



ZONING BOARD OF APPEALS

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

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ZBA 2015-66
Petition of Katherine Kamm
45 Avon Road

Pursuant to due notice, the Special Permit Granting Authority held a Public Hearing on Thursday, August 6, 2015, at 7:30 p.m. in the Juliani Meeting Room, 525 Washington Street, Wellesley, on the petition of KATHERINE KAMM requesting a Special Permit/Finding pursuant to the provisions of Section XIVE, Section XVII and Section XXV of the Zoning Bylaw that enclosure of an existing nonconforming porch with less than required right side yard setbacks, on an existing nonconforming structure with less than required front yard, left side yard and right side yard setbacks, on an 8,216 square foot lot in a Single Residence District in which the minimum lot size is 10,000 square feet, in a Water Supply Protection District, at 45 AVON ROAD, shall not be substantially more detrimental to the neighborhood than the existing nonconforming structure.

On July 21, 2015, 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 Katherine Kamm, the Petitioner. She said that the request is for a special permit to enclose an existing screened porch on an existing nonconforming structure with less than required front, right and left side yard setbacks. She said that it is an undersized lot. She said that the project will not change the footprint. She said that the porch is already on a foundation with a flat roof.

Ms. Kamm said that she spoke with the neighbors on both sides and they were supportive because this will preserve the character of the neighborhood. She said that it is a smaller house in a neighborhood where some of the houses are being replaced with larger houses.

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 45 Avon Road, on an 8,216 square foot lot in a Single Residence District in which the minimum lot size is 10,000 square feet, in a Water Supply Protection District, with a minimum front yard setback of 25.2 feet, a minimum left side yard setback of 10.5 feet, and a minimum right side yard setback of 15.4 feet.

2015 AUG 20 P 8:30
TOWN OF WELLESLEY
WELLESLEY MA 02482

The Petitioner is requesting a Special Permit/Finding pursuant to the provisions of Section XIVE, Section XVII and Section XXV of the Zoning Bylaw that enclosure of an existing nonconforming porch with less than required right side yard setbacks, on an existing nonconforming structure with less than required front yard, left side yard and right side yard setbacks, on an 8,216 square foot lot in a Single Residence District in which the minimum lot size is 10,000 square feet, in a Water Supply Protection District, shall not be substantially more detrimental to the neighborhood than the existing nonconforming structure.

A Plot Plan, dated 7/8/15, stamped by Michael P. Clancy, Professional Land Surveyor, Existing and Proposed Floor Plans, dated 6/18/15, prepared by Pegasus Design to Build, Existing and Proposed Elevation Drawings, dated 7/5/15, prepared by Katherine Kamm, Architect, and photographs were submitted.

On August 5, 2015, the Planning Board reviewed the petition and recommended that the Zoning Board of Appeals grant the special permit.

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 opinion of this Authority that enclosure of an existing nonconforming porch with less than required right side yard setbacks, on an existing nonconforming structure with less than required front yard, left side yard and right side yard setbacks, on an 8,216 square foot lot in a Single Residence District in which the minimum lot size is 10,000 square feet, in a Water Supply Protection District, shall not be substantially more detrimental to the neighborhood than the existing nonconforming structure, as it shall neither increase an existing nonconformity nor create a new nonconformity.

Therefore, a Special Permit is granted, as voted unanimously by this Authority at the Public Hearing, for enclosure of an existing nonconforming porch with less than required right side yard setbacks, on an existing nonconforming structure with less than required front yard, left side yard and right side yard setbacks, on an 8,216 square foot lot in a Single Residence District in which the minimum lot size is 10,000 square feet, in a Water Supply Protection District, on 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 constructions 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.

2015 AUG 20 3:00 PM
MIDDLESEX COUNTY
PLANNING BOARD

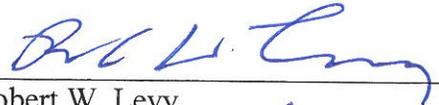
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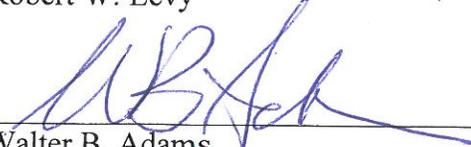
APPEALS FROM THIS DECISION,
IF ANY, SHALL BE MADE PURSUANT
TO GENERAL LAWS, CHAPTER 40A,
SECTION 17, AND SHALL BE FILED
WITHIN 20 DAYS AFTER THE DATE
OF FILING OF THIS DECISION IN THE
OFFICE OF THE TOWN CLERK.



