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TOWN OF MILTON BOARD OF APPEALS APPLICATION

(617) 898-4924
FAX: (617) 898-1096
8:00AM-5:00PM (Monday-Thursday)
8:00AM-1:30PM (Friday)
File Plans With This Application
Must be Filed In Triplicate and All Signed
Plans Must be Certified

\$100.00 APPLICATION FEE

RECEIVED
OFFICE OF TOWN CLERK
MILTON, MA

2020 JAN 17 P 1:07

FILE: 1-15-2020

21680

LOCATION OF PROPERTY: 18 Jeremiah's Way
Number and Street Section of Town

SECTION _____ BLOCK _____ LOT _____ DISTRICT IS ZONED FOR _____

TYPE OF STRUCTURE: Existing Proposed cell # _____

OWNERS NAME: JENNIFER ROGAN PH# 617 687 7152 WORK # 617 687 7152

OWNERS ADDRESS: 18 Jeremiah's Way Milton MA 02186 WHEN DID YOU ACQUIRE PROPERTY: 1988

HAS APPLICATION BEEN FILED AT BUILDING DEPT.? YES _____ NO

HAS ANY PREVIOUS APPEALS BEEN MADE: YES NO _____

CASE #
7/18/96
DATE

IF ANSWERED YES, RELIEF REQUESTED GRANTED _____ DENIED _____

SECTION OF ORDINANCE FOR WHICH RELIEF IS NOW REQUESTED _____

REASONS FOR REQUESTING RELIEF PERTAINING TO BYLAWS & DIMENSIONS & STATE WHAT YOUR PLANNING TO DO:

my son is coming home from college and he would like to stay in the apt.

ATTORNEY: _____
SIGNATURE OF OWNER (S): Jennifer Rogan
APPLICANT (S): Jennifer Rogan

TOWN OF MILTON

Decision of the Board of Appeals as constituted under Chapter 40A of the General Laws of Massachusetts and Section IX of Chapter 10 of the General Bylaws of the Town of Milton upon the Application of John W. Rowan and Mary C. Rowan dated February 29, 1996.

A public hearing was held on April 23, 1996 in the Town Office Building, Milton, Massachusetts pursuant to notice duly given according to law and the rules of the Board, upon the application of John W. Rowan and Mary C. Rowan dated February 29, 1996 for a Special Permit under the terms of Section III.A.9 of Chapter 10 of the Zoning Bylaws of the Town of Milton, so as to allow a temporary apartment to be constructed within one-family dwelling located at 18 Jeremiah's Way, Milton. The subject dwelling is located in a Residence B District.

Messrs. Roderick M. Connelly, Chairman, James N. Doherty and Brian M. Hurley constituted the Board at the hearing. The members of the Board are familiar with the neighborhood in which the premises are situated.

John W. Rowan, one of the applicants, advised the Board that he and his wife, Mary C. Rowan, wished to construct an addition to their residence at 18 Jeremiah's Way. In conjunction with this construction they would like to have permission of the Town to allow Ann M. Sheehan, the mother of Mary C. Rowan, to reside in a separate temporary apartment. There was submitted with the application a set of plans dated February 2, 1996 and April 28, 1994, that delineate the location of the proposed temporary apartment. The apartment would be in the area shown as the Addition to the Rowan Residence. Also submitted with the application was a plot plan dated March 23, 1996 by Christopher S. Kelley, Professional Land Surveyor, showing the

JMR
D.M.H.
D.M.H.

lot and the house with the addition.

The applicants advised the Board that the exterior of the addition would be similar in style and color to the existing dwelling and that with minor work they would be able to dismantle the temporary apartment which would be constructed in the dwelling with the addition thereto.

No one appeared in opposition to the application. John Hanifan, an abutter spoke in favor of the application.

The Board finds the Applicants have met the following requirements of Section III.A.9 of the Zoning Bylaws of the Town of Milton;

- 1) The Applicants will be the owners;
- 2) The owners will have at least a 50% interest in the property and will have their primary residence in the principal dwelling quarters;
- 3) The tenant is the mother of one of the owners, one of the relationships named in the Bylaw;
- 4) The work to be performed to dismantle the apartment, and the cost of such work will be reasonable;
- 5) There will be no new entrance;
- 6) The lot is of adequate size; there will be no adverse impact on neighbors;
- 7) There is adequate space in the driveway for parking;
- 8) The size of the temporary apartment in the house would be less than the maximum permitted.

Wherefore, the Board of Appeals by unanimous vote, hereby grants a Special Permit in the attached form and subject to the conditions set forth therein.

