

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:

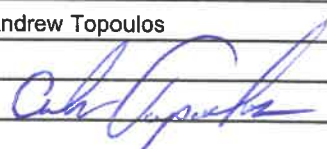
- Complete this form.
- Complete information packets. (Directions attached)
- Submit application form and packet to Town Clerk for signature.
- Submit application form and packet to Town Collector for signature.
- Submit completed form, packets, and appropriate fees\*\* to the Zoning Board of Appeals 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: 12 Highland Rd LOT: 1133 MAP: 61  
ZONING DISTRICT: 11  
USE REQUESTED: Residential  
OWNER OF LAND & BUILDING: Andrew Topoulos / Patricia Topoulos TEL.# 774-454-9938  
ADDRESS OF OWNER: 12 Highland Rd  
PERSON(S) WHO WILL UTILIZE PERMIT: Andrew Topoulos  
ADDRESS: 12 Highland Rd  
DATE: 23-3-2023 SIGNATURE:   
This application was received on the date stamped here:

Town Clerk:	_____	Date:	_____
Tax Collector:	<u>Grace Hotal</u>	Date:	<u>1-30-23</u>
Planning/Zoning Dept.:	_____	Date:	_____
Application fee paid:	_____	Check #:	_____
Advertising fee paid:	_____	Check #	_____
Abutters fee paid:	_____	Check #	_____
		Receipt:	_____
		Receipt:	_____
		Receipt:	_____

**TOWN OF WAREHAM**

**APPLICANT/CONTRACTOR/REPRESENTATIVE INFORMATION SHEET**

Check One: ☒ Variance ☐ Special Permit ☐ Site Plan ☐ Appeal

Date stamped in: \_\_\_\_\_ Date decision is due \_\_\_\_\_

Applicant's Name: Andrew Topoulos

Applicant's Address: 12 Highland Rd

Telephone Number: 508-295-4903

Cell Phone Number: 774-454-9938

Email Address: topoulos@verizon.net

Address of Property/Project: 12 Highland Rd

Landowner's Name: Andrew Topoulos / Patricia Topoulos

Owner's Address: 12 Highland Rd

Telephone Number: 508-295-4903

Contact Person: Andrew Topoulos Telephone Number: 774-454-9938

Map 61 Lot 1133 Zone 11

Date Approved \_\_\_\_\_ Date Denied 14-Dec-2022

Comments: \_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

\*\*\*\*\*  
MASSACHUSETTS EXCISE TAX  
Plymouth District ROD #11 001  
Date: 04/05/2021 02:48 PM  
Ctrl#  
Fee: \$.00 Cons: \$1.00  
\*\*\*\*\*

**DEED**

PATRICIA L. TOPOULOS AND ANDREW G. TOPOULOS, HUSBAND AND WIFE of  
12 Highland Street, Wareham, Massachusetts 02571, for consideration of ONE (\$1.00) dollar,  
grant

PATRICIA L. TOPOULOS AND ANDREW G. TOPOULOS, trustees of the TOPOULOS  
LIVING FAMILY TRUST dated April 1, 2020, (*Trustee Certificate recorded herewith*) of 12  
Highland ~~Road~~, Wareham, Massachusetts 02571,

with QUITCLAIM COVENANTS:

SEE EXHIBIT A

Being the same property as conveyed by deed to Grantors recorded June 30, 2000 at the  
Plymouth County Registry of Deeds at Book 18660, Page 112

EXECUTED as a sealed instrument this 1st day of April 2021.

  
PATRICIA L. TOPOULOS

  
ANDREW G. TOPOULOS

Property Address: 12 Highland ~~Road~~, Wareham, MA 02571

COMMONWEALTH OF MASSACHUSETTS

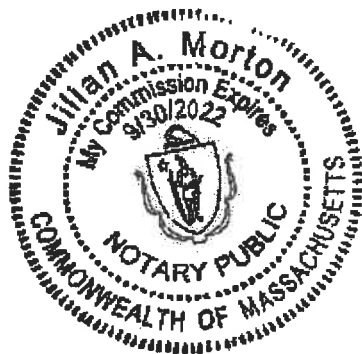
COUNTY OF PLYMOUTH, ss.

