

TOWN OF WELLESLEY



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ZONING BOARD OF APPEALS

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ZBA 98-82

Petition of Daniel and Michele Travers
19 Elmwood Road

Pursuant to due notice, the Special Permit Granting Authority held a Public Hearing on Thursday, September 24, 1998 at 8 p.m. in the Great Hall at the Town Hall, 525 Washington Street, Wellesley, on the petition of DANIEL AND MICHELE TRAVERS requesting a Special Permit/Finding pursuant to the provisions of Section XVII and Section XXV of the Zoning Bylaw that the change of use of their 19.2 feet by 12.1 foot nonconforming garage, with less than the required left side yard setback, to additional living space, at their nonconforming dwelling, with less than the required left side yard setback, at 19 ELMWOOD ROAD, in a Single Residence District, shall not be substantially more detrimental to the neighborhood than the existing nonconforming structure.

On September 4, 1998, 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 were Daniel and Michele Travers. Mrs. Travers said that they would like to change the garage into a family room. There will be no foundation changes. The only changes would be the addition of some windows. They are planning to build a new two-car garage, which will be conforming, and relocate the driveway.

The Board noted that the Planning Board was not in favor of the petition as the change of use would add more living space in a nonconforming area.

The Board also suggested that, although the proposed two-car garage did not require Board approval, there might not be sufficient turning radius for a car to back out of the garage and reverse direction to head out to the street, and was concerned that if this was a difficulty, cars might be parked on the street, which would be dangerous.

Robert Gould, 21 Elmwood Road, expressed support for the petition.

Statement of Facts

The subject property is located at 19 Elmwood Road, in a Single Residence District, on 20,841 square foot lot, and has a minimum left side yard clearance of 14.4 feet.

ZBA 98-82
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The petitioners are requesting a Special Permit/Finding that the change of use of the nonconforming 19.2 foot by 12.1 foot garage, with a minimum left side yard setback of 14.4 feet, from the storage of an automobile to a family room, shall not be substantially more detrimental to the neighborhood than the existing nonconforming structure.

A Plot Plan dated September 1, 1998, drawn by Robert F. Drake, Registered Professional Land Surveyor; existing and proposed floor plans and elevations; and photographs were submitted.

On September 14, 1998, the Planning Board reviewed the petition and opposed the granting of the request as it would bring living space within the required setback area.

Decision

This Authority has made a careful study of the materials submitted and the information presented at the hearing. The subject dwelling 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 of use of the existing nonconforming garage from storage of automobiles to a family room will not be substantially more detrimental to the neighborhood as there will be no change in the intensity of the nonconformance, nor will new nonconformance be created.

Therefore, the requested Special Permit is granted, as voted unanimously by this Authority at the Public Hearing, to change the use of the nonconforming garage to living space subject to the condition that no foundation changes shall be made and that facade changes be made in accordance with the submitted elevations.

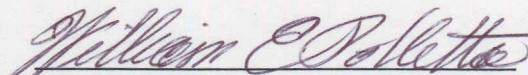
The Inspector of Buildings is hereby authorized to issue a building permit upon receipt and approval of a building application and detailed construction plans.

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.

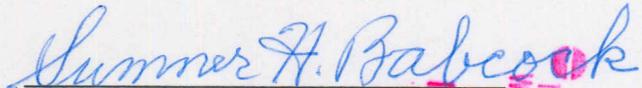
cc: Planning Board
Inspector of Buildings
edg



