



OFFICE OF THE
LITTLETON BOARD OF APPEALS
LITTLETON, MASSACHUSETTS 01460

received
6/2/2022 12:45pm
Katie Cray
Town Clerk

Petitioner: ALEX WHEATON
Case No: 22-957
Date Filed: April 25, 2022

The Littleton Board of Appeals conducted a public hearing on May 19, 2022 at 7:10 P.M. at the Shattuck Street Municipal Building, 37 Shattuck Street, Littleton, for a Variance or Special permit pursuant to Section 173-31 and Section 173-10B (1), to allow change or extension of a pre-existing non-conforming structure to allow a porch within the front yard setback, and a detached garage within the side yard required setback at 155 King Street, Littleton, Ma. Notice of the hearing was given by publication in the Lowell Sun, a newspaper circulated in Littleton, on May 5, and May 12, 2022 and by mail to all abutters and parties in interest. Present and voting: Sherrill R. Gould, Chairman, Cheryl Hollinger, John Sewell and Rod Stewart, Members and Kathleen O'Connor, Alternate. Present and not voting were Eli Constantinou and John Field, Alternates.

The Petitioner requested permission to construct a porch on the front of his home at 155 King Street, and to replace a small shed with currently non-conforming setback with a garage to be placed within the side yard setback. The Petitioner, represented by contractor, Peter Scott, stated that the property is on King Street. It is nonconforming in that it has less than the required 150 feet of frontage and is less than 1 acre in size. The existing front setback is presently 34.2' and the Petitioner proposes to improve the dwelling with a front porch which will extend approximately 5 to 6 feet forward with roof overhang, resulting in a 28' front yard setback. In addition, the Petitioner proposes to replace an existing shed with a detached garage. The garage would be 28' x 32', would be placed no closer than 3' to the side property line, and would not have second story space except as storage. The Petitioner stated that due to the size of the lot, and topography, as well as the location of the septic system there was no alternative location for the garage structure. The Petitioner also explained that the lot line is not perpendicular to the street, so that the 3' offset would not be the entire length of the garage, but just the rear corner area. One abutter appeared and requested a modification to the garage side facing her property. The Board determined that the requested setbacks would require a Variance.

FINDINGS: The Board found that the porch requested was a permissible change, extension or alteration to a preexisting non-conformity, and that due to the size and topography of the lot and the location of the septic system, there were no alternative locations for a garage. The Board found sufficient hardship to grant the Variance for the garage as well.

DECISION: The Board voted unanimously to GRANT a Variance to construct a front porch on the existing dwelling no closer to the front property line than 28' with roof overhang. The Board voted unanimously to GRANT a Variance for a detached garage 28' x 32' on the property subject to the following conditions:

The side setback would not be less than 3 feet.

There would be no windows on the west side at a height greater than 8'.

There is to be no second story use except for casual storage.

Appeals, if any, shall be made pursuant to G.L. 40A, Section 17 and shall be filed within twenty days after the date of filing of this Notice in the office of the Town Clerk.

Signed: Marc Saucier
Marc Saucier – Clerk

Date: 4/1/2022
Book: 32586, Page 010

I hereby signify that twenty (20) days have elapsed since the filing of the above Decision by the Board of Appeals and that no appeal concerning said decision has been filed or that any appeal that has been filed has been dismissed or denied.

True Copy Attest: _____ Town Clerk, Littleton, Massachusetts