On this 1st day of April, 2020, before me, the undersigned notary public, personally appeared the above named individuals, PATRICA L. TOPOULOS and ANDREW G. TOPOULOS

☒ who are personally known to me,

☐ proved to me through satisfactory evidence of identification, which was Massachusetts driver's licenses or \_\_\_\_\_

to be the persons whose names are signed on the preceding or attached document, and acknowledged to me that they signed it voluntarily for its stated purpose.



  
Notary Public

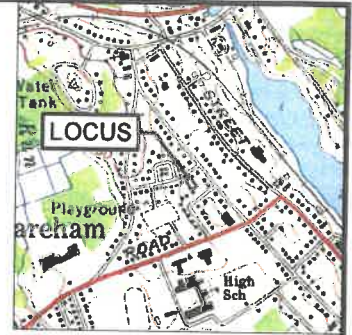
Jillian Morton  
My Commission Expires: 9/30/2022

**ZONING DISTRICT: WAREHAM VILLAGE 2 (WV-2)**

ACCESSORY BUILDING	REQUIRED	EXISTING	PROPOSED
FRONT SETBACK =	*18.2' MIN.	79.2'	79.2'
SIDE SETBACK =	10' MIN.	-1.4'	1.0'
REAR SETBACK =	10' MIN.	88.5'	87.8'
BUILDING HEIGHT =	35' MAX.	< 35'	< 35'

\*FRONT SETBACK FOR ACCESSORY BUILDING SHALL BE EQUAL TO OR GREATER THAN THE EXISTING PRINCIPAL BUILDING'S FRONT SETBACK.

