

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 \$80.00.

**The applicant will also be responsible for the costs of sending out abutter notifications by Certified Mail. The cost is \$6.73 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: 13 ~~Seaview St.~~ Seaview St. MAP: 1 LOT: 575
ZONING DISTRICT: OU-2
USE REQUESTED: Leone
OWNER OF LAND & BUILDING: Anthony + Barbara Leone TEL.# _____
ADDRESS OF OWNER: 14 SHEPPARD Rd. SEABOARD BEACH MA 02562
PERSON(S) WHO WILL UTILIZE PERMIT: CHRIS LEONE
ADDRESS: 25 GLENDA ST WYOMING MA 02360
DATE: 5/5/18 SIGNATURE: [Signature]
This application was received on the date stamped here: _____

Town Clerk: _____ Date: _____
Tax Collector: Grace Hatten Date: 3-12-18
Planning/Zoning Dept.: _____ Date: _____
Application fee paid: _____ Check #: _____ Receipt: _____
Advertising fee paid: _____ Check #: _____ Receipt: _____
Abutters fee paid: _____ Check #: _____ Receipt: _____

TOWN OF WAREHAM

APPLICANT/CONTRACTOR/REPRESENTATIVE INFORMATION SHEET

Check Applicable: _____ Variance X Special Permit _____ Site Plan _____ Appeal _____

Date stamped in: _____ Date decision is due _____

Applicant's Name: CHRISTOPHER ELVES

Applicant's Address: 25 GEORGE ST PLYMOUTH MA 02360

Telephone Number: 508 989 8126

Cell Phone Number: 508 989 8126

Email Address: FRANZ.FENTSH@BURLINGS.COMCAST.NET

Address of Property/Project: 13 SEVENTH ST

Landowner's Name: ANTHONY + BARBARA LOBBE

Owner's Address: 14 SHIPMAN RD. SAGAMORE BEACH MA 02562

Telephone Number: _____

Contact Person: CHRIS ELVES Telephone Number: 508 989 8126

Map 1 Lot 575 Zone OU-2

Date Approved _____ Date Denied _____

Comments: _____

TOWN OF WAREHAM

ABUTTERS LIST

13 SEVENTH ST

MAP 1 LOT 575

abutters_id_field	abutters_owner1	abutters_owner2	abutters_address	abutters_addre	abutters_town	abutters_state	abutters_zip	abutters_bookpage	abutters_location
1-583/A	SIMAS PAUL	SIMAS LISA	4 EVANS RD	MILFORD	MA	MA	01757	35911/ 333	16 SEVENTH ST
1-583/B	GIFFORD ALAN C	COUGHLAN-GIFFORD ELAINE M TRUSTEES	523 ELM ST	KINGSTON	MA	MA	02364	44965/ 64	14 SEVENTH ST
1-578	NOLL MARY P	NOLL PAUL R	17 ELYSE RD	MANSFIELD	MA	MA	02048	48581/ 154	26 WEST BLVD
1-585	GIFFORD ALAN C	COUGHLAN-GIFFORD ELAINE M TRUSTEE	523 ELM ST	KINGSTON	MA	MA	02364	44965/ 64	12 SEVENTH ST
1-577	FLAVILLE-TAYLOR CAROLA	LIFE TENANT	1290 JOAN DRIVE	SOUTHAMPTON PA	PA	PA	18966	27786/ 293	24 WEST BLVD
1-576	CAMMARANO DOMINIC A JR	CAMMARANO GAIL A	PO BOX 910	ONSET	MA	MA	02558	22276/ 183	22 WEST BLVD
1-588	LE THUAN VAN	NGUYEN THET THI	P O BOX 1441	ONSET	MA	MA	02558	13192/ 3	31 LONGWOOD AVE
1-574/B	CAMMARANO DOMINIC A JR	CAMMARANO GAIL	PO BOX 910	ONSET	MA	MA	02558	529/ 189	16 EIGHTH ST
1-573	DECOSTER ERIC M		PO BOX 606	ONSET	MA	MA	02558	43635/ 185	11 SEVENTH ST
1-574/A	CAMMARANO DOMINIC A	CAMMARANO ELENA F TRUSTEES	PO BOX 117	ONSET	MA	MA	02558	519/ 96	14 EIGHTH ST
1-572/B	ELDOM REALTY TRUST	CAMMARANO DOMINIC A & ELENA F TRS	PO BOX 117	ONSET	MA	MA	02558	26168/ 323	14 EIGHTH ST
1-569	STAPLES DANIEL H		PO BOX 1177	ONSET	MA	MA	02558	47658/ 347	29 LONGWOOD AVE
1-572/A	ELDOM REALTY TRUST	CAMMARANO DOMINIC A & ELENA A TRS	PO BOX 117	ONSET	MA	MA	02558	26168/ 323	12 EIGHTH ST
1-570	PEREIRA JOSE D	PEREIRA CATHARINA P	125 FARM HILL RD	N ATTLEBORO	MA	MA	02760	36441/ 253	27 LONGWOOD AVE

