

TOWN OF WELLESLEY



MASSACHUSETTS

ZONING BOARD OF APPEALS

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

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ZBA 2004-23
Petition of Scott and Patricia Clark
16 Cottage Street

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APR 28 10 08 AM '04

Pursuant to due notice, the Special Permit Granting Authority held a Public Hearing on Thursday, April 15, 2004 at 7:30 p.m. in the Great Hall at the Town Hall, 525 Washington Street, Wellesley, on the petition of SCOTT AND PATRICIA CLARK 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 18.3 foot by 5.3 foot front porch, and construction of a wrap-around porch, of which the front portion would be 18.3 feet by 5.3 feet, and the right and left side portions would be 11.3 feet by 6 feet, at their nonconforming dwelling with less than the required front setback, at 16 COTTAGE STREET, in a 10,000 square foot Single Residence District and Historic District, shall not be substantially more detrimental to the neighborhood than the existing nonconforming structure. All three portions of the new front porch shall have less than the required front yard setback.

On March 29, 2004, 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 Scott Clark, who said they are applying to restore a wrap-around porch. The house, which is in the Historic District, was built in 1905. The original wrap-around porch had a closer front setback than what they are proposing. They bought the house in 2001, and spent six months restoring it to as much of the original condition as possible. They have worked with the Historic District Commission to ensure that the proposed porch will fit into the neighborhood. The Commission has approved their plans.

Mr. Clark said the original porch appears to have had a depth of 7 feet with a setback of 17 feet from the front property line. The submitted plans show a depth of 5.3 feet with a front setback of 19.2 feet, which matches the existing 5.3 foot by 18 foot concrete slab.

The Board asked if the porch would be enclosed. Mr. Clark said that it would not. The Board said it would add a condition stating the porch never be enclosed.

The Board stated that the porch would be a great improvement to the house, as it would provide a strong horizontal line to balance the height.

No other person present had any comment on the petition.

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2004 APR 28 A 8:16

Statement of Facts

The subject property is located at 16 Cottage Street on a 9,760 square foot lot in a 10,000 square foot Single Residence District and an Historic District, and has a minimum front setback of 19.2 feet.

The petitioners are requesting a Special Permit/Finding that the demolition of their existing 18.3 foot by 5.3 foot front porch with a minimum front setback of 19.2 feet and construction of a new wrap-around porch, of which the front portion would be 18.3 feet by 5.3 feet, and the right and left side portions would be 11.3 feet by 6 feet, with a minimum front yard setback of 19.2 feet for all three sections, shall not be substantially more detrimental to the neighborhood than the existing nonconforming structure.

A Plot Plan dated March 24, 2004, stamped by George N. Giunta, Professional Land Surveyor; Proposed Plans and Elevations dated March 1, 2004, revised March 23, 2004, prepared by Nunes-Trabucco Architects; and photographs were submitted.

On March 2, 2004, the Historic District Commission reviewed the application of the Clarks for a Certificate of Appropriateness, and issued the Certificate of Appropriateness at the close of the meeting, as well as a letter of support recommending that the Board of Appeals grant the petition.

On April 13, 2004, 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 Public Hearing. The existing 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 demolition of the existing 18.3 foot by 5.3 foot porch and construction of a one-story wrap-around porch, of which the front portion would be 18.3 feet by 5.3 feet, and the right and left side portions would be 11.3 feet by 6 feet, with a minimum front yard setback of 19.2 feet for all three sections, shall not be substantially more detrimental to the neighborhood than the existing nonconforming structure as the new porch shall neither intensify the existing nonconformance, nor create new nonconformity.

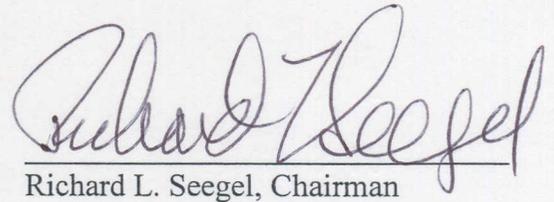
Therefore, a Special Permit is granted, as voted unanimously by this Authority at the Public Hearing, for the demolition and construction of the new wrap-around porch in accordance with the submitted plot plan and construction drawings, subject to the condition that the new wrap-around porch shall never be enclosed.

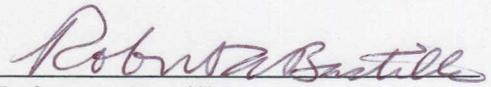
The Inspector of Buildings is hereby authorized to issue a permit for construction upon receipt and approval of a building application and detailed construction plans.

