

TOWN OF HINGHAM

**SUPPORTING STATEMENT –
STATUTORY FINDINGS**



**FORM 2B
VARIANCE**

BOARD OF APPEALS

Petitioner Tucker and Megan Hansen seeks

a Variance from Section (s) IV-A dimensional requirement (left side yard setbacks)
in residence district A

of the Zoning By-Law for property located at 28 Fearing Road, Hingham

and presents the following findings of fact in accordance with the provisions of M.G. L. 40A, §10:

1. The following circumstances relating to the soil conditions, shape, or topography especially affect the land or structure(s) in question, but do not affect generally the zoning district in which the land or structure(s) are located.

The size and shape of this property allows for few expansion possibilities. We are trying to preserve as much land as possible by keeping the garage in its existing location with minimal added square footage and raising the height by 5'-6", we are adding little to it's footprint. Leaving it in it's existing location also allows for turnaround space so as to exit onto Fearing Road head on versus backing out. This does not affect the district as seen on the the attached Assessors plan as almost every garage/barn in it's vicinity does not meet setbacks.

2. Owing to the circumstances described above, a literal enforcement of the provision of the Zoning By-Law would involve substantial hardship, financial or otherwise, to the undersigned for the following reasons.

Working from home has been a challenge for many. Needing office space and privacy, the Hansen's have few options for adding on to create a workspace for Tucker Hansen to work at home. The space over the garage will serve as his office, so he can be close to home but with some privacy. This would be a hardship if he is unable to expand and gain useful space on the same footprint.

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3. Relief may be granted without substantial detriment to the public good for the following reasons.

Almost every property located on Fearing Road in proximity to 28 Fearing Road (See Assessors Map) have similar 1 1/2-story or 2-story barns which don't meet setbacks. Therefore there is no detriment to the public good to do the same as others. (We are adding 16.5' sq. ft. within the 15'-0" set back, meeting the rear yard setback. We will align the small extension in line with existing sidewall at 3.3" of the side property line.

4. Relief may be granted without nullifying or substantially derogating from the intent or purpose of the Zoning By-Law for the following reasons.

By creating a more aesthetically pleasing structure, which compliments the existing home and leaving the structure on virtually it's same footprint, we are not derogating from the purpose of the Zoning By-Law. This structure has been here for many years, basically "grandfathered" in its location. It hurts no one in the neighborhood raising its height (to 1 1/2-stories) and expanding it by 1'-6" deep to become a similar structure to many in the neighborhood.

NOTE: The law does not permit the Board of Appeals to grant a variance unless all of the legal requirements are satisfied. Each one of the above findings must be answered in detail.

The rights authorized by a variance expire one year from the date the decision is filed with the Town Clerk, unless exercised or extended in accordance with the terms of M.G. L. 40A, §10.

Date _____

SIGNATURE _____
(Petitioner/Agent)

Megan Harter

Address 28 Fearing Rd. Hingham, MA 02043

Tel. No. 781-740-2481

Please attach additional sheets if space provided is insufficient