

TOWN OF WELLESLEY



MASSACHUSETTS

ZONING BOARD OF APPEALS

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

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ZBA 2003-42
Petition of Steven and April Levitt
156 Washington Street

Pursuant to due notice, the Special Permit Granting Authority held a Public Hearing on Thursday, June 19, 2003 at 7:30 p.m. in the Great Hall at the Town Hall, 525 Washington Street, Wellesley, on the petition of STEVEN AND APRIL LEVITT requesting a Special Permit/Finding pursuant to the provisions of Section XVII and Section XXV of the Zoning Bylaw that the construction of a second floor 10.1 foot by 20.1 foot addition over an existing sunroom of the same dimensions, with less than the required right side yard setback, at 156 WASHINGTON STREET, in a 10,000 square foot Single Residence District, shall not be substantially more detrimental to the neighborhood than the existing nonconforming structure. There shall be no change in the footprint.

On June 2, 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 were Steven and April Levitt. Mr. Levitt said they would like to add a master bath and a closet above their existing sunroom.

The Board stated that although there is not much room on the right side, the addition would be well screened. The Board asked if the neighbors had any objections. Mr. Levitt said his right side neighbors had said they would send a letter to the Board in support of the petition.

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

Larry Benoit, 152 Washington Street expressed enthusiastic support for both the petition and the Levitts as neighbors.

Statement of Facts

The subject property is located at 156 Washington Street, in a 10,000 square foot Single Residence District, on a 12,383 square foot lot and has a minimum left side yard setback of 15.5 feet and a minimum right side yard setback of 14.7 feet.

The petitioners are requesting a Special Permit/Finding that the construction of a 10.1 foot by 20.1 foot second floor above an existing sun porch of the same dimensions, with a minimum right side yard setback of 14.7 feet, shall not be substantially more detrimental to the neighborhood than the existing nonconforming structure. There shall be no change in the footprint.

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A Plot Plan dated April 19, 2003, stamped by Wayne S. Carlson, Registered Land Surveyor; a Proposed Second Floor Plan and Existing and Proposed Elevations dated 9/26/01, drawn by Thomas Rovero, Registered Architect; and photographs were submitted.

A letter in support of the petition, dated June 19, 2003, from Laurent and Mary Benoit, 152 Washington Street, was submitted to the Board at the Public Hearing.

On June 10, 2003, 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 dwelling does not conform to the current Zoning Bylaw, as noted in the foregoing Statement of Facts.

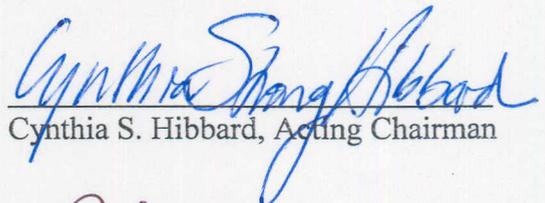
It is the finding of this Authority that construction of the proposed second floor 10.1 foot by 20.1 foot addition above the existing nonconforming sunroom with less than the required right side yard setback shall not be substantially more detrimental to the neighborhood than the existing nonconforming structure, as the addition will neither intensify the existing nonconformance nor shall it create new nonconformity because there shall be no change in the footprint.

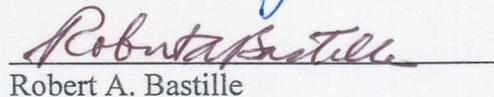
Therefore, a Special Permit is granted, as voted unanimously by this Authority at the Public Hearing, for construction of the 10.1 foot by 20.1 foot second story addition in accordance with the submitted plot plan and construction drawings.

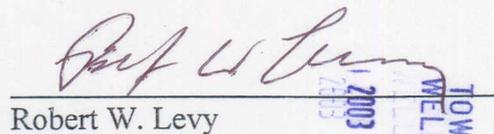
The Inspector of Buildings is hereby authorized to issue a permit for construction upon receipt and approval of a building application and detailed construction plans.

