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WELLESLEY, MA 02181**ZONING BOARD OF APPEALS**

TOWN HALL • 525 WASHINGTON STREET • WELLESLEY, MA 02181-5992

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ZBA 97-59

Petition of Jerry and Catherine Rulli
32 Croton Street

Pursuant to due notice, the Special Permit Granting Authority held a Public Hearing on Thursday, July 24, 1997 at 8 p.m. in the Selectmen's Meeting Room (Conference Room B) at the Town Hall, 525 Washington Street, Wellesley, on the petition of JERRY AND CATHERINE RULLI requesting a Special Permit/Finding pursuant to the provisions of Section XVII and Section XXV of the Zoning Bylaw that the alteration of an existing roofline of a nonconforming detached one-car garage, which will not exceed the height of the existing ridge, in order to connect said roof to an additional conforming one-car garage, at 32 CROTON STREET, in a Single Residence District, shall not be substantially more detrimental to the neighborhood than the existing nonconforming structure. The existing nonconforming garage has less than the required left side yard setback.

On July 7, 1997, 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 Jerry Rulli, who was accompanied by his architect, Christopher Hall. Mr. Rulli said that they now have a single car garage, which is nonconforming. They would like to attach a conforming second bay. The same roof line will be extended on the nonconforming structure. The ridge line will not rise until it reaches the conforming addition.

The Board asked what the use of the second floor in the conforming addition would be. Mr. Rulli said that it would be used for storage, and accessed by a pull-down stair. The Board stated that the decision should contain language restricting the use of the second floor to storage.

No other person present had any comment on the condition.

Statement of Facts

The subject detached nonconforming garage is located on the property at 32 Croton Street, in a Single Residence District, on a 20,101 square foot lot, and has a minimum left side yard clearance of 8.4 feet.

The petitioners are requesting a Special Permit/Finding that the change in the ridge line of the roof of the existing nonconforming garage in order to connect to a new 16 foot by 22.8 foot conforming garage expansion will not be substantially more detrimental to the

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neighborhood than the existing nonconforming structure. The new ridge line of the roof of the nonconforming garage will be no higher than the existing ridge line.

A Plot Plan dated 6/12/97, drawn by Clifford E. Rober, Professional Land Surveyor; Floor Plans and Elevations dated 6/13/97, drawn by Christopher Hall; and photographs were submitted.

Letters in support of the petition were received from Sarah and Lawrence Mills, 26 Croton Street; and from William H. MacCrellich, Jr., 29 Croton Street.

On July 22, 1997, the Planning Board reviewed the petition and voted to offer no objection to the request.

Decision

This Authority has made a careful study of the materials submitted and the information provided at the hearing. The subject garage 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 proposed change in the ridge line of the existing, nonconforming, detached garage in order to connect to a conforming garage addition, will neither intensify the existing nonconformance, nor will it create new nonconformity as there will be no change in the height of the ridge line or in the footprint of the nonconforming garage.

Therefore, the Special Permit is hereby granted, as voted unanimously by this Authority at the Public Hearing, to change the ridge line of the subject garage roof in order to connect to the proposed conforming garage addition, subject to construction in accordance with the submitted plot plan and construction drawings and further subject to the condition that the second floor of the proposed addition be used only for storage.

