

City of Everett
BOARD OF APPEALS
484 BROADWAY
EVERETT, MASSACHUSETTS 02149
PHONE 617-394-2220 FAX 617-394-2433

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Speaker George Keverian Room
3rd Floor – City Hall
Meetings – 7:00 PM
1st and 3rd Mondays

DECISION

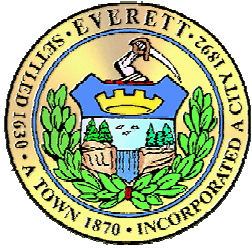
A hearing was held before the Board on *Monday August 15th, 2011* in Everett City Hall, at 7:00 P.M., on the petition of *James Angiolillo, Broadway Donut I, Inc., 99 Walnut St., Suite 3, Saugus, MA 01906 (RE: 893 Broadway, Everett, MA 02149) praying for a Special Permit of Section 3 General Requirements Paragraph 3* of the Building Zone Ordinance of the City, as applied to: *Alter the existing non-conforming structure to provide for a drive-thru window and to add gable roofs to the front and left side of the structure.*

ZONING: *Section 3 General Requirements Paragraph 3* – Existing non-conforming structure or uses may be extended or altered, provided that such extension, alteration or change of use shall be permitted only upon the grant of a Special Permit by the Zoning Board of Appeals after a public hearing and a finding by the board that such extension, alteration or change of use shall not be substantially more detrimental to the neighborhood than the existing non-conforming use or structure, (ordinance of 4-29-91).

VIOLATION: The existing building is a non-conforming structure in that it does not have the required rear yard as required by *Section 4 Dwelling District (b) Dimensional Requirements line (7) Rear Yard:* Twenty-five (25) feet minimum, except for open decks and porches which may encroach into the required rear yard providing that in no case shall the rear yard be less than fifteen (15) feet measured to any part of the porch or deck. The plot plan submitted indicates 8-foot +/- to the rear lot line.

At the hearing Attorney Anthony Rossi, speaking on behalf of the petitioner explained to the board that they have had a few neighborhood meetings in which case the abutters had made some requests so they would therefore like to Withdraw Without Prejudice so that they may reapply at a later date with new plans.

Joseph DeSisto, III, Chairman
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