

**COMMONWEALTH OF MASSACHUSETTS
CITY OF BROCKTON
ZONING BOARD OF APPEALS**

ZONING BOARD OF APPEALS held a meeting in the Council Chambers, City Hall, Brockton, Massachusetts, on Tuesday, August 10, 2010, at 7:00 pm.

IN RE: 10-24 Petition of **MICHAEL JULIANO**, 1324 Belmont Street, Suite 207, Brockton, MA, for a Variance from Art. III, Sec. 27-9, lot frontage, & lot area, side setback requirements & Art. III, Sec. 27-13A, lot width, to demolish existing dwelling in disrepair and construct a single family dwelling in an R-I B Zone, located at **747 ASH STREET**.

PETITIONER'S STATEMENT: The petitioner Michael Juliano along with Bruce Malcolm the Land Surveyor presented to the board Exhibit A, Site Plan and Exhibit B, Floor Plans & Elevations. Mr. Juliano would like to raze the existing home which has mold and oil leakl issues and construct a 2 Story Dutch Colonial single family home. The existing garage will be razed as well. The driveway will be on the Ash Street side of the property. The plans state five (5) bedrooms. The hardship is that the existing home sits only 4' from the street and is unsafe for living. The LSP will confirm that the land is safe to rebuild.

OPPOSITION: None

DECISION: Granted with the stipulations that 1. no more than four (4) bedrooms and 2. the driveway and green space shall be developed as shown on plan.

BASIS: The location of the existing foundation creates a hardship at the site. Granting would not derogate from the intent of the zoning by-laws and will not negatively impact the orderly development of the neighborhood. All representations in petitioner's statement shall be incorporated by reference as stipulations recorded herewith.

VOTE:

Motion to Grant by:
Seconded by:

Kenneth Galligan
Stephen Bernard

IN FAVOR: (4)

Atty. Anthony Eonas, Chairman

Kenneth Galligan

Stephen Bernard

Paul Merian

OPPOSED: (1)

Richard Francis

James M. Casieri, Clerk

A true copy. Attest:

Anthony Zeoli, City Clerk

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ZONING BOARD OF APPEALS held a meeting in the Council Chambers, City Hall, Brockton, Massachusetts, on Tuesday, August 10, 2010, at 7:00 pm.

IN RE: 10-39 Petition of **NANCY McCLUSKEY**, 932 Main Street, Brockton, MA, for a Variance from Art. III, Sec. 27-9, lacking lot area, lot frontage, rear setback requirements, Art. III, Sec. 27-13(a), lacking lot width in an R-1-C Zone, located at **301 QUINCY STREET**.

PETITIONER'S STATEMENT:

OPPOSITION:

DECISION: Postponed

BASIS: The petition is postponed until September 14, 2010 at the request of the petitioner prior to being heard.

VOTE:

Motion to Grant by:

Seconded by:

IN FAVOR: (5)

Atty. Anthony Eonas , Chairman

Richard Francis

Kenneth Galligan

Stephen Bernard

Paul Merian

OPPOSED: (0)

James M. Casieri, Clerk

A true copy. Attest:

Anthony Zeoli, City Clerk

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IN RE: 10-40 Petition of **SHEILA TAXIERA**, 91 Winthrop Street, Brockton, MA, for a Variance from Art. III, Sec. 27-9, to replace a third floor second means of egress, lacking side setback requirements in an R-3 Zone, located at **91 WINTHROP STREET**.

PETITIONER'S STATEMENT: The contractor Rich Anderson along with the homeowner, Sheila Taxiera presented to the board Exhibit A, Building Permit Plan and Exhibit B, Drawing of Fire Escape. They are before the board to replace the third floor means of egress that was taken off when the home was vinyl sided a few years back. Mrs. Taxiera's insurance company has sent letter stating that if the fires escape is not replaced her insurance will be cancelled. The home is a legal three (3) family. The hardship is the located of the foundation.

OPPOSITION: None

DECISION: Granted unanimously

BASIS: The location of the existing foundation creates a hardship at the site. Granting would not derogate from the intent of the zoning by-laws and will not negatively impact the orderly development of the neighborhood. All representations in petitioner's statement shall be incorporated by reference as stipulations recorded herewith.

VOTE:

Motion to Grant by:

Stephen Bernard

Seconded by:

Paul Merian

IN FAVOR: (5)

Atty. Anthony Eonas, Chairman

Richard Francis

Kenneth Galligan

Stephen Bernard

Paul Merian

OPPOSED: (0)

James M. Casieri, Clerk

A true copy. Attest:

Anthony Zeoli, City Clerk

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IN RE: 10-41 Petition of **BARRY BEVERLEY**, 37 Oakland Street, Brockton, MA, for a Variance from Sec. 27-9, to construct a farmer's porch lacking front setback requirements in an R-1-C Zone, located at **37 OAKLAND STREET**.

PETITIONER'S STATEMENT : The petitioners Barry and Tina Beverley presented to the board Exhibit A, Mortgage Plot Plan, Exhibit B, Drawings of Porch and Exhibit C, Pictures of Property. They are before the board seeking permission to construct a small porch in front of the home. The existing stairs were unsafe and needed to be replaced.

OPPOSITION: None

DECISION: Granted unanimously

BASIS: The location of the existing foundation creates a hardship at the site. Granting would not derogate from the intent of the zoning by-laws and will not negatively impact the orderly development of the neighborhood. All representations in petitioner's statement shall be incorporated by reference as stipulations recorded herewith.

VOTE:

Motion to Grant by:
Seconded by:

Kenneth Galligan
Richard Francis

IN FAVOR: (5)

Atty. Anthony Eonas, Chairman

Richard Francis

Kenneth Galligan

Stephen Bernard

Paul Merian

OPPOSED: (0)

James M. Casieri, Clerk

A true copy. Attest:

Anthony Zeoli, City Clerk