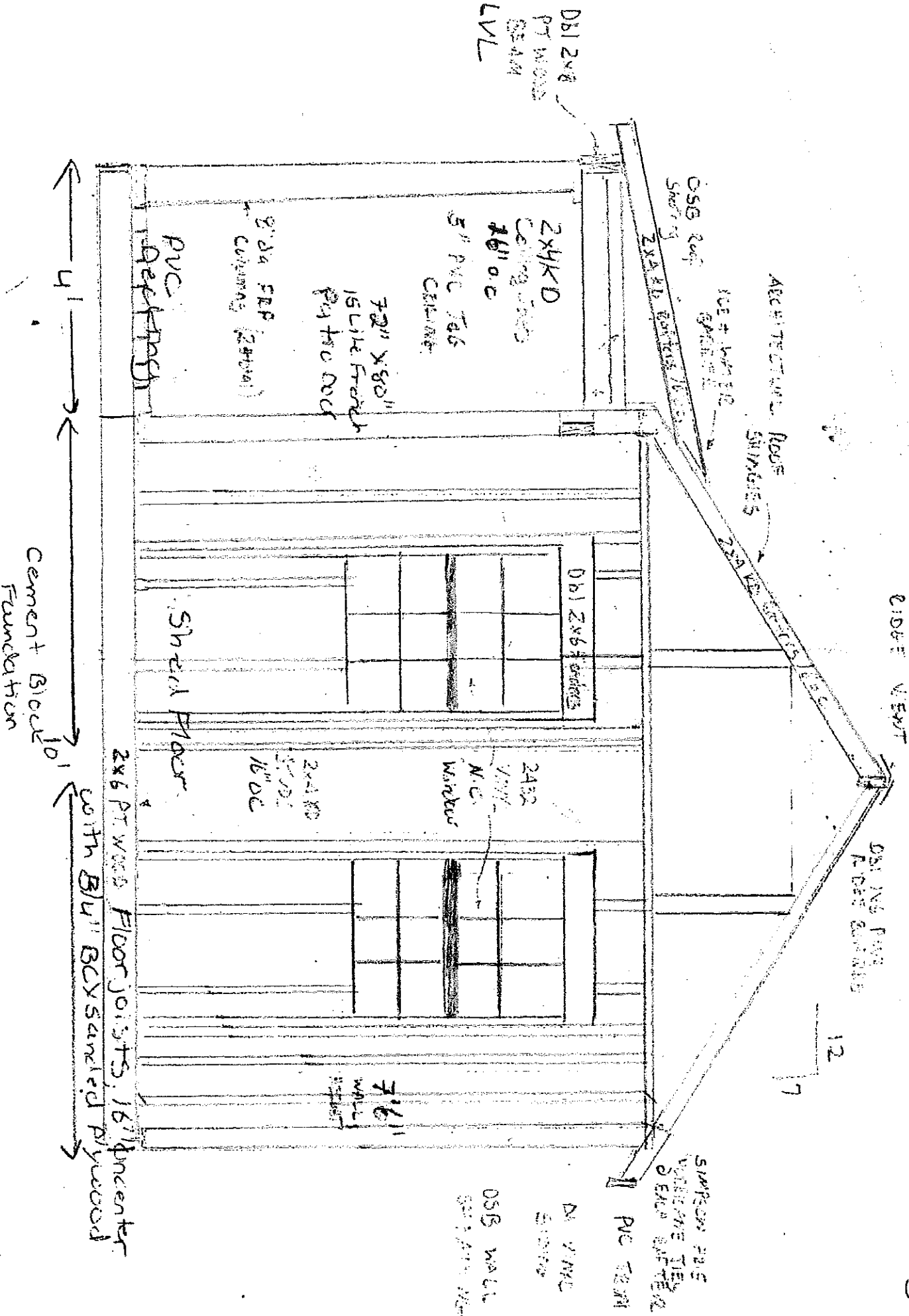
** Cynthia A. Rocha*



Notary Public
My Commission Expires: *8/17/12*

9 MARANO RD, WAREHAM MA





10' X 14' shed
with 4' overhang

EDGE VIEW

DRIVING PANEL
RAFTER SPACINGS

12
7

ARCHITECTURAL ROOF
SPACINGS

ICE & WATER
SHIELDING

OSB Roof
Sheeting

2x4 RB Rafters

5/8\"/>

DRY WOOD
SHEDDING

OSB WALL
SHEATHING

DB1 2x8
PT WOOD
BEAM
LVL

2x4 KD
Columns
16\"/>

5\"/>

7/8\"/>

8\"/>

PVC
TRIMMING

DB1 2x6 Rafters

2x4 KD
WOOD

16\"/>

Window

7'6\"/>

WALL
SHEATHING

Shield Floor

2x6 PT WOOD Floor Joists, 16\"/>

with 3/4\"/>

Cement Block
Foundation

4' ← →

10' ← →

Derek J. Rogers
9 Mallard Rd.
Wareham, MA 02571

April 20, 2021

Chairman Elkallassi and Board Members
Zoning Board of Appeals
54 Marion Rd.
Wareham, MA 02571

