

TOWN OF WELLESLEY



MASSACHUSETTS

ZONING BOARD OF APPEALS

TOWN HALL • 525 WASHINGTON STREET • WELLESLEY, MA 02482-5992

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ZBA 2003-80
Petition of Keith and Elizabeth Wexelblatt
351 Weston Road

Pursuant to due notice, the Special Permit Granting Authority held a Public Hearing on Thursday, October 9, 2003 at 7:30 p.m. in the Selectmen's Meeting Room (Conference Room B) at the Town Hall, 525 Washington Street, Wellesley, on the petition of KEITH AND ELIZABETH WEXELBLATT requesting a Special Permit/Finding pursuant to the provisions of Section XVII and Section XXV of the Zoning Bylaw that the demolition of their existing nonconforming one-car garage and construction of a one-story 20.5 foot by 15 foot garage and a two-story 26.66 foot by 15 foot addition, both of which having less than the required left side yard setback, at their nonconforming dwelling with less than the required left and right side yard setbacks, at 351 WESTON ROAD, in a 10,000 square foot Single Residence District, shall not be substantially more detrimental to the neighborhood than the existing nonconforming structure.

On September 18, 2003, the petitioners filed a request for a hearing before this Authority, and thereafter, due notice of the hearing was given by mailing and publication.

Presenting the case at the hearing was Elizabeth Wexelblatt, who was accompanied by Richard Leaf, project architect. Mrs. Wexelblatt said that when they bought the house five years ago, they had no children, but now have two children and need more space. Their current garage is nonfunctional, and they are in need of a family room. They would like to remove the existing garage and move the new one-story garage forward. They would build a mudroom and a family room behind the garage, and a bedroom above the mudroom/family room area.

Mr. Leaf said the proposed garage is following the line of the existing garage. As it moves forward, it becomes less nonconforming. The garage is coming 12 feet forward, but would be 35.8 feet from the front property line.

The Board noted that the Planning Board had no objection to the granting of the request.

No other person present had any comment on the petition.

Statement of Facts

The subject property is located at 351 Weston Road, in a 10,000 square foot Single Residence District, on a 10,273 square foot lot, and has a minimum right side yard setback of 17.8 feet and a minimum left side yard setback of 13.6 feet.

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WELLESLEY MA 02482
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ZBA 2003-80
Petition of Keith and Elizabeth Wexelblatt
351 Weston Road

The petitioners are requesting a Special Permit/Finding that the demolition of the existing nonconforming garage, construction of a one-story 20.5 foot by 15 foot garage with a minimum left side yard setback of 15.5 feet, and construction of a two-story 26.66 foot by 15 foot addition with a minimum left side yard setback of 13.6 feet, shall not be substantially more detrimental to the neighborhood than the existing nonconforming structure.

An Existing Plot Plan, a Proposed Plot Plan, and a Sketch of Abutting Houses, all dated 9/4/03, all stamped by Terrence M. Ryan, Registered Professional Land Surveyor; Existing and Proposed Floor Plans and Elevations dated 9/5/03, prepared by Leaf Design Associates; and photographs were submitted.

The Planning Board reviewed the petition and had no objection to the granting of the request.

Decision

This Authority has made a careful study of the materials submitted and the information presented at the hearing. The subject structure does not conform with the current Zoning Bylaw, as noted in the foregoing Statement of Facts.

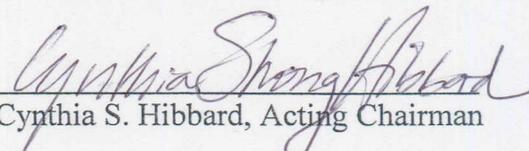
It is the finding of this Authority that the proposed demolition of the nonconforming garage and construction of both a one-story 20.5 foot by 15 foot garage with a minimum left side yard setback of 15.5 feet, and a two-story 26.66 foot by 15 foot addition with a minimum left side yard setback of 13.6 feet, shall not be substantially more detrimental to the neighborhood than the existing nonconforming structure as neither addition shall intensify the existing nonconformance nor create new nonconformity.

