

TOWN OF WELLESLEY



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ZONING BOARD OF APPEALS

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

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ROBERT A. BASTILLE
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ZBA 99-55
Petition of Ivor Elrifi
28 Livermore Road

Pursuant to due notice, the Special Permit Granting Authority held a Public Hearing on Thursday, July 29, 1999 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 IVOR ELRIFI requesting a Special Permit/Finding pursuant to the provisions of Section XVII and Section XXV of the Zoning Bylaw that the construction of a one-story 9.8 foot by 6.7 foot addition with less than the required left side yard setback, at his nonconforming dwelling with less than the required left side yard setback, as 28 LIVERMORE ROAD, in a Single Residence District, shall not be substantially more detrimental to the neighborhood than the existing nonconforming dwelling.

On July 12, 1999, 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 Christopher Hall, project architect, who was accompanied by the petitioner. Mr. Hall said that the house was built in the 1920's. The project includes a kitchen expansion, a small breakfast area, a two-car garage below and a master bedroom on the second floor. The existing house is nonconforming, as it is 13.6 feet from the left side line. The bulk of the addition will be 20.2 feet from the left side line. The one-story breakfast area with the same 13.6 foot setback requires a Special Permit from the Board of Appeals. As part of the project, the nonconforming garage will be removed.

The Board commented that the major part of the addition is conforming and the small nonconforming addition has been well designed.

No other person present had any comment on the petition.

Statement of Facts

The subject dwelling is located at 28 Livermore Road, in a Single Residence District, on a 14,456 square foot lot, and has a minimum left side yard clearance of 8.3 feet.

The petitioner is requesting a Special Permit/Finding that the construction of a one-story 9.8 foot by 6.7 foot addition with a minimum left side yard clearance of 13.6 feet, in conjunction with a conforming two-story 29.6 foot by 25.4 foot addition with a rear bay window, will not be substantially more detrimental to the neighborhood than the existing nonconforming structure.

28 Livermore Road

A Plot Plan dated July 7, 1999, drawn by Clifford E. Rober, Professional Land Surveyor; Existing and Proposed Floor Plans and Elevations, dated July 7, 1999, drawn by Christopher Hall, Architect; and photographs were submitted.

A letter dated July 27, 1999, in opposition to the petition was received from Carol Mone, 75 Abbott Road.

Decision

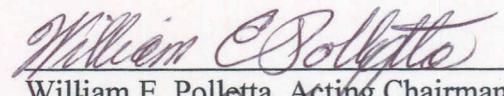
This Authority has made a careful study of the materials submitted and the information presented at the hearing. The subject dwelling does not conform to the current Zoning Bylaw as noted in the foregoing Statement of Facts.

It is the finding of this Authority that the construction of the proposed 9.8 foot by 6.7 foot one-story addition shall not be substantially more detrimental to the neighborhood than the existing nonconforming structure, as the addition will neither intensify the existing nonconformance nor will it create new nonconformity as it will be less nonconforming than the existing dwelling.

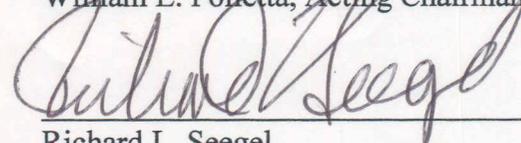
Therefore, a Special Permit is granted for the construction of the one-story addition, as voted unanimously by this Authority at the Public Hearing, subject to construction in accordance with the submitted plot plan and construction drawings.

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.

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.