CERTIFIED LIST OF ABUTTERS AS

THEY APPEAR ON OUR TAX ROLLS

AS OF 1-31-18



ASSESSORS OFFICE



2015 00078869

Bk: 46074 Pg: 193 Page: 1 of 2

Recorded: 09/23/2015 01:14 PM

ATTEST: John R. Buckley, Jr. Register
Plymouth County Registry of Deeds

CANCELLED

MASSACHUSETTS EXCISE TAX
Plymouth District ROD #11 001
Date: 09/23/2015 01:14 PM
Ctrl# 085322 06949 Doc# 00078869
Fee: \$1,117.20 Cons: \$245,000.00

QUIT-CLAIM DEED

We, Robert D. Drake and Lisa O. Drake, husband and wife, of Wareham, Massachusetts

for consideration paid and in full consideration of Two Hundred Forty-Five Thousand and 00/100 (\$245,000.00) dollars

GRANT to Anthony J. Leone and Barbara A. Leone, husband and wife of 14 Sheppard Road, Sagamore Beach, Massachusetts AS TENANTS BY THE ENTIRETY

with QUIT CLAIM COVENANTS

See Exhibit "A" attached hereto and made a part hereof.

For title reference see Deed recorded in Book 31639 Page 126 in the pLYMOUTH District Registry of Deeds.

We, the Grantors hereby releases all homestead rights and further state under the pains and penalties of perjury, no other person has the right to claim homestead benefits in said property.

Witness my hand and seals this 22nd day of September, 2015.

Robert D. Drake

Lisa O. Drake

COMMONWEALTH OF MASSACHUSETTS
COUNTY OF PlymouthOn this 22nd day of September, 2015, before me, the undersigned notary public, personally appeared Robert D. Drake and Lisa O. Drake, proved to me through satisfactory evidence of identification, which was Debra Clemen to be the persons whose names are signed on the preceding or attached document, and acknowledged to me that they voluntarily signed it for its stated purpose.

Notary Public:

My Commission Expires: 11/28/16

PATRICK T MADDIGAN

Property Address: 13 Seventh Street, Wareham, MA 02558

117 Metro Center Blvd Suite 2001
Warwick RI 02886

EXHIBIT "A"

The land with buildings thereon in Wareham, Plymouth County, Massachusetts, being Lot #575 on a Plan of Lands of the Onset Bay Grove Association, said Plan recorded with Plymouth County Registry of Deeds, Plan Book 1, page 58.

For a more particular description of Lot #575 reference is hereby made to the above-mentioned plan.

Said premises are conveyed subject to and with benefit of easements, restrictions, agreements and rights of way of record insofar as the same are now in force and applicable.

For title deed reference Book 31639, page 126.

**Property Address:
13 Seventh Street
Wareham, MA 02558**



TOWN of WAREHAM

Massachusetts

BUILDING DEPARTMENT

David L Riquinha
Director of Inspectional Services

Anthony J. & Barbara A. Leone
14 Sheppard Rd.
Sagamore Beach, MA 02562

February 21, 2018

RE: 13 Seventh Street.

Map #1, Lot #575

I have reviewed your proposal to construct a new 14' x 10'-6" kitchen addition at your single family residence located at 13 seventh street in Onset, MA. Based on the plans that you provided, it appears that the new addition will meet all current setback requirements for the OV-2 zoning district; however, the building coverage is already non-conforming and the new addition will only exacerbate that non-conformity. You must apply for and secure a Special permit to increase the non-conforming nature of your existing structure.

The site plan by Flaherty & Stefani, Inc. comprised of one page dated January 31, 2018 and the elevation drawings by Designs by SPB labeled "13 Seventh Street" comprised of one page and dated February 1, 2018, are being denied under the following sections of the Wareham Zoning By- law:

- **Article 6, Table 622, Village Districts,** Your existing dwelling is already non-conforming with respect to the 20% building coverage requirement. Your proposal increases the non-conformity from 21% to 25% and this increase requires a Special Permit from the Wareham Zoning Board of Appeals.
- **Article 13, Section 1335, Procedures,** alteration or expansion of a lawfully-existing non-conforming residential structure requires relief from the zoning Board of Appeals. A Special Permit is required for expansion of a lawfully non-conforming structure unless the Board of Appeals finds that the expansion will be substantially more detrimental to the neighborhood in which case a Variance may be required.

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

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.