LOT	REQUIRED	EXISTING	PROPOSED
BUILDING COVERAGE =	20% MAX	13.0%	13.4%
IMPERVIOUS SURFACE =	50% MAX	22.1%	22.4%



**U.S.G.S. LOCUS MAP**  
SCALE: 1"=1000'

**OWNER OF RECORD:**  
ANDREW G. & PATRICIA L. TOPOULOS, TRUSTEES  
12 HIGHLAND ROAD  
WAREHAM, MA 02571

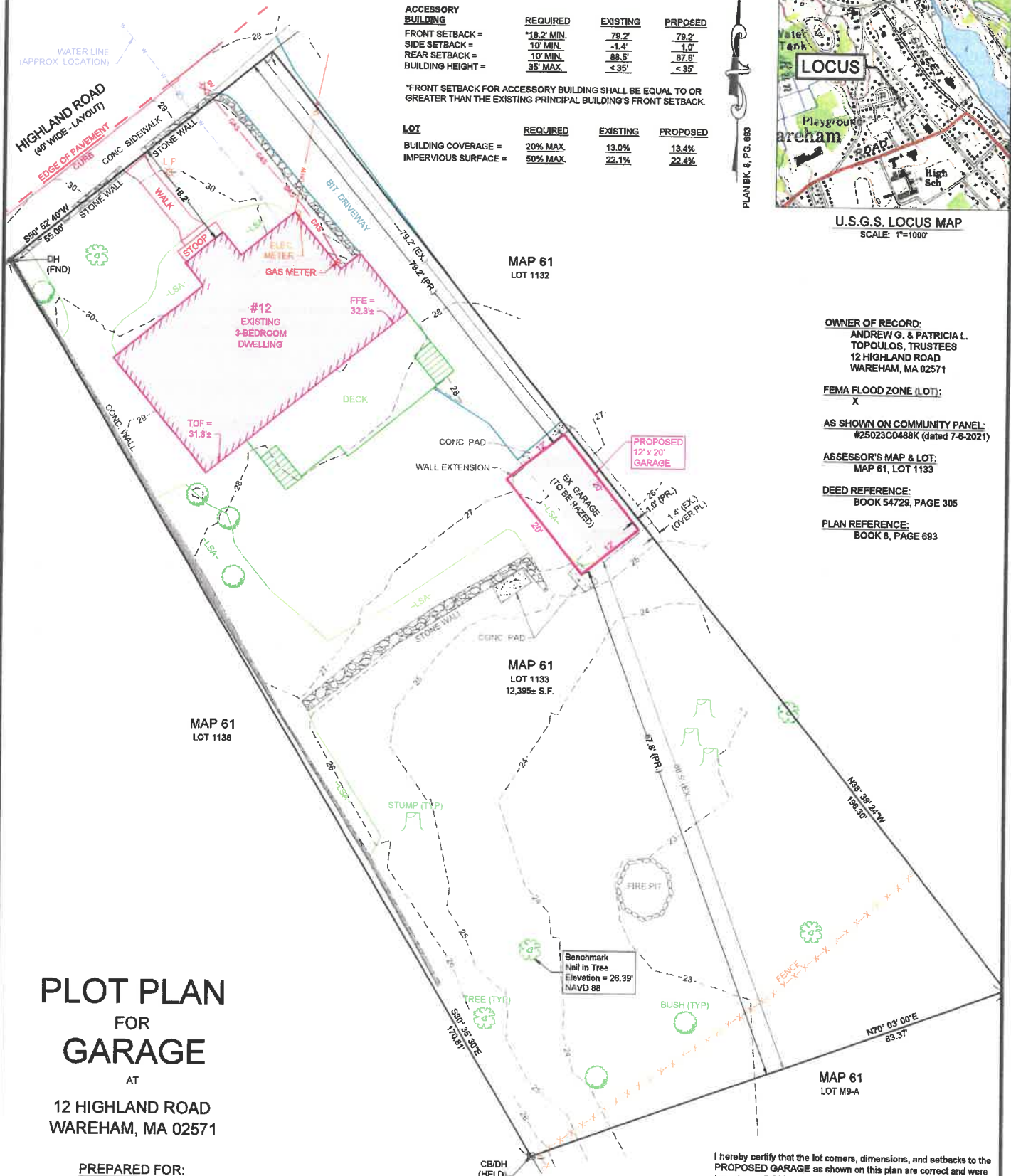
**FEMA FLOOD ZONE (LOT):**  
X

**AS SHOWN ON COMMUNITY PANEL:**  
#25023CD488K (dated 7-6-2021)

**ASSESSOR'S MAP & LOT:**  
MAP 61, LOT 1133

**DEED REFERENCE:**  
BOOK 54729, PAGE 305

**PLAN REFERENCE:**  
BOOK 8, PAGE 683



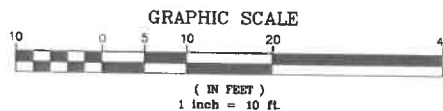
# **PLOT PLAN FOR GARAGE**

AT  
**12 HIGHLAND ROAD  
WAREHAM, MA 02571**

**PREPARED FOR:**  
ANDREW TOPOULOS

