



ZONING BOARD OF APPEALS

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

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 WELLESLEY, MA 02482
 2003 FEB 13 A 8:36

ZBA 2003-18
 Petition of Christian Aall
 40 Calvin 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 CHRISTIAN AALL requesting a Special Permit/Finding pursuant to the provisions of Section XVII and Section XXV of the Zoning Bylaw that the construction of a 4 foot by 9 foot porch extension and a 12 foot by 12 foot octagonal gazebo, both having less than the required front setback, at his nonconforming dwelling with less than the required front setback, at 40 CALVIN 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 petitioner 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 Christian Aall, who said he would like to extend his porch to the right with a 4 foot by 9 foot extension and a 12 square foot gazebo on the left side. The house is Victorian in style, and the additions will be in keeping with this style. He has spoken to both abutters, and neither has a problem with the additions.

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

The Board commented that the peak of the gazebo appeared to be steeper than that of the house. Mr. Aall said that both roofs were at a 12 pitch.

The Board stated there was a difference between the front setback of 24 feet shown on the plot plan and the front setback of 31 feet shown on the Floor Plan. Mr. All said the dimension shown on the plot plan is correct. His drawing showing a setback of 31 feet is measured to the curb and not to the front lot line.

No other person present had any comment on the petition.

Statement of Facts

The subject property is located at 40 Calvin Road, in a 10,000 square foot Single Residence District, on an 11,040 square foot lot, and has a minimum front yard setback of 24 feet.

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Petition of Christian Aall
40 Calvin Road

The petitioner is requesting a Special Permit/Finding that the construction of a 4 foot by 9 foot porch extension, with a minimum front setback of 24 feet, on the right side of his dwelling; and construction of a 12 square foot octagonal gazebo, with a minimum front setback of 24 feet, on the left side of his dwelling shall not be substantially more detrimental to the neighborhood than the existing nonconforming structure.

A Plot Plan dated January 21, 2002, drawn by John J. Caffrey, Registered Professional Land Surveyor; Existing and Proposed Floor Plans and Elevations dated January 17, 2003, drawn by Christian Aall; and photographs were submitted.

On January 28, 2003, the Planning Board reviewed the petition and had no objection to granting 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 to the current Zoning Bylaw, as noted in the foregoing Statement of Facts.

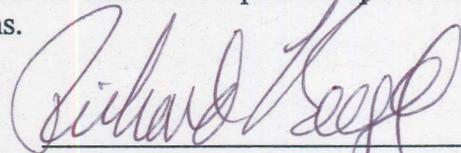
It is the finding of this Authority that the construction of both the 4 foot by 9 foot porch extension and the 12 square foot octagonal gazebo shall not be substantially more detrimental to the neighborhood than the existing nonconforming structure, as neither the porch extension nor the gazebo shall intensify the existing nonconformance, nor shall either structure create new nonconformity.

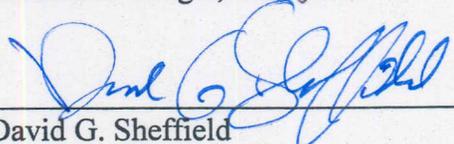
Therefore, a Special Permit is granted, as voted unanimously by this Authority at the Public Hearing, for construction of the 4 foot by 9 foot porch extension and the 12 square foot gazebo in accordance with the submitted plot plan and construction drawings.

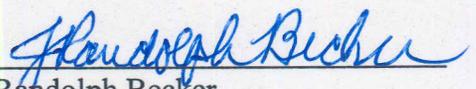
The Inspector of Buildings is hereby authorized to issue a permit for construction upon receipt and approval of a building application and detailed construction plans.

