

**ZONING BOARD OF APPEALS**

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

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ZBA 2011-23

Petition of Karen McLaughlin & Marshall Randolph
105 Manor Avenue

Pursuant to due notice, the Special Permit Granting authority held a Public Hearing on Thursday, April 7, 2011 on the petition of KAREN MCLAUGHLIN & MARSHALL RANDOLPH requesting a Special Permit/Finding pursuant to the provisions of Section XVII and Section XXV of the Zoning Bylaw that demolition of an existing shed and construction of a two-story addition with less than required left side yard setbacks, on a 5,171 square foot lot in a district in which the minimum lot size is 10,000 square feet, at 105 MANOR AVENUE, shall not be substantially more detrimental to the neighborhood than the existing nonconforming structure.

On March 22, 2011, 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 Andrew Lockberry, Contractor. Also present were Marshall Randolph and Karen McLaughlin (the "Petitioner").

Mr. Lockberry said that the house is small. He said that they are replacing all of the siding and windows. He said that the homeowners wanted to add a couple of closets inside the house. He said that two bedrooms on the second floor share a closet.

Mr. Lockberry said that they will be removing the shed. He said that they will be connecting the corners of the house with a 15 foot wall. He said that the wall will be two stories. He said that the first floor will have a pantry area of approximately 60 square feet.

The Board asked how the rooflines will work when the triangle is filled in. Mr. Lockberry said that the new roof will be lower than the existing rooflines. He said that the chimney is going to be dismantled. He said that there will be a new stack encased in the closet. He said that the highest part of the roof is going to be on the inside of the angle. He said that it will not be seen from the street. He said that it will match the back slope because that will be carried over to the side where it is peaked. He said that there will be a little cheek wall that you will see from the backside.

Mr. Lockberry said that there will be a transom window in the second floor closet for afternoon sunlight. The Board said that they will have to choose a new gutter line. Mr. Lockberry said that the elevation drawing was not drawn to scale.

The Board asked about putting a transom window in the first floor pantry. The Board said that since the addition is such an odd shape, the relief of an additional window would probably help.

Marshall Randolph said that they were open to the Board's suggestions. He said that they spoke with the neighbors and they were supportive of the plans.

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 105 Manor Avenue, on a 5,171 square foot lot with a minimum front yard setback of 27.7 feet, a minimum left side yard setback of 8 feet and a minimum right side yard setback of 11 feet.

The Petitioner is requesting a Special Permit/Finding that demolition of an existing shed and construction of a two-story addition with less than required left side yard setbacks, on a 5,171 square foot lot in a district in which the minimum lot size is 10,000 square feet, shall not be substantially more detrimental to the neighborhood than the existing nonconforming structure.

A Plot Plan dated 3/15/11, stamped by Todd P. Chapin, Registered Land Surveyor, Existing and Proposed Floor Plans and Elevation Drawings, dated 3/5/11, prepared by Andrew Lockberry, Contractor, and photographs were submitted.

On April 6, 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 demolition of an existing shed and construction of a two-story addition with less than required left side yard setbacks, on a 5,171 square foot lot in a district in which the minimum lot size is 10,000 square feet 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 demolition of an existing shed and construction of a two-story addition with less than required left side yard setbacks, on a 5,171 square foot lot in a district in which the minimum lot size is 10,000 square feet, 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

J. Randolph Becker

David G. Sheffield

cc: Planning Board
Inspector of Buildings
lrm

NOTES:

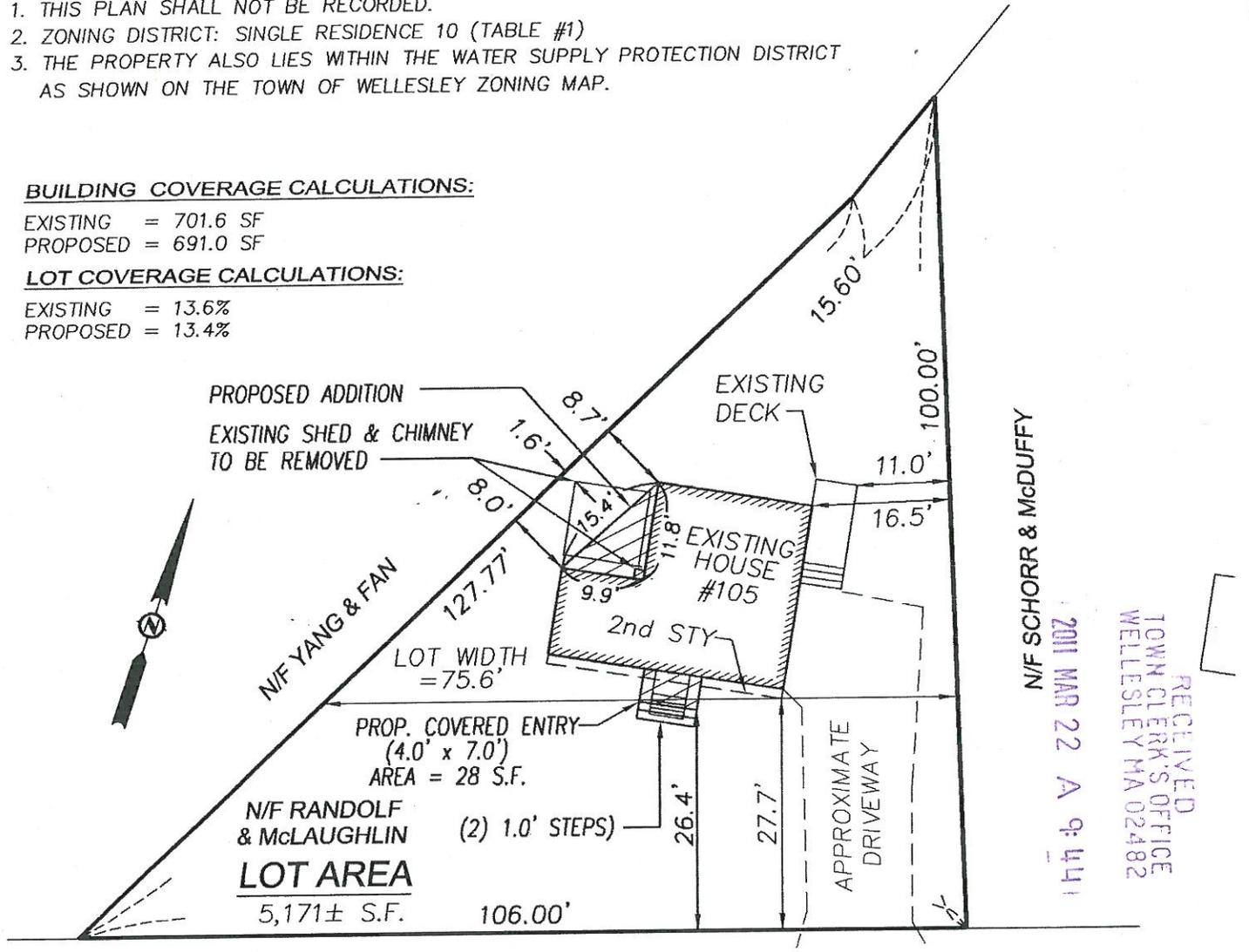
1. THIS PLAN SHALL NOT BE RECORDED.
2. ZONING DISTRICT: SINGLE RESIDENCE 10 (TABLE #1)
3. THE PROPERTY ALSO LIES WITHIN THE WATER SUPPLY PROTECTION DISTRICT AS SHOWN ON THE TOWN OF WELLESLEY ZONING MAP.

BUILDING COVERAGE CALCULATIONS:

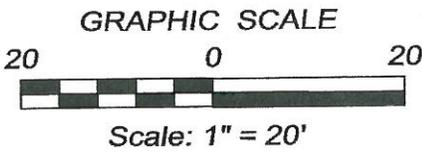
EXISTING = 701.6 SF
 PROPOSED = 691.0 SF

LOT COVERAGE CALCULATIONS:

EXISTING = 13.6%
 PROPOSED = 13.4%



MANOR AVE
 (PUBLIC ~ 40' WIDE)



PREPARED FOR: KAREN McLAUGHLIN
 105 MANOR AVENUE
 WELLESLEY, MA 02481



"BASED ON AN INSTRUMENT SURVEY,
 I CERTIFY THAT THE EXISTING BUILDINGS
 ARE LOCATED AS SHOWN HEREON."

Todd P. Chapin

"SPECIAL PERMIT PLAN"
 LAND IN
WELLESLEY, MASS.

SCALE: 1" = 20' DATE: 15 MARCH 2011

PREPARED BY: **THE JILLSON COMPANY, INC.**
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