**PREPARED BY:**  
JC ENGINEERING, INC.  
2854 CRANBERRY HIGHWAY  
EAST WAREHAM, MA 02538

**SCALE: 1" = 10'      DECEMBER 7, 2022**



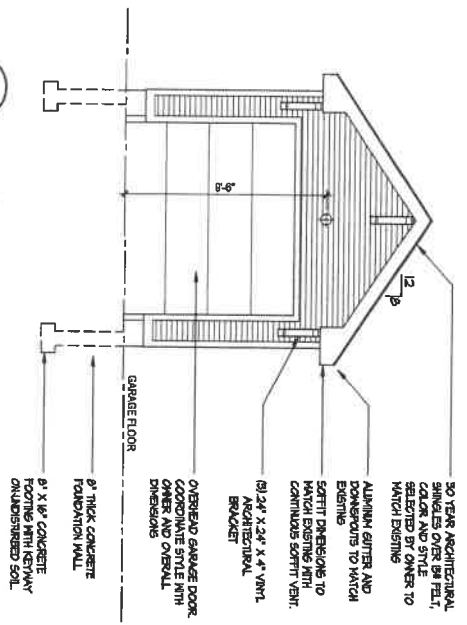
I hereby certify that the lot corners, dimensions, and setbacks to the PROPOSED GARAGE as shown on this plan are correct and were based on a field instrument survey. Conformance to the Town of WAREHAM By-Laws and Regulations shall be determined by the Zoning Enforcement Agent.



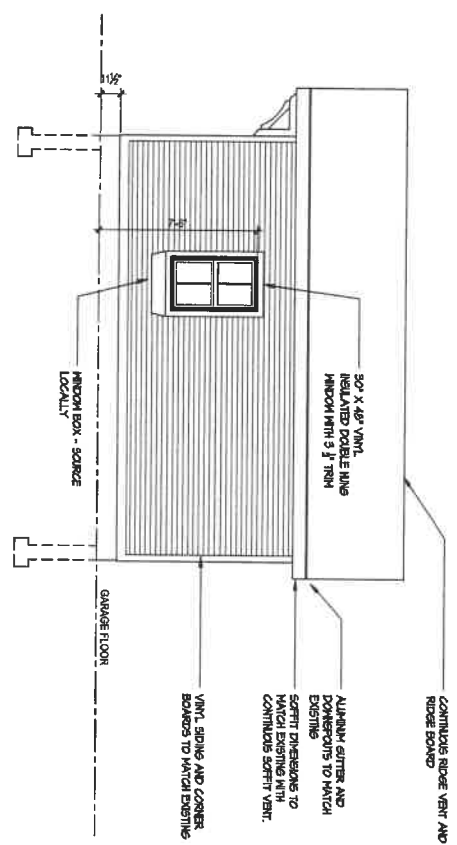
Professional Land Surveyor

12-7-22  
DATE

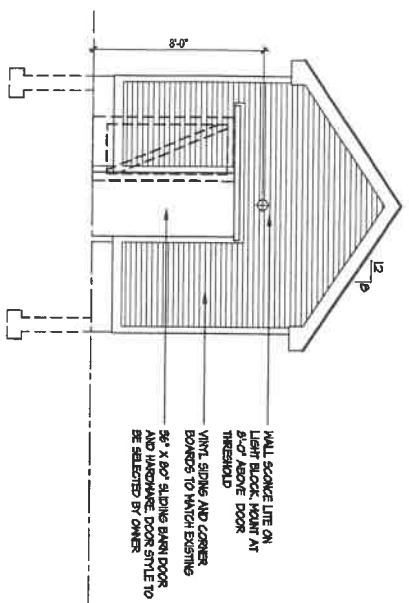




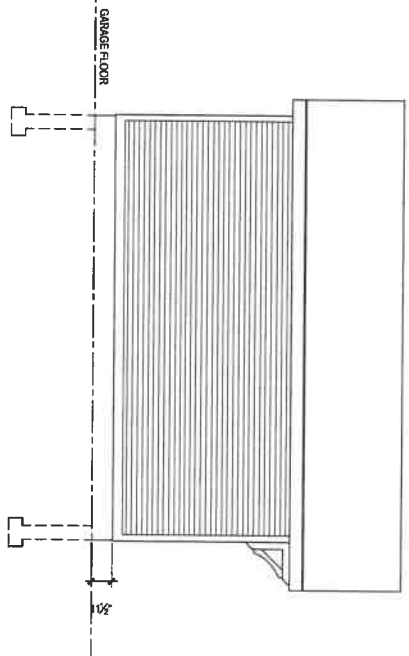
1 FRONT ELEVATION  
SCALE: 1/4" = 1' - 0"