Therefore, a Special Permit is granted, as voted unanimously by this Authority at the Public Hearing, for construction of the one-story garage and the two-story addition in accordance with the submitted plot plan and construction drawings.

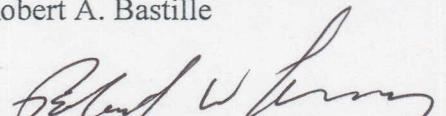
The Inspector of Buildings is hereby authorized to issue a permit for construction upon receipt and approval of a building application and detailed construction plans.

APPEALS FROM THIS DECISION,
IF ANY, SHALL BE MADE PURSUANT
TO GENERAL LAWS, CHAPTER 40A,
SECTION 17, AND SHALL BE FILED
WITHIN 20 DAYS AFTER THE DATE
OF FILING OF THIS DECISION IN
THE OFFICE OF THE TOWN CLERK.

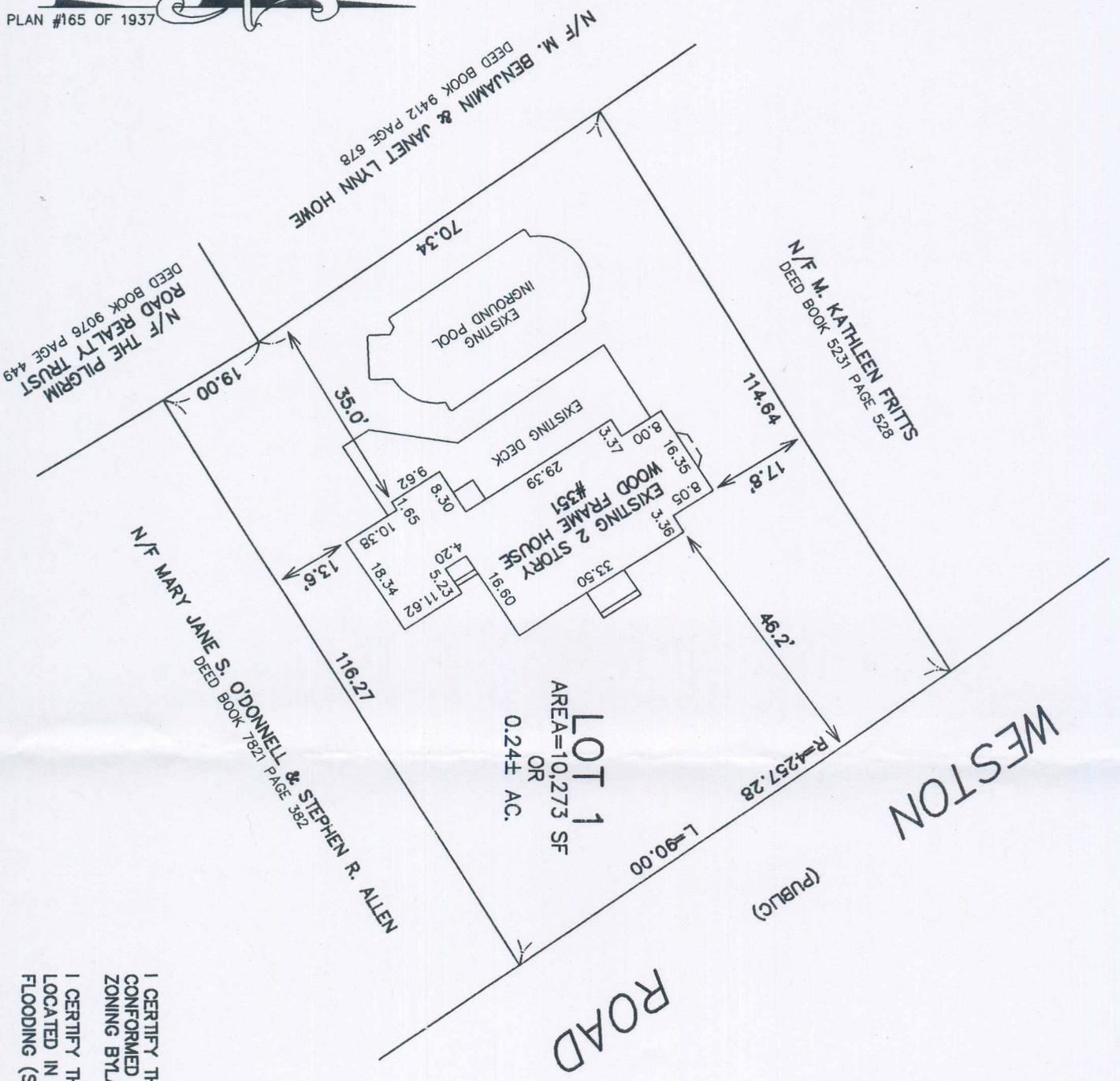
Cc: Planning Board
Inspector of Buildings
edg