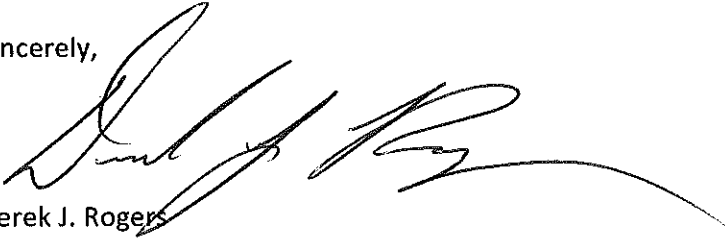
Dear Chairman Elkallassi and Board Members:

I am providing this letter as part of my application for a zoning variance.

As you will see from the enclosed attachments, I am proposing to construct a new 10' x 14' shed in the rear right corner of my property. I was denied a permit since I am proposing a 5' setback from the side and rear of my property which does not meet zoning requirements. The reason for such a request is that any location in my backyard meeting the zoning requirements would require a significant investment to make the location level enough to build upon.

If you have any questions, I can be reached by phone at (508) 989-7011 or by email at rogers.derek.j@gmail.com. I appreciate your time in considering my request.

Sincerely,

A handwritten signature in black ink, appearing to read 'Derek J. Rogers', with a long horizontal flourish extending to the right.

Derek J. Rogers



TOWN of WAREHAM

Massachusetts

BUILDING DEPARTMENT

David L Riquinha
Director of Inspectional Services

Derek Rogers
9 Mallard Road
Wareham, MA 02571

February 16, 2021

RE: 9 Mallard road (accessory structure)

Map # 133A, Lot # 97

I have reviewed your application to construct a new accessory structure in the rear yard of your existing single family property. The proposal does not comply with current zoning regulations and must be denied at this time.

You are proposing to construct a new 10' x 14' detached accessory structure in rear right corner of your existing property. The property is greater than 10,000 square feet which would make the setback requirements, 10' from the side lot line and 15' from the rear. You are proposing 5' from the side and rear which equals two new non-conformities, and will require a Variance from the Zoning Board of Appeals.

Your permit application is being denied under the following sections of the Wareham Zoning By-law:

- **Article 6, Table 625, Accessory Buildings;** Accessory buildings in residential districts are required to 10' from side lot lines and 15' from the rear. Your proposal does not comply with the regulation and requires a Variance from the Zoning Board of Appeals.

The subject dwelling is located in the MR-30 zoning district.

Respectfully,

David Riquinha
Building Commissioner
Zoning Enforcement Officer

It is the owners' responsibility to check with other departments, i.e. Health, and conservation, etc. to ensure full compliance.

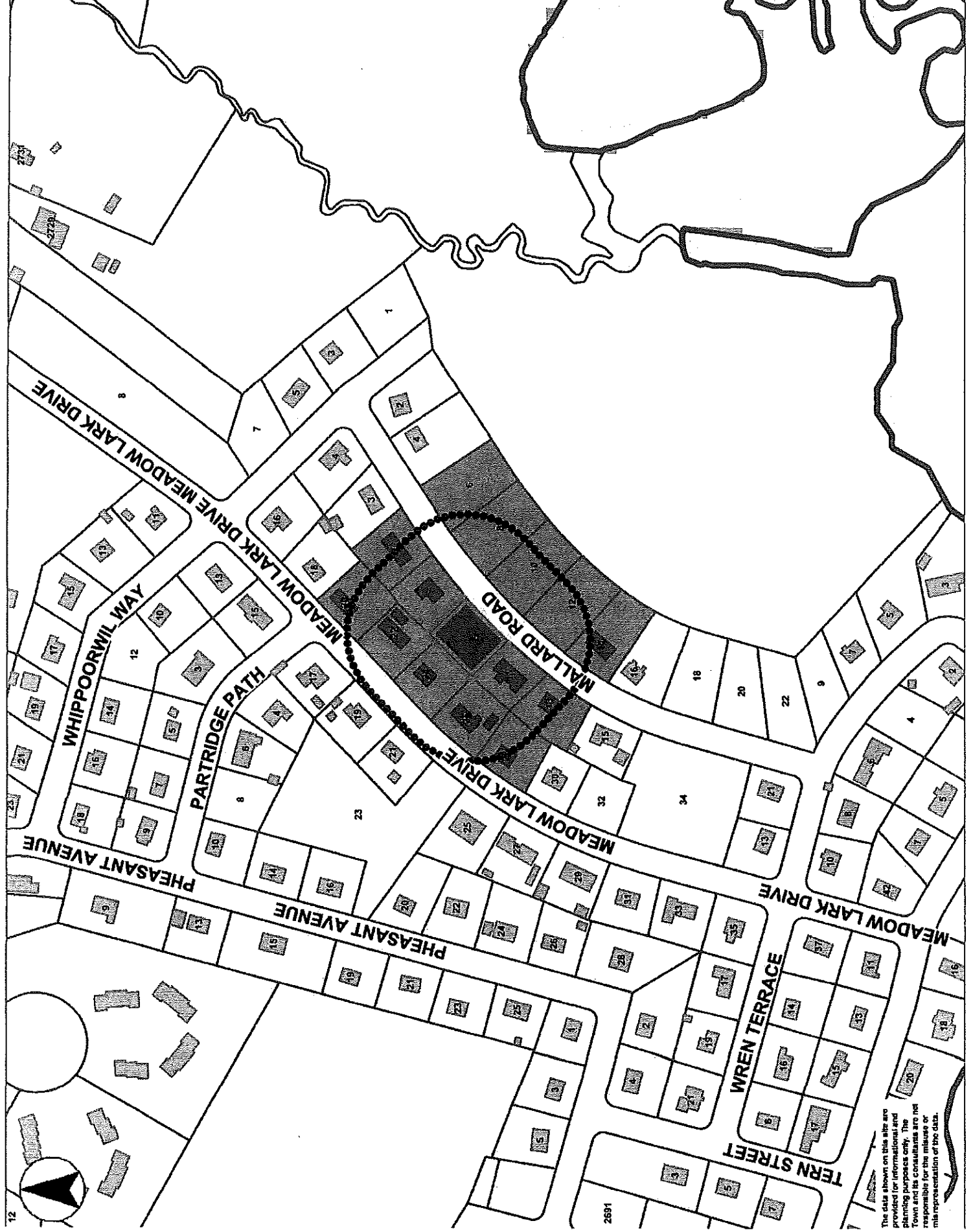
In accordance with the provisions of MGL chapter 40A §§ 15, you may apply to the Zoning Board of Appeals for the above noted relief within thirty (30) days of receipt of this letter.