[Handwritten signatures]

PERMIT

To: John W. Rowan and Mary C. Rowan
18 Jeremiah's Way
Milton, MA 02186


Upon your application filed February 29, 1996 for a Special Permit under the terms of Section III.A.9 of the Zoning Bylaws of the Town of Milton so as to allow a temporary apartment to be permitted within the existing one-family dwelling located at 18 Jeremiah's Way, Milton, the Board of Appeals hereby grants a Special Permit under the following conditions:

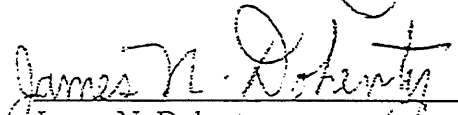
- 1) The temporary apartment shall comply with all laws and regulations governing renovation of structures in Milton; this Special Permit having only to do with the provisions of Section III.A.9 above referred to. This Special Permit does not in any way affect the provisions of the applicable Building Code as it may apply to the construction of the temporary apartment, and the Building Commissioner is instructed to issue no building permit hereunder which does not comply with all provisions of the law including the provisions of said Building Code.
- 2) Said temporary apartment shall conform to the plans on file with the Board.
- 3) During the time the temporary apartment exists no enlargement of the dwelling is permitted and no boarders or lodgers are permitted in either unit.
- 4) This permit shall terminate upon the sale of the premises, the addition of tenants not named in the application, except aides or homemakers caring for the tenants, the reduction of the owner's interest to less than 50 percent, violation of any term of the Special Permit not cured within two weeks of notice of the violation, or the expiration of four (4) years from the date on which the Special Permit was extended.
- 5) The temporary apartment shall be incorporated with the principal living quarters within sixty (60) days from the date of expiration of the Special Permit, whichever occurs first.
- 6) The holder of this Special Permit shall advise the Building Commissioner annually that the temporary apartment is in conformity with the Special Permit.
- 7) The only person allowed to occupy the temporary apartment is Ann M. Sheehan, mother of the applicant, Mary C. Rowan.

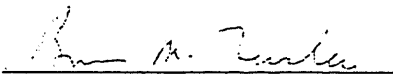
gma
Ann M. Sheehan
AMC

The above conditions may be amended or altered or others may be imposed at any time and from time to time by the Board of Appeals after notice and hearing. Attached hereto is a copy of the decision of the Board of Appeals granting the with Special Permit.

ISSUED by the Board of Appeals this 18th day of July, 1996.


Roderick M. Connelly, Chairman


James N. Doherty


Brian M. Hurley

TOWN CLERK
MILTON, MA
JUL 18 1 57 PM '96

FILED
JUL 18 1996
WITH
TOWN CLERK



TOWN OF MILTON INSPECTIONAL SERVICES

525 CANTON AVENUE
MILTON, MA 02186
Telephone: 617-898-4925

Joseph Prondak
Building Commissioner
617-898-4926
jprondak@townofmilton.org

Jay W. Beaulieu
Local Inspector
617-898-4931
jbeaulieu@townofmilton.org

Walter White
Local Inspector
617-898-4976
wwhite@townofmilton.org

Domenic Franceschelli
Wire Inspector
617-898-4927
dfranceschelli@townofmilton.org

Mark Kelly
Plumbing & Gas
Inspector/Sealer of
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617-898-4928
mkelly@townofmilton.org

Birch Aymer
Code Enforcement Officer
617-898-4839
baymer@townofmilton.org

Beverly Sutton
Sr. Administrative Clerk
617-898-4924
bsutton@townofmilton.org

Patricia Kelly
Sr. Administrative Clerk
617-898-4936
pkelly@townofmilton.org

Fax: 617-898-1096

December 31, 2019

John & Mary Rowan
18 Jeremiah Way
Milton, MA 02186

RE: Second Notice-Expiration of Special Permit # 1681/temporary In-law apartment

Dear John & Mary,

Enclosed, please find copy of a letter sent to you on 7/30/19, notifying you of an expired Special Permit for a Temporary Apartment.

We have received no response to this letter from you.

This Special Permit was granted to you by the Town of Milton Zoning Board of Appeals on 7/18/1996 in Case #1681. This permit expired on 7/19/2000. Section III 9(h) of the Milton Zoning Bylaw requires that the temporary apartment be incorporated back into the principal living quarters within 60 days of the expiration date.

Your right to occupy this Temporary Apartment is hereby revoked.

You must make alterations to restore the premises to a single family home under the auspices of duly issued building, plumbing and wiring permits.

Failure to comply with this directive within 30 days of receipt of this notice will cause this office to seek compliance through the Southeast Housing Court.

Please contact me at 617-898-4839 to discuss your intentions in this matter.

Sincerely,

Birch Aymer
Code Enforcement Officer



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pkelly@townofmilton.org

Fax: 617-898-1096

July 30, 2019

John & Mary Rowan
18 Jeremiah's Way
Milton, MA 02186

RE: Expiration of Special Permit # 1681/temporary In-law apartment

Dear John & Mary,

This letter is to remind that your Special Permit, issued by the Milton Zoning Board of Appeals in case # 1681 for a temporary (in-law) apartment expired July 19, 2000.

If the premises created under this permit are still being used by Ann Sheehan and its use is intended to continue, you must re-apply for and obtain a Special Permit from the Zoning Board.

If you intend to discontinue the temporary apartment, you must make alterations to restore the premises to a single family home under the auspices of duly issued building, plumbing and wiring permits

Please contact me at 617-898-4839 to discuss your intentions in this matter.

Sincerely,

Birch Aymer
Code Enforcement Officer