Cynthia S. Hibbard, Acting Chairman


Robert A. Bastille


Robert W. Levy

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LOT 1
 AREA=10,273 SF
 OR
 0.24± AC.

WESTON ROAD

ROAD

PLOT PLAN
351 WESTON ROAD
WELLESLEY, MASS.

DATE: JUNE 11, 2003 SCALE: 1" = 20'

PREPARED FOR:

KEITH & ELIZABETH MARX WEXELBLATT
 351 WESTON ROAD
 WELLESLEY, MASS. 02482

ENGINEERS & SURVEYORS:

APPLEWOOD SURVEY CO.
 21 GREEN STREET
 HOLLISTON, MASS. 01746
 TERENCE M. RYAN R.L.S. 37057

ZONED: SINGLE RES.
 AREA: 10,000 SF
 FRONTAGE: 60 FT
 SETBACK: 30 FT
 SIDEYARD: 20 FT
 REARYARD: 10 FT
 MAX. LOT COVERAGE: 20% OR 2,500 SF

EXISTING LOT COVERAGE = 1,815 SF OR 17.7%

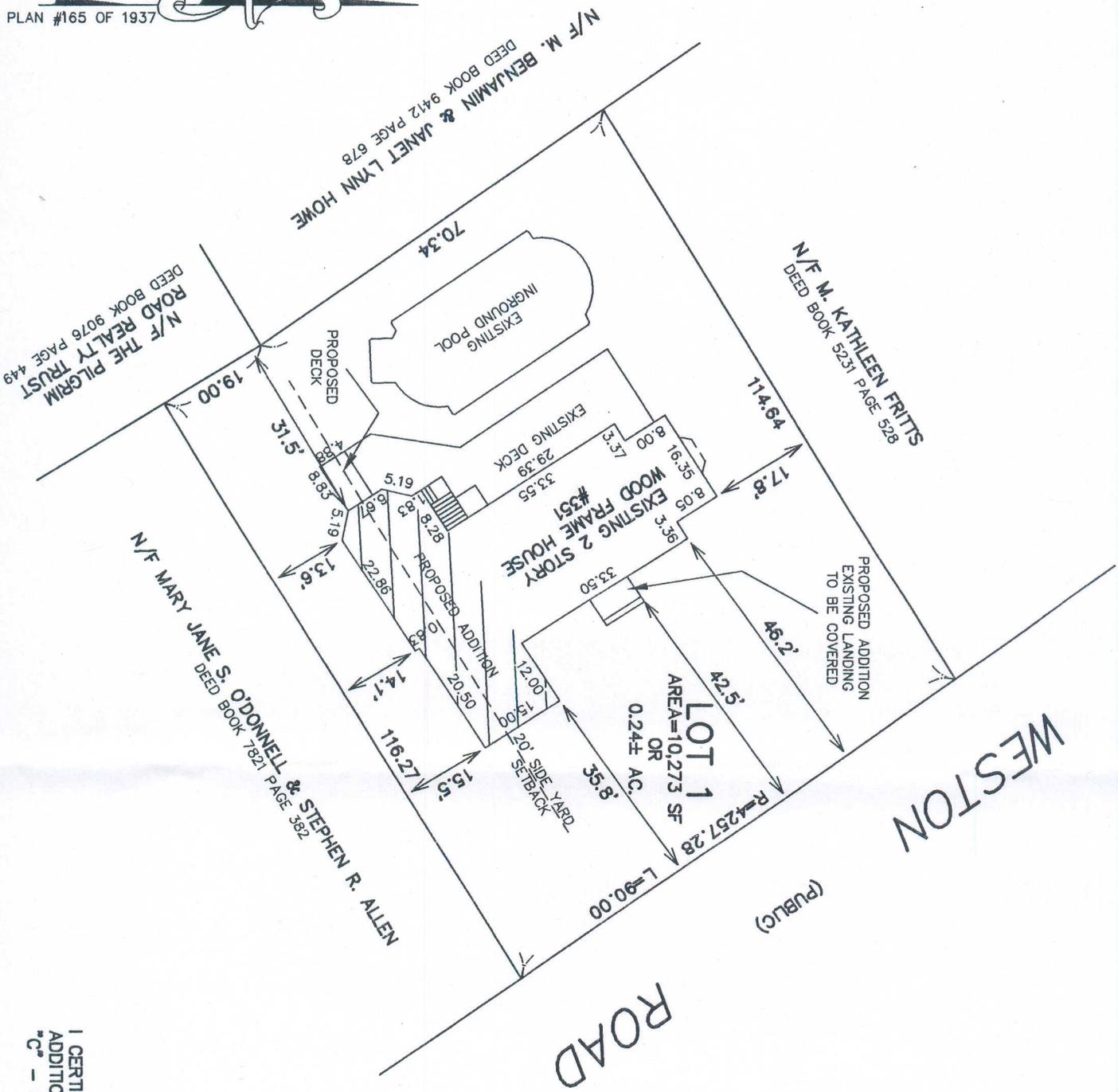
DEED BOOK 12613 PAGE 382
 ASSESSORS MAP 181 LOT 99



