



TOWN OF HARWICH
732 Main Street, Harwich, Massachusetts 02645

ZONING BOARD OF APPEALS

Notice of Appeal/Application and Petition for Public Hearing, ("APPLICATION")

This Application *does not* apply to Comprehensive Permits.

Please refer to the Rules and Regulations of the Town of Harwich Board of Appeals for documentation requirements.

This original completed and signed notice ("Application"), along with a certified abutters list and twelve (12) copies of all plans, sketches, statements, site plans or other supporting documents per the attached checklist must be presented to the Building Department prior to being filed with the Town Clerk. The required documentation, ALL of which must be submitted on the date of filing, is listed on this Application. **THE RULES AND REGULATIONS ("RULES") OF THE TOWN OF HARWICH BOARD OF APPEALS APPLY TO ALL APPEALS AND APPLICATIONS AND SHOULD BE CONSULTED BEFORE FILING AN APPEAL OR APPLICATION TO ENSURE COMPLIANCE WITH THEM.**

To the Zoning Board of Appeals, Harwich, MA:

(We, I) hereby petition your Board for a public hearing on the request for action checked below:

- () Appeal from decision of or refusal of permit application by the Building Inspector, Selectmen or Planning Board or other administrative officer or officers.
- (X) Application for a Variance from requirements of the Harwich Zoning By-Law.
- () Application for a Special Permit that is subject to Board of Appeals approval.

I/we am/are the owner[s]/agent of the property involved in this petition, which is located in Harwich, MA at the following address:

100 ROUTE 28 Said property is further described on

Assessor's Map # 10 and Parcel # LS 0 located in the RM Zoning District as shown on the attached plan.

Describe Petition/Appeal: Variance 40,000 SQ. FT. LOT REQUIREMENT
EXISTING LOT SIZE: 32,974 SQ. FT.

Relief requested - Cite specific Bylaw Section(s):
SS 325 - 51.N (1) EXISTING LOT SIZE 32,974 (TWO FAMILY)

Signature of Owner (or Agent) [Signature] Date 3/23/2023
(Written authorization by the owner must accompany an Application signed by agent.)

Owner Name RICHARD THOMPSON Phone No. (808) 854 6630

Mailing Address: 24 Priscilla Rd. Orleans MA 02653

Agent Name: ROBERT WARD Phone No. 508 255 3900

Mailing Address: 100 ROUTE 28, WEST HARWICH MA 02671

Has a petition previously been submitted for this property (Y/N) N

If yes, the date of original hearing _____ Petition No. _____ Decision _____

For Appeal Only:

Reason for Denial: _____

Denial From: _____ Date of Denial: _____

Within 14 days following any Board decision, the Board will file its decision with the Town Clerk. A building permit will not be issued during the appeals period, until 21 days after the Board of Appeals decision has been filed with the Town Clerk or if an appeal to that decision has been filed during that time. It is the **applicant's responsibility** to have the decision recorded at the Barnstable County Registry of Deeds or Land Court, whichever may be applicable, and to present copies of that recording to the Town Clerk and to the Building Department with all Building Permit application requirements.

Name of Applicant: RICHARD THOMPSON

Address of Property: 100 ROUTE 28

Zoning District: RM / CH-1

Is the property Located in any Special District(s)/Overlay District(s) established by the Town of Harwich or the State of Massachusetts: Yes No