\$118.17

MAP & LOT	OWNER	CO-OWNER	STREET ADDRESS	TOWN	STATE	ZIP CODE
TOWN OF WAREHAM ABUTTERS						
MAP 133/A LOT 97						
OWNER DEREK J ROGERS						
133/A-87	LAFRENIERE JERI A	DEMORANVILLE WALTER A JR	28 MEADOWLARK DR	WAREHAM	MA	02571
133/A-86	NICHOLSON KYLE	NICHOLSON JOANNE J	26 MEADOWLARK DR	WAREHAM	MA	02571
133/A-99	DIXON MICHAEL		13 MALLARD RD	WAREHAM	MA	02571
133/A-85	SMITH MARILYN E		24 MEADOWLARK DR	WAREHAM	MA	02571
133/A-98	CASWELL JANE		11 MALLARD RD	WAREHAM	MA	02571
133/A-84	LOVETT PHYLLIS E		22 MEADOWLARK DR	WAREHAM	MA	02571
133/A-97	ROGERS DEREK J		9 MALLARD RD	WAREHAM	MA	02571
133/A-110	MELLO PENELOPE		14 MALLARD RD	WAREHAM	MA	02571
133/A-83	ALFONSO MICHAEL D		20 MEADOWLARK DR	WAREHAM	MA	02571
133/A-96	BARBOZA TODD		7 MALLARD RD	WAREHAM	MA	02571
133/A-109	MENTON BERNARD F	MENTON MARIAN R	63 CHESTNUT CIRCLE	RANDOLPH	MA	02368
133/A-108	PACKARD DAVID F	PACKARD DIANE A	79 WARD ST	LEXINGTON	MA	02173
133/A-95	ROBICHAUD SHAWN C		5 MALLARD RD	WAREHAM	MA	02571
133/A-107	TOWN OF WAREHAM		54 MARRIGN RD	WAREHAM	MA	02571
133/A-106	GABLE REALTY TRUST		500 CHESTNUT ST	LYNNFIELD	MA	01940
CERTIFIED ABUTTERS AS THEY						
APPEAR ON OUR TAX ROLLS						
AS OF 3/1/2021						
ASSESSORS OFFICE						
REQUESTED BY						
SONYA RAPOSO						
WAREHAM TOWNHALL						

Handwritten signature: G. P. ...

- MA Places
- Fire Station
- Police Station
- Town Hall
- Public Library
- School
- Buildings
- Parcels
- Town Boundary
- MA Highway
- Interstate
- US Highway
- Numbered Road
- Streets
- Bathymetry
- 0-5 ft
- 5-10 ft
- 10-15 ft
- 15-20 ft
- 20-30 ft
- 30-40 ft
- 40-50 ft
- 50-60 ft
- 60-70 ft
- 70+ ft
- Abutting Town Labels
- Abutting Towns



The data shown on this site are provided for informational and planning purposes only. The Town and its consultants are not responsible for the misuse or misrepresentation of the data.