

**ZONING BOARD OF APPEALS**

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

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ZBA 2011-05
Petition of Michael Hally
351 Linden Street

Pursuant to due notice, the Special Permit Granting authority held a Public Hearing on Thursday, January 6, 2010 on the petition of MICHAEL HALLY requesting a Special Permit/Finding pursuant to the provisions of Section XVII and Section XXV of the Zoning Bylaw that construction of an 18.3 foot by 32 foot third story addition with less than required right side yard setbacks, at 351 LINDEN STREET, in a 10,000 square foot Single Residence District, shall not be substantially more detrimental to the neighborhood than the existing nonconforming structure.

Property Owner: Edward & Kathleen Lasch

On December 20, 2010, 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 Hally, Architect. He said that also present was the homeowner, Kathleen Lasch (the "Petitioner").

Mr. Hally said that they were asking for relief for a side setback. He said that they would like to take the roof off of a two-story colonial and add a third level. He said that they will remove the roof and add new floor joists and new rafters at a slightly higher pitch. He said that it will go from an eight pitch to a ten pitch. He said that there will be two gabled dormers at the front of the house and a full dormer at the back. He said that the full dormer starts two feet from each end wall and goes the entire length.

Mr. Hally said that they will raise the ridge about three feet. He said that the front right hand corner has a 17 foot setback.

Mr. Hally said that it is a long narrow lot. He said that the existing garage is in the setback area. He said that all of the work will be within the buildable area except for the front right hand corner.

There was no one present at the Public Hearing who wished to speak to the petition.

Statement of Facts

The subject property is located at 351 Linden Street, in a 10,000 square foot Single Residence District, with a minimum left side yard setback of 10.4 feet and a minimum right side yard setback of 17 feet.

The Petitioner is requesting a Special Permit/Finding that construction of an 18.3 foot by 32 foot third story addition with less than required right side yard setbacks shall not be substantially more detrimental to the neighborhood than the existing nonconforming structure.

A Plot Plan dated 12/02/10, stamped by Todd P. Chapin, Professional Land Surveyor, Existing and Proposed Floor Plans and Elevation Drawings, dated 12/8/10, prepared by Michael Hally, Architect, and photographs were submitted.

On January 5, 2011, the Planning Board reviewed the petition and recommended that the Special Permit be granted.

Decision

This Authority has made a careful study of the materials submitted and the information presented at the hearing.

It is the opinion of this Authority that although construction of an 18.3 foot by 32 foot third story addition with less than required right side yard setbacks 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 for construction of an 18.3 foot by 32 foot third story addition with less than required right side yard setbacks, 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.

If construction has not commenced, except for good cause, this Special Permit shall expire two years after the date time-stamped on this decision.

