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TOWN OF HOLLISTON
ZONING BOARD OF APPEALS
TOWN HALL

HOLLISTON, MASSACHUSETTS 01746

APPLICATION FOR GRANT OF A DIMENSIONAL VARIANCE

Date Filed: 10/20/2022

Subject Address: 26 Governor Prence Way, Holliston, MA 01746

Applicant's Name: Vladimir L. Nechev

Applicant's Address: 26 Governor Prence Way, Holliston, MA 01746

Applicant's Email: vnechev8689@gmail.com

Applicant's Phone Number: (303) 506-7107

Owner's Name: Vladimir and Tara Nechev

Owner's Address: 26 Governor Prence Way, Holliston, MA 01746

The Owner hereby appoints _____ to act as
his/her/its agent for the purposes of submitting and processing this application for a
variance.

Applicant's Signature: Vnechev

Owner's Signature: Vnechev

The land is shown in the Assessor's records as Map 14 Block _____ Lot 5-4.M

Registry of Deeds Recording Information: Book 80470 Page 569 L.C. Y/N? NO

Zoning Information and Comments (To be completed by the Building Commissioner):

Zoning District: Agricultural-Residential District B

Nature and subject matter of Variance (Please state the section of by-law from which you are seeking relief, the required standard and your proposal.):

Section IV-B: Schedule of Intensity Regulations

Owner is seeking to enlarge existing deck into the rear building setback area of 40 feet, as stated in Section IV-B of the Town of Holliston Zoning By-Laws.

The Applicant presents the following evidence that supports grant of the dimensional Variance:

a. Literal enforcement of the provisions of this by-law would involve substantial hardship, financial or otherwise, owing to circumstances related to the following unique physical characteristics of the land (1. soil condition, 2. shape or 3. topography of land or structures):

The literal enforcement of the provisions of this by-law would create injustice and hardship for the owner. In support, the owner states that it relied on the builder's representation that, due to the topography of the land at 26 Governor Prentice Way, it was required to build the home as far back on the building setback as possible in order to maintain a certain slope grade of the hill in the front yard. As such, the stairs of the deck in the back yard abut the rear setback. The unique topography of the lot creates a particular hardship for the owner as he is prohibited from extending a deck that is too small to accommodate his family of five, including three young children (all six years and younger).

b. If this variance is allowed it will create no substantial detriment to the public good because:

If this variance is allowed, it will create no substantial detriment to the public because this is a variance for a deck extension in the back yard of a private dwelling that is already completely fenced in and not noticeable or visible to the general public. This is not a deck over a walkout basement that is higher than the fence in the backyard. Rather, the deck is approximately two to three feet off of the ground and the extension is neither noticeable to the public, nor does it create any substantial detriment to the public.

c. If this variance is allowed, it will not nullify or substantially derogate from the intent and purpose of the zoning bylaw because:

If this variance is allowed, it will not nullify or substantially derogate from the intent and purpose of the zoning bylaw because it will, in no way, shape, or form, affect the general health, safety, convenience, morals, and welfare of the inhabitants of Holliston, as stated in Section I of the Town of Holliston Zoning By-Laws. This is a private dwelling the back yard of which is completely fenced in. In all likelihood, the planned deck extension will not be noticeable by the inhabitants of Holliston, let alone affect their general health, safety, convenience, morals, and welfare. Furthermore, the total encroachment of the rear setback is only 6 feet, which is not substantial.

d. Will the proposed use include the storage or process of any hazardous substance?
Yes _____ (Please attach additional information.) No No

MINIMUM ZONING REQUIREMENTS FOR AR-2 DISTRICT

MINIMUM AREA	REQUIRED	EXISTING	PROVIDED
FRONTAGE/WIDTH	40,000 SF	44,626 SF	44,626 SF
FRONT SETBACK	180 FT	180.71 FT	180.71 FT
SIDE SETBACK	40 FT	107.5 FT	107.5 FT
REAR SETBACK	30 FT	51.5 FT	51.5 FT
MAX HEIGHT/STORY	40 FT	40.3 FT	34.0± FT
MAX BLDG COVER	35 FT/2.5	2 STORY	2 STORY
	25%	5.6%	6.3%

NOTES:

1. THIS PLAN REFERS TO TOWN ASSESSORS ATLAS 14 LOT 4.M (LOT 60).
2. OFFSETS ARE NOT FOR THE REPRODUCTION OF PROPERTY LINES.
3. ZONING DISTRICT - AGRICULTURAL RESIDENTIAL B (AR-2)
4. THE PURPOSE OF THIS PLAN IS FOR THE REQUEST OF:
-A SPECIAL PERMIT FOR THE REDUCTION OF THE REAR YARD SETBACK FROM 40.3' TO 34.0'.

SEE PLAN 85 OF 2015
(2 OF 6)

MIDDLESEX REGISTRY OF DEEDS
SOUTH DISTRICT

LOT 68A
N/F
CHETAK S. PATEL
BOOK 75770, PAGE 166

LOT 61A
N/F
CONSTITUTION VILLAGE, LLC
BOOK 34208 PAGE 62

BUILDING SETBACK

BIT. CONC.
DRIVEWAY

EX. DECK TO BE REMOVED:
PR. 14'x25' COMPOSITE DECK.
TOTAL AREA= 441± SF
NONCOMPLIANT AREA= 157± SF

2 STORY
W/F HOUSE
TOC=371.46

LOT 60
N/F
VLADIMIR & TARA NECHEV
BOOK 80470 PAGE 569
AREA=44,830 SF

DRAINAGE AND UTILITY EASEMENT
217.24'

N/F
ARUN K. PADMANABHAN
AND
MANASWINI SAIRAM
BOOK 86566 PAGE 190

GOVERNOR PRENCE WAY
(PROVIDE 50' WIDE)

LOT 60 G-1816-L60



**Guerriere &
Halnon, Inc.**

ENGINEERING & LAND SURVEYING

333 WEST STREET PH. (508) 473-8630
MILFORD, MA 01757 FX. (508) 473-8243
www.gandhengineering.com



10.18.2022

DATE:

OWNER / APPLICANT

VLADIMIR NECHEV
26 GOVERNOR PRENCE WAY
HOLLISTON, MA 01746

0010/20/22	INITIAL SUBMITTAL	JOF

BUILDING PERMIT
PLAN OF LAND

26 GOVERNOR PRENCE WAY
IN

HOLLISTON, MA

SCALE: 20 FEET TO AN INCH
DATE: OCTOBER 14, 2022

LOT 60 G-1816-L60