J. Randolph Becker, Acting Chairman



Robert W. Levy



Walter B. Adams

cc: Planning Board
Inspector of Buildings
lrm

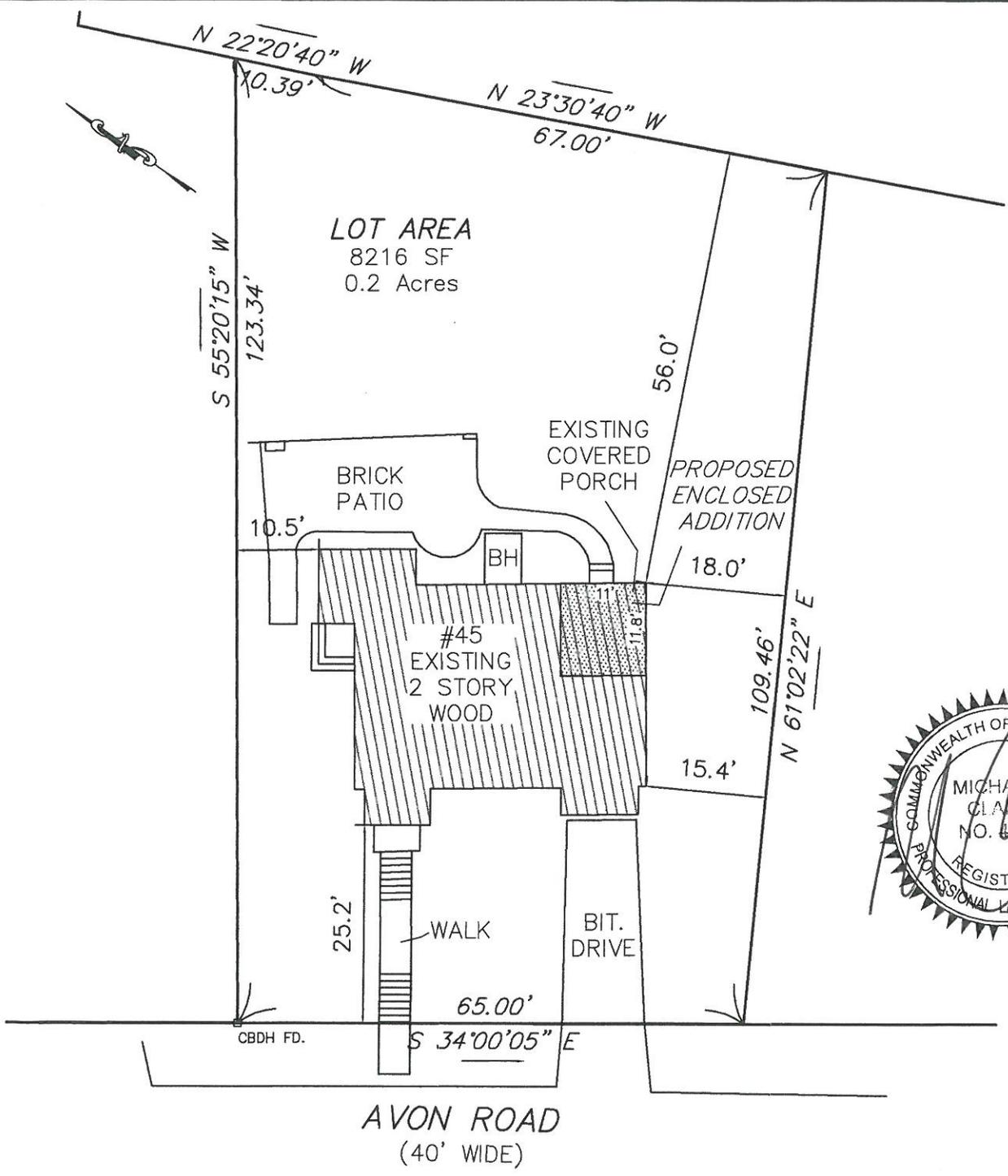
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WELLESLEY MA 02482

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LOT AREA
8216 SF
0.2 Acres

NOTES:

1. ZONING CLASSIFICATION - SR10
2. PLAN REFERENCES:
NORFOLK REGISTRY OF DEEDS BK. 1957 PG.984
NORFOLK REGISTRY OF DEEDS BK. 1888 PG.484
3. LOCUS DEED:
NORFOLK REGISTRY OF DEEDS BK. 32744 PG 2
ASSESSORS PARCEL ID 148-19
4. EXISTING LOT COVERAGE=1197/8216 = 14.6%
5. PROPOSED LOT COVERAGE=1197/8216 = 14.6%



PREPARED FOR
KATHERINE KAMM
45 AVON ROAD
WELLESLEY, MA 02482

PLOT PLAN
45 AVON ROAD
WELLESLEY, MASS.

SCALE: 1"=20' JULY 8, 2015
C & G SURVEY COMPANY
37 JACKSON ROAD
SCITUATE, MA. 02066
1-877-302-8440