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

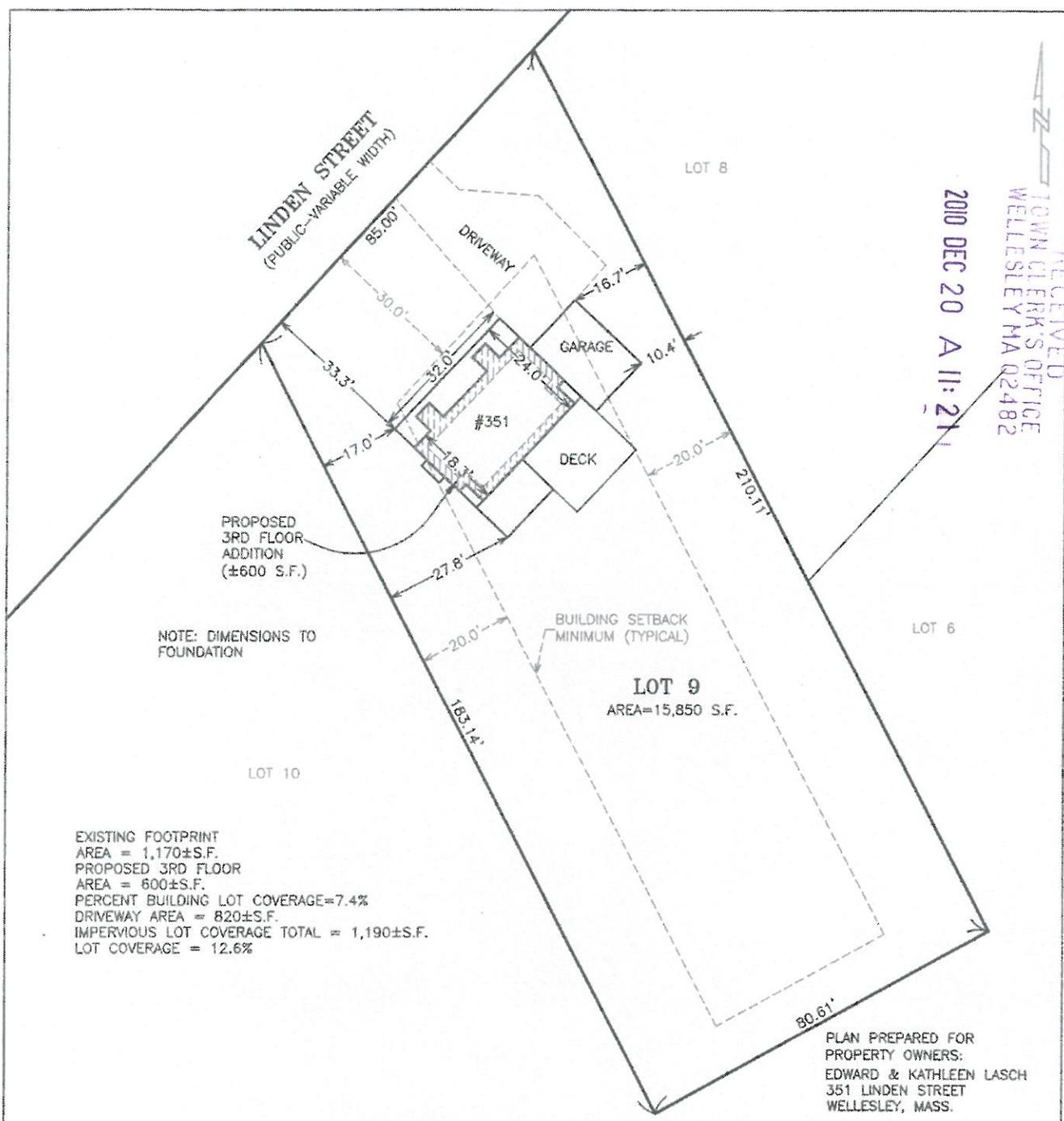
Cynthia S. Hibbard

David L. Grissino

cc: Planning Board
Inspector of Buildings
lrm

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WELLESLEY MA 02482

2010 DEC 20 A 11:21



PROPOSED 3RD FLOOR ADDITION (±600 S.F.)

NOTE: DIMENSIONS TO FOUNDATION

LOT 9
AREA=15,850 S.F.

EXISTING FOOTPRINT
AREA = 1,170±S.F.
PROPOSED 3RD FLOOR
AREA = 600±S.F.
PERCENT BUILDING LOT COVERAGE=7.4%
DRIVEWAY AREA = 820±S.F.
IMPERVIOUS LOT COVERAGE TOTAL = 1,190±S.F.
LOT COVERAGE = 12.6%

PLAN PREPARED FOR
PROPERTY OWNERS:
EDWARD & KATHLEEN LASCH
351 LINDEN STREET
WELLESLEY, MASS.



Todd P. Chapin

ASSESSORS MAP 86 LOT 40		PROPOSED ADDITION PLOT PLAN OF LAND IN WELLESLEY, MASS.	
ZONING DISTRICT: SRD 10--SINGLE			
F.I.R.M. COM. PANEL: ZONE C			
ATLAS LAND SURVEYING		SCALE: 1"=30'	DATE: 12/03/2010
8 MOORE LANE NORTHBOROUGH, MASS 01532 508-523-4559		DEED REF. BOOK 9690	PAGE 332
		PLAN REF. PLAN 344	OF 1935
		RECORDED @ NORFOLK COUNTY REG. DEEDS	