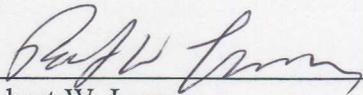
ZBA 2004-23
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APPEALS FROM THIS DECISION,
IF ANY, SHALL BE MADE PURSUANT
TO GENERAL LAWS, CHAPTER 40A,
SECTION 17, AND SHALL BE FILED
WITHIN 20 DAYS AFTER THE DATE
OF FILING OF THIS DECISION IN
THE OFFICE OF THE TOWN CLERK.

Cc: Planning Board
Historic District Commission
Inspector of Buildings
edg

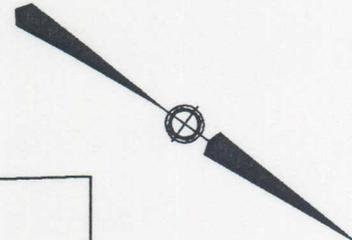

Richard L. Seegel, Chairman


Robert A. Bastille


Robert W. Levy

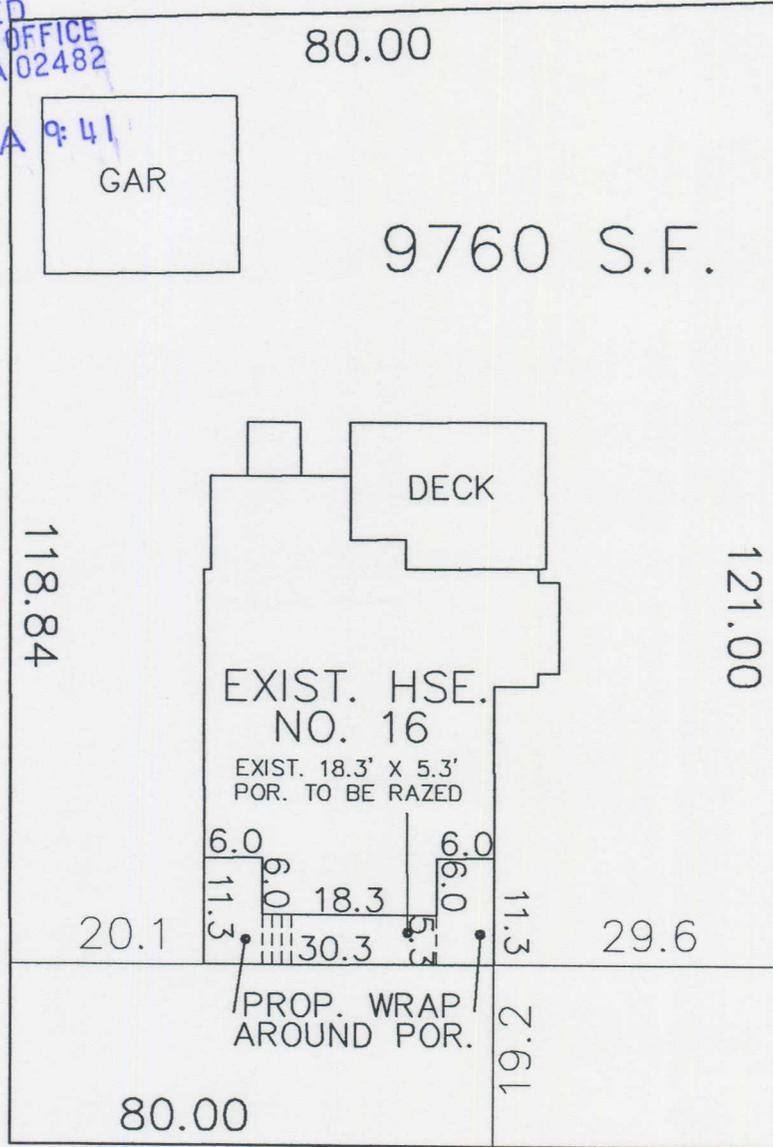
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LOT COVERAGE 22.70%



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2004 MAR 29 9:41



COTTAGE ST

PLOT PLAN OF LAND WELLESLEY, MA.

MAR 24, 2004 SCALE 1"=20'
NEEDHAM SURVEY ASSOCIATES, INC.
281 CHESTNUT ST.
NEEDHAM, MA. 02492
781-444-5936

