



## ZONING BOARD OF APPEALS

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

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ZBA 2003-11  
 Petition of SaintGeorge and Colette Aufranc  
5 Hill Top Road

Pursuant to due notice, the Special Permit Granting Authority held a Public Hearing on Thursday, February 13, 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 SAINTGEORGE AND COLETTE AUFRANC requesting a Special Permit/Finding pursuant to the provisions of Section XVII and Section XXV of the Zoning Bylaw that the construction of a two-story 18 foot by 21.3 foot addition with less than the required right side yard setback, at their nonconforming dwelling with less than the required right side yard setback, at 5 HILL TOP 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 January 24, 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 SaintGeorge Aufranc, who said they would like to build a two-story addition of about 800 square feet at the rear of their home. The addition will be set back farther from the right side line than the existing house.

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

No other person present had any comment on the petition.

Statement of Facts

The subject property is located at 5 Hill Top Road, in a 10,000 square foot Single Residence District, on a 6,380 square foot lot, and has a minimum right side yard setback of 13.3 feet.

The petitioners are requesting a Special Permit/Finding that the construction of a two-story 18 foot by 21.3 foot addition with a minimum right side yard setback of 15.3 feet shall not be substantially more detrimental to the neighborhood than the existing nonconforming structure.

A Plot Plan dated December 19, 2002, stamped by Bruce Bradford, Registered Professional Land Surveyor; a Site Plan, Existing and Proposed Floor Plans and Elevations dated December 16, 2002; and photographs were submitted.

On January 28, 2003, the Planning Board reviewed the petition and had no objection to granting the request.

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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 to the current Zoning Bylaw, as noted in the foregoing Statement of Facts.

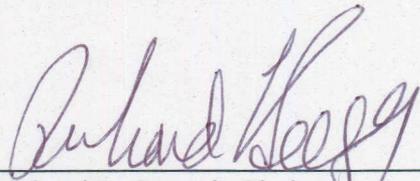
It is the finding of this Authority that the construction of the two-story 18 foot by 21.3 foot addition shall not be substantially more detrimental to the neighborhood than the existing nonconforming structure as it will neither intensify the existing nonconformance nor create new nonconformity.

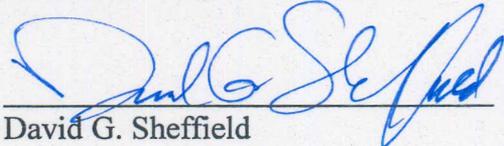
Therefore, a Special Permit is granted, as voted unanimously by this Authority at the Public Hearing, for the construction of the two-story addition in accordance with the submitted plot plan and construction drawings.

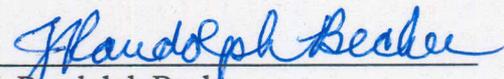
The Inspector of Buildings is hereby authorized to issue a permit for construction upon receipt and approval of a building application and detailed construction plans.

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.

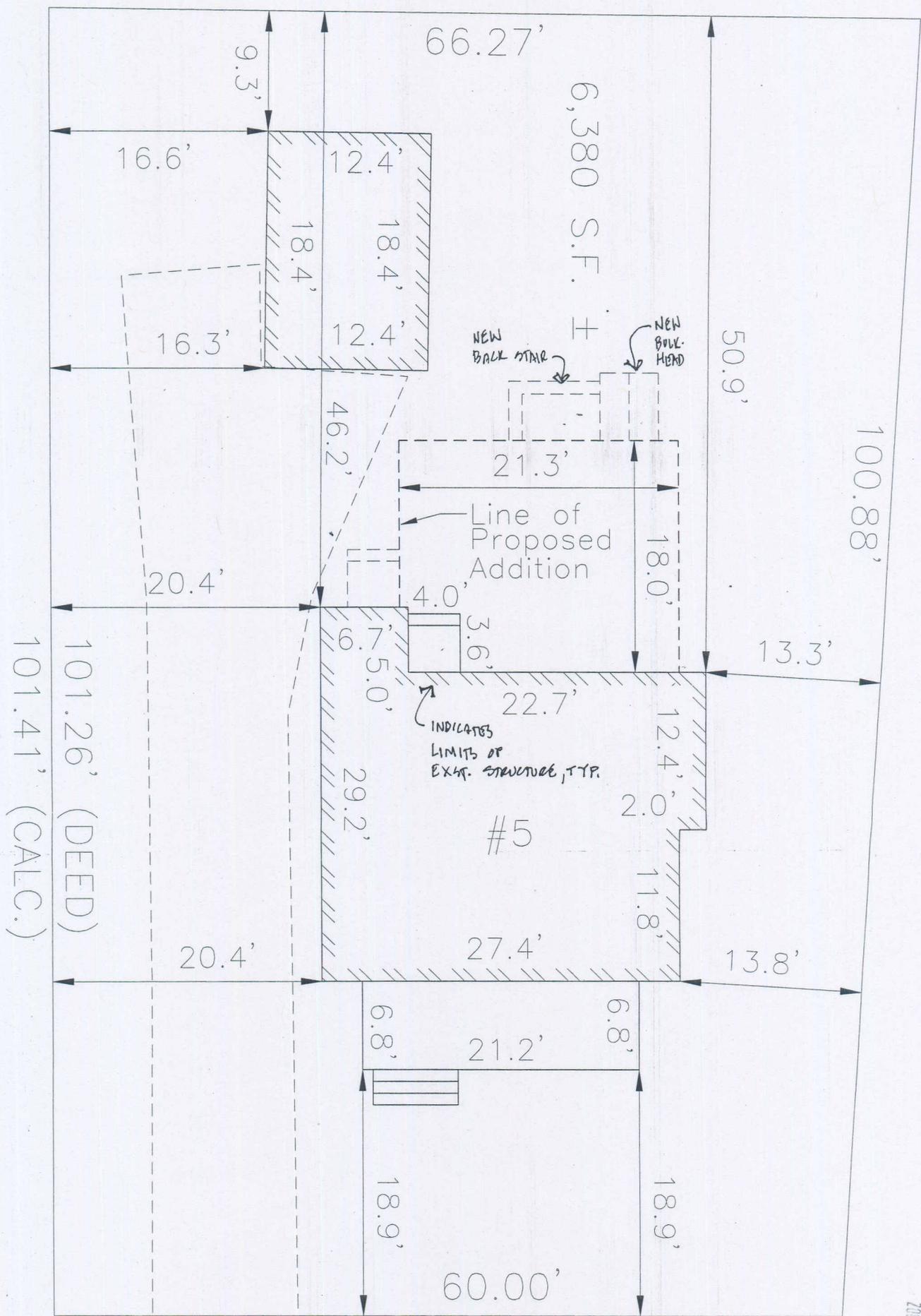
Cc: Planning Board  
Inspector of Buildings  
edg

  
Richard L. Seegel, Chairman

  
David G. Sheffield

  
J. Randolph Becker

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EXISTING LOT COVERAGE: 1,093 SQ. FT.  
 PROPOSED LOT COVERAGE: 1,519 SQ. FT.  
 $1,519 \text{ SQ. FT.} / 6,380 \text{ SQ. FT.} = 24\%$

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