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

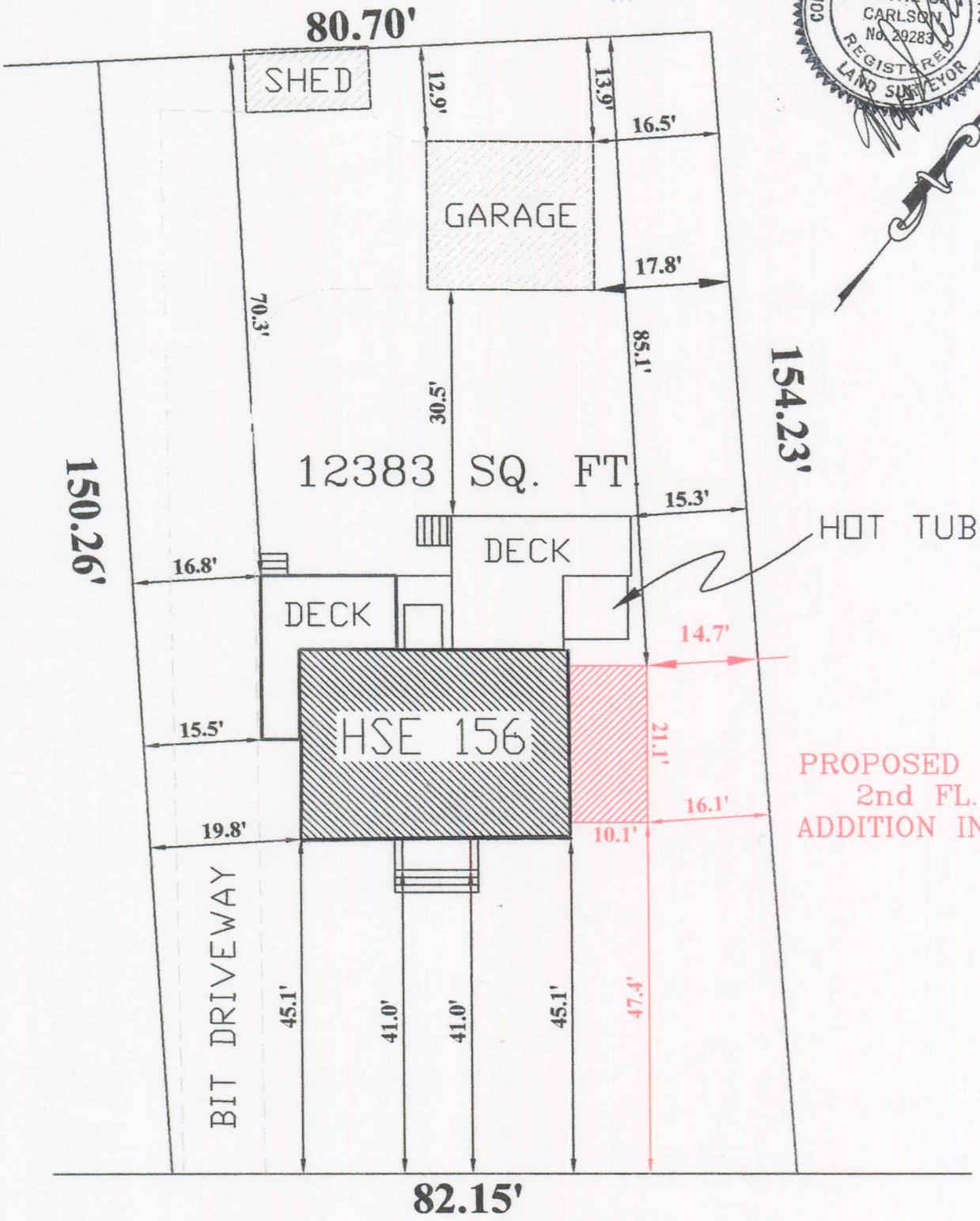
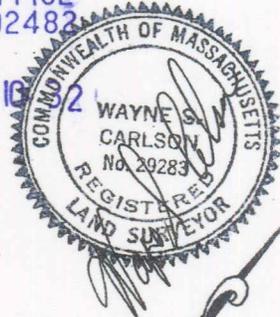

Robert W. Levy

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**ZBA PLAN
WELLESLEY, MASS.**

SCALE 1"=20 FT DATED: APRIL 19, 2003
CARLSON SURVEY COMPANY
261 UNION STREET - MILLIS, MA 02052

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WASHINGTON STREET

TOTAL =2311 SF /12383=18.7%