I CERTIFY THAT THE LOT SHOWN AND EXISTING HOUSE SHOWN THEREON CONFORMED TO THE DIMENSIONAL OFFSET REGULATIONS OF THE WELLESLEY ZONING BYLAWS AT THE TIME OF CONSTRUCTION.

I CERTIFY THAT THE LOT SHOWN AND EXISTING HOUSE SHOWN THEREON ARE LOCATED IN A FEDERAL FLOOD HAZARD ZONE "C" - SUBJECT TO MINIMAL FLOODING (SOURCE: F.I.R.M. 250255 0005 B).

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PROPOSED PLOT PLAN
351 WESTON ROAD
WELLESLEY, MASS.

DATE: SEPTEMBER 3, 2003 SCALE: 1" = 20'

PREPARED FOR:
 KEITH & ELIZABETH MARX WEXELBLATT
 351 WESTON ROAD
 WELLESLEY, MASS. 02482

ENGINEERS & SURVEYORS:
 APPLEWOOD SURVEY CO.
 21 GREEN STREET
 HOLLISTON, MASS. 01746
 TERENCE M. RYAN R.L.S. 37057

ZONED: SINGLE RES.
 AREA: 10,000 SF
 FRONTAGE: 60 FT
 SETBACK: 30 FT
 SIDEYARD: 20 FT
 REARYARD: 10 FT
 MAX. LOT COVERAGE:
 THE GREATER OF 20% OR 2,500 SF

EXISTING LOT COVERAGE = 17.7% = 1,815 SF
 PROPOSED LOT COVERAGE = 22.1% = 2,273 SF
 278 SF OF THE PROPOSED ADDITION WILL BE
 WITHIN THE SIDE YARD SETBACK.

DEED BOOK 12613 PAGE 382
 ASSESSORS MAP 181 LOT 99



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I CERTIFY THAT THE LOT SHOWN, EXISTING HOUSE SHOWN, AND THE PROPOSED ADDITION SHOWN THEREON ARE LOCATED IN A FEDERAL FLOOD HAZARD ZONE "C" - SUBJECT TO MINIMAL FLOODING (SOURCE: F.I.R.M. 250255 0005 B).