

TOWN OF WELLESLEY



MASSACHUSETTS

ZONING BOARD OF APPEALS

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

RICHARD L. SEEDEL, CHAIRMAN
CYNTHIA S. HIBBARD
DAVID G. SHEFFIELD

LENORE R. MAHONEY
EXECUTIVE SECRETARY
TELEPHONE
(781) 431-1019 EXT. 208

ROBERT A. BASTILLE
J. RANDOLPH BECKER, VICE CHAIRMAN
ROBERT W. LEVY

ZBA 2006-05
Petition of Paul and Carol Peterson
5 Midland Road

Petition of PAUL AND CAROL PETERSON requesting a Special Permit/Finding pursuant to the provisions of Section XVII and Section XXV of the Zoning Bylaw that construction of a 77 square foot one-story addition, which will increase the existing non-conforming lot coverage from 25.18% to 25.93%, in a 10,000 square foot Single Residence District in which the maximum allowable lot coverage is 20%, at 5 MIDLAND ROAD, shall not be substantially more detrimental to the neighborhood than the existing nonconforming structure.

On December 21, 2005, 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 Michael Collins who said that he was representing the Petersons. Mr. Collins said that the petitioners are asking for relief of approximately 1 percent increase in lot coverage. He said that there is pre-existing nonconforming lot coverage. He said that the proposed addition is a total of 100 square feet, 77 square feet of which is increased footprint.

The Board asked if this would be a one or two-story addition. Mr. Collins said that it is a one-story extension for an eating bay in the kitchen. He said that it is at the back corner of the house and not visible from the street. He said that there would be no encroachment into the setback.

Statement of Facts

The subject property is located at 5 Midland Road, in a 10,000 square foot Single Residence District, on an 11,250 square foot lot with existing lot coverage of 2,833 square feet, or 25.18 percent.

The petitioner is requesting a Special Permit/Finding that construction of a 108.57 square foot one-story addition, 77 square feet of which is new footprint which will increase the existing nonconforming lot coverage from 2,833 square feet to 2,917 square feet, or 25.18 percent to 25.93 percent, shall not be substantially more detrimental to the neighborhood than the existing nonconforming structure.

A Plot Plan dated 7/28/05, stamped by Terrence M. Ryan, Professional Land Surveyor, Existing and Proposed Floor Plans and Elevation Drawings, and photographs were submitted.

ZBA 2006-05
Petition of Paul and Carol Peterson
5 Midland Road

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 although construction of a 108.57 square foot one-story addition, 77 square feet of which is new footprint is increasing a nonconformity, such increase shall not be substantially more detrimental to the neighborhood than the existing nonconforming structure.

Therefore, a Special Permit is granted, as voted unanimously by this Authority at the Public Hearing, for construction of a 108.57 square foot one-story addition, 77 square feet of which is new footprint, 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.

ZBA 2006-05
Petition of Paul and Carol Peterson
5 Midland Road

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.

Richard L. Seegel, Chairman

David G. Sheffield

Robert A. Bastille

cc: Planning Board
Inspector of Buildings
lrm