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

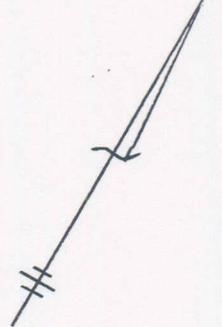
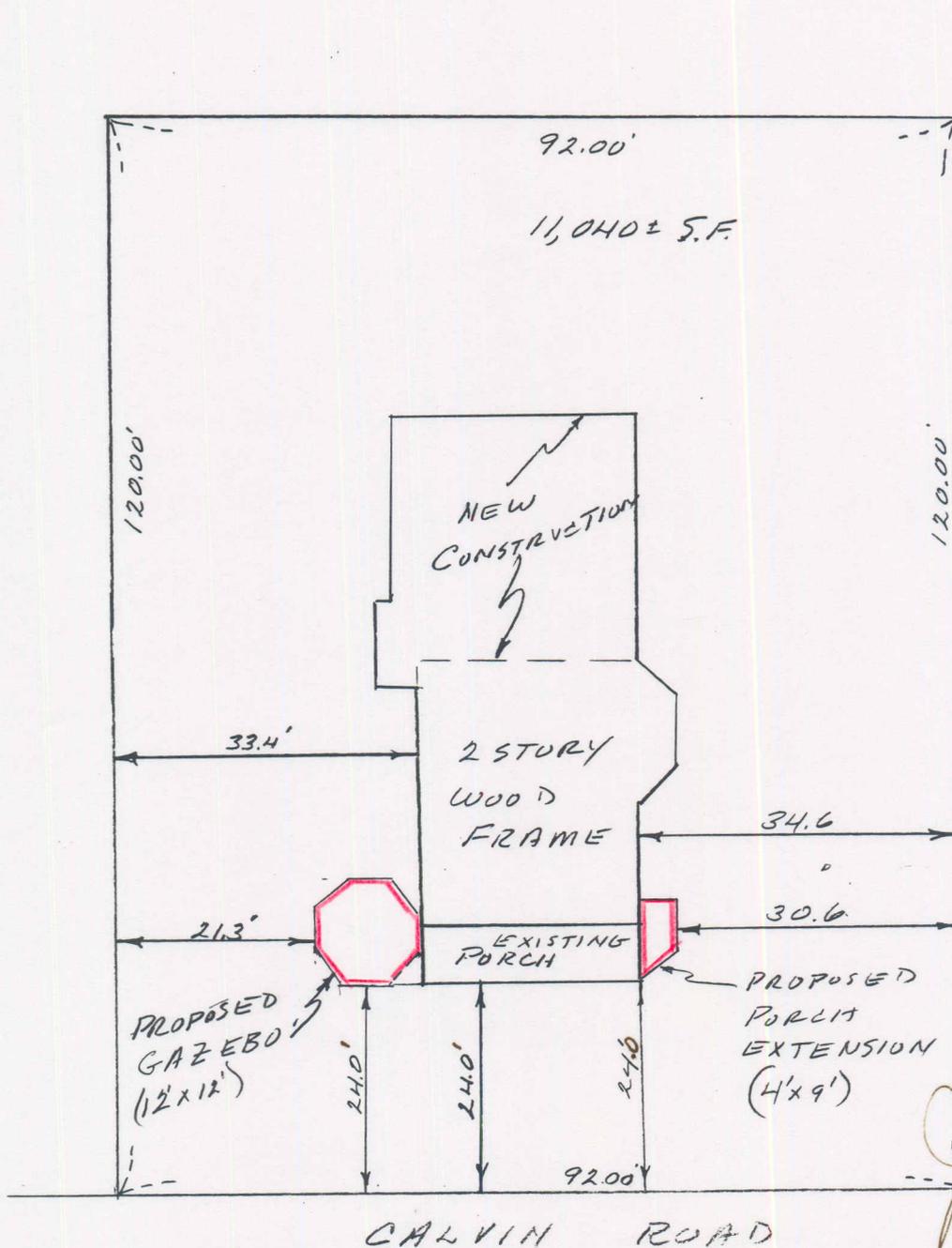
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WELLSLEY MA 02288
2003 FEB 26 A 8:59

PLOT PLAN FOR PROPERTY IN WELLESLEY, MA

Applicant: *CHRIS AALL*

Property Location: *40 CALVIN ROAD*

Lot Area: $11,040 \text{ sq}'$



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2003 JAN 24 10 09 10



Scale: 1" = 20'
Date: 21 JAN 2002
File No: 8-03

LOT COVERAGE
EXISTING - 13.3%
PROPOSED - 14.6%

CAFFREY ASSOCIATES, INC.

24 Granison Road, Weston, MA 02493 (781) 891-9222