William E. Polletta, Acting Chairman

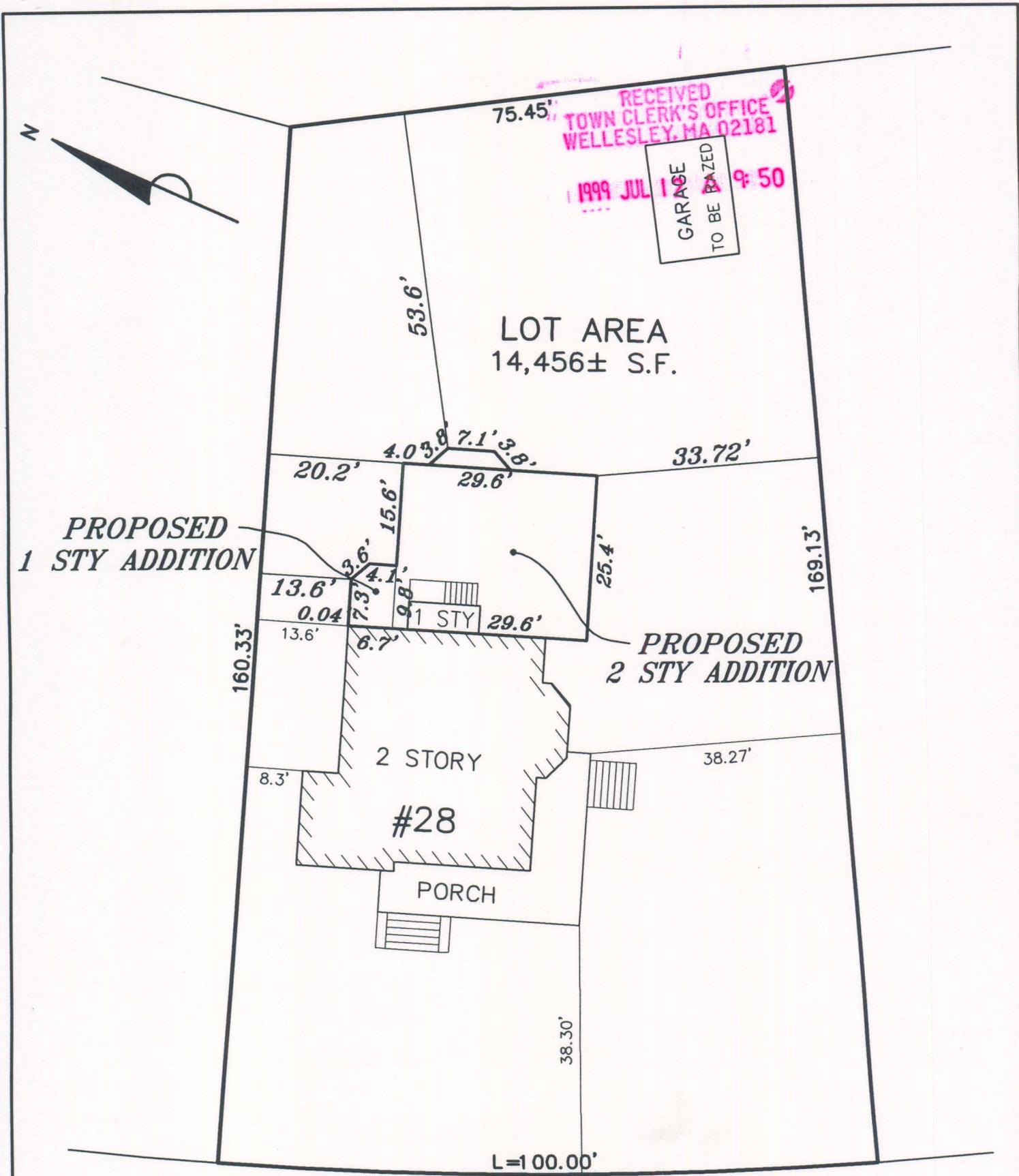


Richard L. Seegel

Cc: Planning Board
Inspector of Buildings
edg

Robert A. Bastille

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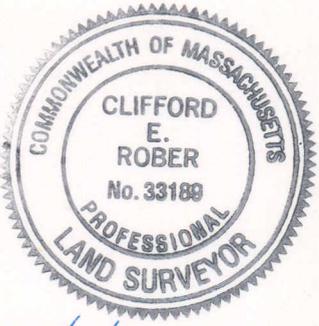


LIVERMORE ROAD

PROP. LOT COVERAGE = 16.9%

OWNER: IVOR ELRIFI & CORINA GAYK

I HEREBY CERTIFY THAT THE BUILDING IS LOCATED AS SHOWN.



Clifford E. Rober 7/7/99

CLIFFORD E. ROBER, PLS DATE

PROPOSED PLOT PLAN
 #28 LIVERMORE ROAD
 IN
WELLESLEY, MA
 (NORFOLK COUNTY)

SCALE: 1" = 20' DATE: 7/7/1999

ROBER SURVEY
 1072A MASSACHUSETTS AVENUE
 ARLINGTON, MA 02476
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 371PP1.DWG