Kendall P. Bates, Acting Chairman



William E. Polletta

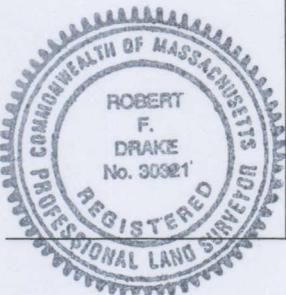
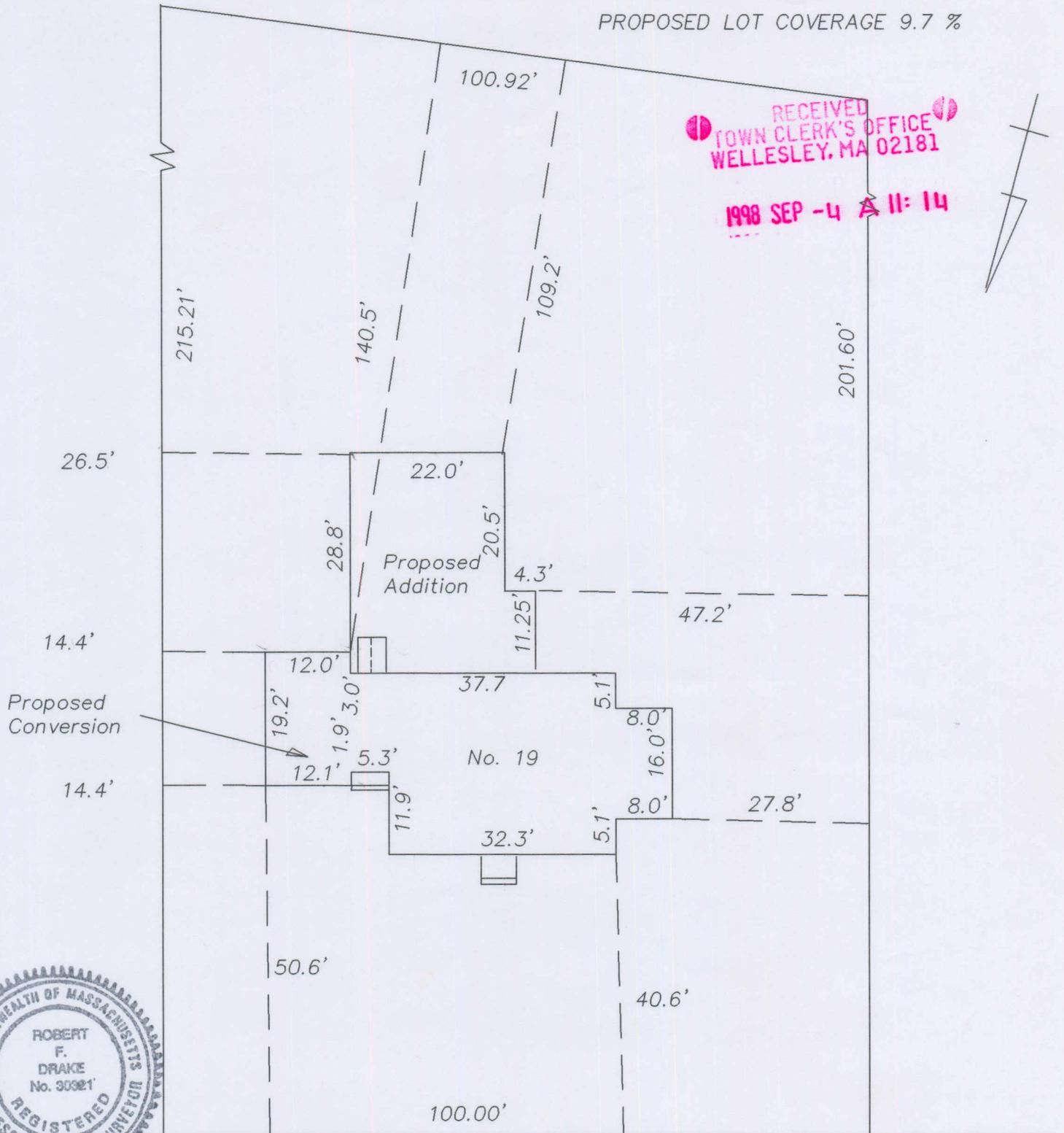


Sumner H. Babcock

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1998 OCT -9 A 8:33

PROPOSED LOT COVERAGE 9.7 %

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1998 SEP -4 A 11: 14



ELMWOOD ROAD

I CERTIFY THAT THE LOT AND BUILDINGS ARE LOCATED ON THE GROUND AS SHOWN HEREON

CERTIFIED PLOT PLAN
IN

WELLESLEY, MASS.

scale 1"=20'

SEPTEMBER 1, 1998

Drake Associates Inc.

CIVIL ENGINEERS LAND SURVEYORS
770 GROVE STREET FRAMINGHAM MASS.
(508) 877 - 0848

ROBERT F. DRAKE PLS