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

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
Inspector of Buildings
edg



Kendall P. Bates, Acting Chairman

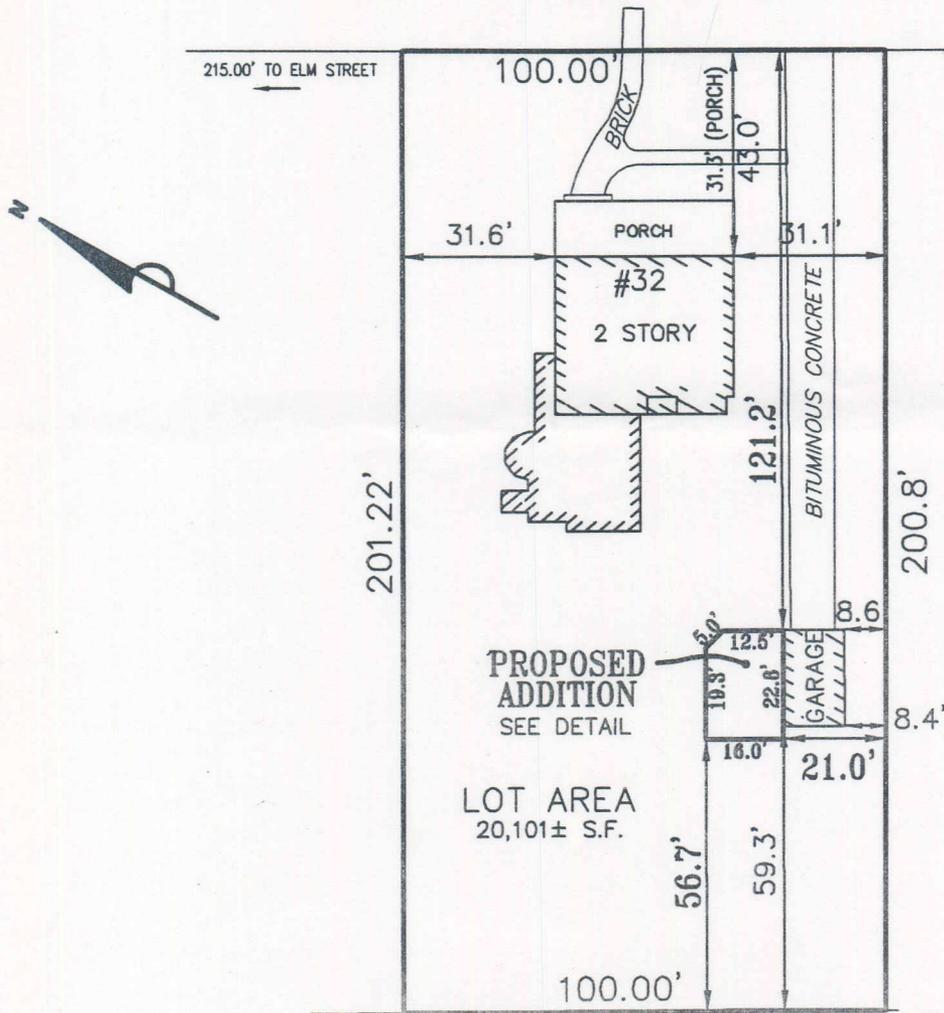


William E. Polletta



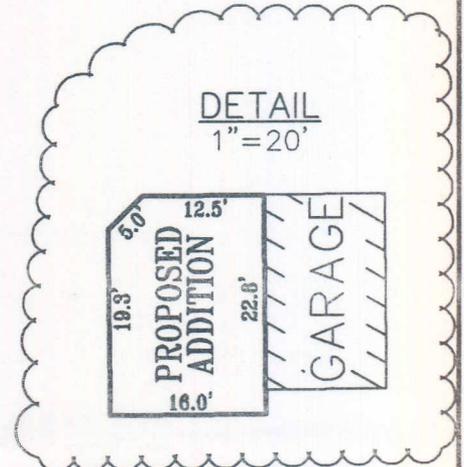
Robert A. Bastille

CROTON STREET



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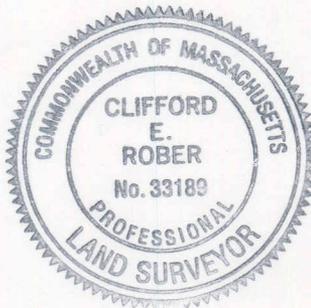
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PROPOSED LOT COVERAGE 15.6%

I HEREBY CERTIFY THAT THE BUILDING IS
LOCATED AS SHOWN.

OWNER: JEROME & CATHERINE RULLI
DEED BOOK 10315 PAGE 494



PROPOSED PLOT PLAN
#32 CROTON STREET
IN
WELLESLEY, MA
(NORFOLK COUNTY)

SCALE: 1" = 40' DATE: 6/12/1997



H & R SURVEY
1068A MASSACHUSETTS AVENUE
ARLINGTON, MA 02174
(617) 648-5533
1344PP2.DWG

Clifford E. Rober 6/12/97
CLIFFORD E. ROBER, PLS DATE