

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

ZONING BOARD OF APPEALS held a meeting in COUNCIL CHAMBERS, 2ND FLOOR City Hall, Brockton, Massachusetts, on Tuesday, March 8, 2011, at 7:00 pm.

IN RE: 11-15 Petition of **CINDY FITTON**, 57 Gary Road, Brockton, MA, for a Special Permit from Art. IV, Sec. 27-25, Sec. 27-25, 3(f), to obtain a kennel license for 4 dogs in an R-1-C Zone, located at **57 GARY ROAD**.

PETITIONER'S STATEMENT: The petitioner, Cindy Fitton presented to the board Exhibit A, Letter from Petitioner, Exhibit B, Floor Plan of Home, Exhibit C, Letters from Whitman Animal Hospital and Exhibit D. Pictures of the dogs at home. Ms. Fitton is before the board seeking permission to keep her four (4) dogs. Ms. Fitton was notified by animal control that only three (3) dogs were allowed per home after they received medical information for the fourth (4) dog from Whitman Animal Hospital. All dogs are fixed, vaccinated and walk only on a leash.

OPPOSITION: None.

DECISION: Granted unanimously.

BASIS: Limit to four (4) dogs for domestic use only. Not for "breeding, sale, show or sport" or for business purposes such as boarding and grooming. Reduce to three (3) dogs upon expiration of one (1) dog.

VOTE:

Motion to Grant by: D. Sean Noonan
Seconded by: Paul Merian

IN FAVOR: (5)

Atty. Anthony Eonas, Chairman

Stephen Bernard

Richard Francis

Paul Merian

D. Sean Noonan

OPPOSED: (0)

Frank Gazerro, Clerk

A true copy. Attest:

Anthony Zeoli, City Clerk

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IN RE: 11-16 Petition of **KEVIN & KERRIE GALLIGAN**, 55 Cumberland Drive, Brockton, MA, for a Variance from Art. III, Sec. 27-9, & Sec. 27-20, to construct a 2 story addition consisting of a garage and 2 bedrooms above and a farmer's porch seeking relief from front & side setback requirements, and rear setback relief for an existing accessory structure in an R-1-B Zone, located at **55 CUMBERLAND DRIVE**.

PETITIONER'S STATEMENT: The petitioners Kevin and Kerrie Galligan along with their contractor Fred Gilmetti presented to the board Exhibit A, Site Plan, Exhibit B, Pictures of Home and Exhibit C, Floor and Elevation Plans. They are before the board seeking permission to construct an addition with 2 bedrooms and a garage. The original front/back split only has two (2) bedrooms and with their growing family they need more space. The hardship is the size and shape of the lot.

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:

Stephen Bernard
D. Sean Noonan

IN FAVOR: (5)

Atty. Anthony Eonas, Chairman

Stephen Bernard

Paul Merian

John Toland

D. Sean Noonan

OPPOSED: (0)

Frank Gazerro, Clerk

A true copy. Attest:

Anthony Zeoli, City Clerk

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IN RE: 11-17 Petition of **ARCHITECTURAL DEVELOPMENT CORPORATION**, 1324 Belmont Street, Suite 207, Brockton, MA, for a Variance from Sec. 27-9, to raze an existing dwelling and construct a new four bedroom single family dwelling seeking relief from frontage, lot size, and rear setback requirements in an R-1-C Zone, located at **88 PIONEER AVENUE**.

PETITIONER'S STATEMENT: The petitioner Michael Juliano presented to the board Exhibit A, Site Plan and Exhibit B, Floor and Elevation Plans. Mr. Juliano bought the above property at an estate sale. The foundation is crumbling and the petitioner would like to raze the existing home and construct a new single family home. The home will have four (4) bedrooms, two (2) full bathrooms and ½ bath as well. In the rear of the property a deck will be erected.

OPPOSITION: None

DECISION: Granted unanimously with the stipulation that a deck will be erected in the rear of the home.

BASIS: Granting would not derogate from the intent of the zoning by-laws and will not negatively impact the orderly development of the neighborhood. The above listed stipulations are incorporated by reference herein. All representations in petitioner's statement shall be incorporated by reference as stipulations recorded herewith.

VOTE:

Motion to Grant by:
Seconded by:

Paul Merian
Richard Francis

IN FAVOR: (5)

Atty. Anthony Eonas, Chairman

Stephen Bernard

Richard Francis

Paul Merian

D. Sean Noonan

OPPOSED: (0)

Frank Gazerro, Clerk

A true copy. Attest:

Anthony Zeoli, City Clerk