If Yes, specify District(s): WHS D

Year Structure(s) Built: 1865 main dwelling / Proposed Existing 1974

Name/Address of Engineer/Architect: MUTO Construction / Michelle Cudillo

Name/Address of Attorney: _____

RECEIVED
TOWN CLERK
HARWICH, MA
123 MAR 24 11:05

Subject	Existing	Required	Proposed
Lot Area (square feet)	32,974	40,000	32,974
Frontage (linear feet)	36.85	25	Existing n/c
Front Yard Setback (feet)	36.85	25	Existing n/c
Side yard Setback (feet)	52.9(2) 3.24(1)	20	Existing n/c
Rear Yard Setback (feet)	13.52	20	Existing n/c
Any Yard Setback - Specify which:			
Building Coverage (%)	3.55 / 8.63	20 / 30	
Site Coverage (%) (see 325-2)	7.65 / 29.91	35 / 70	
Building Height (see 325-2 & 325-108)*			
If this is an Application for an Accessory Apartment, in addition to the above:			
A. Net Floor Area of the Principal Dwelling	2186		N/C
B. Net Floor Area of the proposed Accessory Apartment	1138		1138
* Building height calculation(s) must be shown on plan for all zones per the Harwich Zoning By-laws Section 325-2. See Article XVII - Floodplain Regulations Section 325-108.			

Form of Relief Requested: Variance of 40,000 sq ft. Lot Requirement

If the Applicant is requesting a Variance, state the hardship which the Applicant believes justifies this form of relief in accordance with MGL Chapter 40 and the Harwich Zoning Bylaw:

Existing Lot, 512R 32,974 sq. ft. (40,000 sq. ft. requirement)
§ 325-52 / § 325-54 A. (1) / § 325-54 A. (1)(a)(1) + (2)
Non Conforming - Pre-existing Structures

By signing and submitting this Application, you hereby authorize the members of the Board of Appeals, or its agent, to conduct a site visit of the exterior of your property for an inspection of the property involved in this petition, should they deem it appropriate.

The Board of Appeals is entitled to rely on the information contained in this Application. Therefore, the undersigned certifies that the information provided in this Application, and all submitted plans and other documentation, is true and accurate to the best of my knowledge and belief.

Agent's Signature: Robert J. Wall Date: 3/23/2023

Owner's Signature: Richard Thompson Date: 3/23/2023

BAYSIDE
Build and Remodel, Inc.
100 ROUTE 28
West Harwich, MA 02671
(508) 255 - 3900

RECEIVED
TOWN CLERK
HARWICH, MA
23 MAR 24 A 11:05

To: Town of Harwich
Zoning Board of Appeals

From: Bayside Build & Remodel Inc.
Robert Ward
100 Route 28
West Harwich, MA 02671
C/O Richard Thompson

VARIANCE Application; Special Permit

Project Address: 100 Route 28, West Harwich, MA

Proposed description of project is to renovate existing garage into a one bedroom apartment that is attached to main home dwelling creating a 2 family. The preexisting footprint and layout is designed to fit the description as per the standards in the zoning bi-law. All other items on the bi-laws are met requiring setbacks, parking lot coverage and building coverage with the exception of total lot square footage. We are seeking relief of Code of the Town of Harwich ss325-51.N (1). Preexisting current lot square footage is 32,974 (40,000 sq. ft. requirement).

All Existing Structures are Non-Conforming/Pre-Existing and there are no encroachments of setbacks for the proposed existing structure alteration.

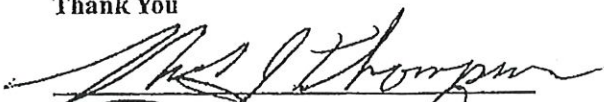
On the Current and Existing Certified Plot Plan there are no changes to any building footprint and all structures are preexisting. This would be a request for Change of Use from a One Family to a Two Family

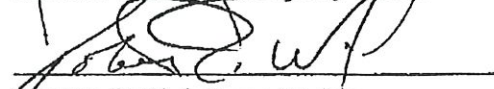
The preexisting garage structure is designed for an additional one bedroom apartment to create additional housing.

The preexisting approved parking spaces meet the standards in the zoning bi-laws.

Any questions or concerns can be directed to Robert Ward of Bayside Build & Remodel Inc, as acting agent for the property owner Richard Thompson.

Thank You


Richard Thompson/Property Owner


Bayside Build & Remodel, Inc.
Robert Ward/Authorized Agent

3/23/2023
Date

3/23/2023
Date