2 RIGHT SIDE ELEVATION  
SCALE: 1/4" = 1' - 0"



3 REAR ELEVATION  
SCALE: 1/4" = 1' - 0"



4 LEFT SIDE ELEVATION  
SCALE: 1/4" = 1' - 0"



THIS DRAWING IS A PART OF AN AGREEMENT FOR PROFESSIONAL ARCHITECTURAL SERVICES, BETWEEN THE ARCHITECT AND THE CLIENT, AND IS NOT TO BE REPRODUCED OR TRANSMITTED IN ANY FORM OR BY ANY MEANS, ELECTRONIC OR MECHANICAL, INCLUDING PHOTOCOPYING, RECORDING, OR BY ANY INFORMATION STORAGE AND RETRIEVAL SYSTEM, WITHOUT THE WRITTEN PERMISSION OF THE ARCHITECT.

TOPOLUOS  
RESIDENCE  
WAREHAM, MA

WAYNE J. JACQUES AIA  
ARCHITECT  
43 Fieldstone Circle  
Middleboro, MA 02346  
Phone: 508-320-3850

PROJECT TITLE	
EXTERIOR ELEVATIONS	
DATE: 06/05/2012	
SCALE: 1/4" = 1' - 0"	
SHEET NUMBER: A2-1	
DATE: 06/05/2012	PROJECT: WJ
DATE: 06/05/2012	PROJECT: WJ
DATE: 06/05/2012	PROJECT: WJ

Statement to the Zoning Board – 12 Highland Road

From: Andrew Topoulos, homeowner.

Our home was built in 1926. The detached garage is almost 100 years old. The garage is situated on the property at the end of the driveway. Home with detached garages in the Wareham village are not common and most frequently not 10 feet from the property line. Having a detached garage in the village adds significant value to our property.

We have owned this home since 1999. The garage requires a total rebuild. There is wood rot, and an unstable stone foundation. We have put in two building permits. The first in 6/2021 (B-21-339) was rejected. At that time, I wanted to move the garage further onto my property and expand from 12x20 to 12x24. This permit was denied. Afterward, I was told (it appears, inaccurately) that if I rebuilt on the same footprint 12x20, a permit could be obtained. Permit B-22-460 was processed. An engineering survey was completed and sent to town 12/12/2022. The survey confirms an infringement and need to move the garage onto our property, which we will do. The permit was rejected as not meeting the zoning requirements.

The garage is an eye sore on an otherwise well-maintained property. Rebuilding the garage will beautify the neighborhood and maintain the value (as purchased) of the property. Images below show the layout of the property in relation to the location of the garage and its current physical condition.

This request to the Zoning Board would allow for the demolition of the existing garage, moving the garage approximately 18 inches and completely within our property line. This will allow for alignment with the driveway. This request would allow rebuilding to the current dimensions 12x20, but less than 10ft from the property line. My wife and I request approval of the plan to demolish and rebuild our existing garage.

Thank you for your consideration.



Andrew Topoulos  
Feb 2023









# TOWN of WAREHAM

*Massachusetts*

## BUILDING DEPARTMENT

Paul Turner  
Director of Inspectional Services

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December 14, 2022,

Mr. Andrew Topoulos  
12 Highland Road  
Wareham, Massachusetts 02571-1409

**RE: 12 Highland Road / Map # 61, Lot 1133**

I have reviewed your Building Permit application to construct a detached one car garage at 12 Highland Road Wareham, MA.

Your application is being denied under the following section of the Wareham Zoning By-Laws:

**Article 6: Density and Dimensional Regulations, 625 Accessory Buildings, side setback**

Therefore, a Variance must be secured from the Zoning Board of Appeals in order to proceed with your request.

The subject dwelling is located in WV-2 Zoning district.

Respectfully,

Paul Turner  
Building Commissioner  
Zoning Enforcement Officer

**It is the owners' responsibility to check with other departments 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.**

**Town Of Wareham Assessors Office****Request for Abutters List****Contact Information**

Phone

Email

Andrew Topoulos

774-454-9938

topoulos@verizon.net

**Date of Request**

30-JAN-2023

**Property Information**

Owners Name

Property Location

Map/Lot

Andrew + Patricia Topoulos

12 Highland Rd.

61 / 1133

**Distance Required**

Direct

100'

300'

500'

300

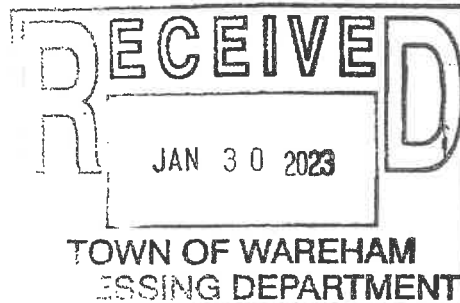
**Which Board are you appearing before?**

Zoning Board of Appeals

PLEASE ALLOW 7-10 DAYS FOR PROCESSING

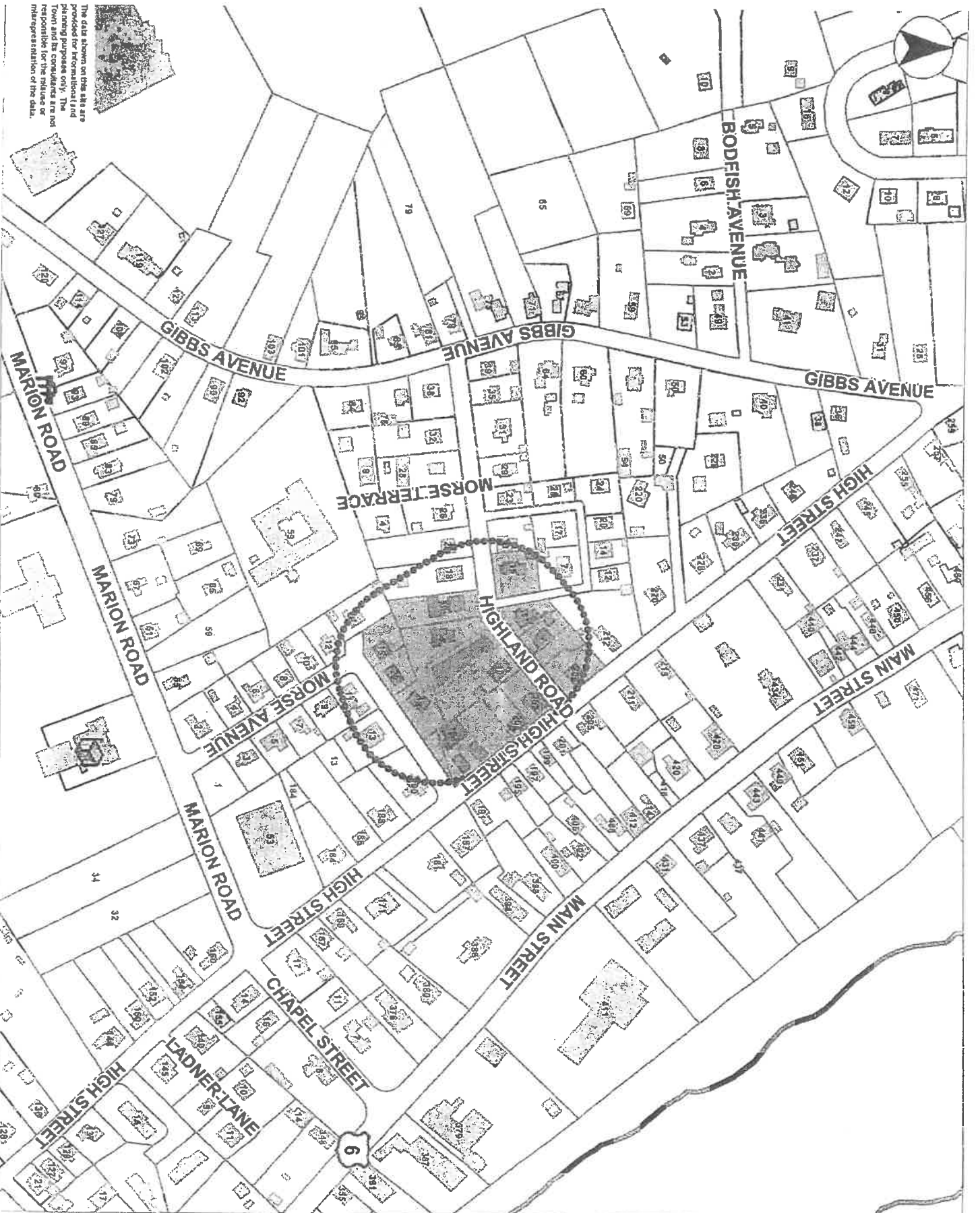
COPY OF DEED

54729/305



TOWN OF WAREHAM ABUTTERS							
MAP 61 LOT 1133							
OWNER PATRICIA L + ANDREW G TOPOULOS TRUSTEE							
MAP & LOT	OWNER	CO-OWNER	STREET ADDRESS	TOWN	STATE	ZIP CODE	
61-1113	GROSSE ANDREW G	SULLIVAN JENNA	15 HIGHLAND RD	WAREHAM	MA	02571	
61-1108	BUGG KEVIN	BUGG CHRISTINE	11 HIGHLAND RD	WAREHAM	MA	02571	
61-1106	MERRICK ELIZABETH L		967 BROADWAY	SOMERVILLE	MA	02144	
61-1139	AMARAL RAYMOND JR		PO BOX 449	CARVER	MA	02330	
61-M8	HARMON WILLIAM A		16 MORSE AVE	WAREHAM	MA	02571	
61-1138	BROSSEAU WILLIAM G	COUTO MARIA J	14 HIGHLAND RD	WAREHAM	MA	02571	
61-1133	TOPOULOS PATRICIA L	TOPOULOS ANDREW G TRUSTEE	12 HIGHLAND RD	WAREHAM	MA	02571	
61-1104	NOLAN ENIS B	C/O JAMES E RICH ADMIN	PO BOX 182	SANDWICH	MA	02563	
61-M9/A	GARDNER JOHN R		20 MORSE AVE	WAREHAM	MA	02571	
61-1127	DIAZ ROXANN M		202 HIGH ST	WAREHAM	MA	02571	
61-1128	LAPANNA ANGELO J	LAPANNA PATRICA B	200 HIGH ST	WAREHAM	MA	02571	
61-M9/B	LEFAVOR BARBARA M LIFE ESTATE		18 MORSE AVE	WAREHAM	MA	02571	
61-1130	MORGAN DAVID TROY	MORGAN DUNDAY STRONG	40 BRIANT DR	SUDBURY	MA	01776	
61-1131	CASTRO GEORGE A		57 CAROLINA AVE	PROVIDENCE	RI	02905	
61-1132	ROSS SARA E		10 HIGHLAND RD	WAREHAM	MA	02571	
CERTIFIED ABUTTERS AS THEY APPEAR							
ON OUR TAX ROLLS AS OF 1/30/2023							
<i>97 Denise Abreu</i> ASSESSORS OFFICE							
REQUESTED BY							
ANDREW TOPOULOS							
774 454-9938							
TOPOULOS@VERIZON.NET							





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.

400

800 ft

Printed on 01/30/2023 at 03:52 PM

MapsOnline by PeopleGIS

- MA Places
  - Fire Station
  - Police Station
  - Town Hall
  - Public Library
  - School
- Buildings
- Parcel
- Town Boundary
- MA Highways
  - Interstate
  - US Highway
  - Numbered Route
- Streets
- Waterbody
  - 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