

TOWN OF WELLESLEY



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ZONING BOARD OF APPEALS

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ZBA 2001-84  
Petition of Mary D. and Timothy D. Green  
1 Jackson Road

Pursuant to due notice, the Special Permit Granting Authority held a Public Hearing on Thursday, October 25, 2001 at 7:30 p.m. in the Great Hall at the Town Hall, 525 Washington Street, Wellesley, on the petition of MARY D. AND TIMOTHY D. GREEN requesting a Special Permit/Finding pursuant to the provisions of Section XVII and Section XXV of the Zoning Bylaw that raising the ridge line of the roof 7 feet 7.5 inches above their existing nonconforming 14.30 foot by 9.85 foot sunroom, with less than the required front setback from OAKLAND STREET, to accommodate a second story addition with the same dimensions and setbacks, at their nonconforming dwelling, with less than the required front setback from OAKLAND STREET, at 1 JACKSON ROAD, in a Single Residence District, shall not be substantially more detrimental to the neighborhood than the existing nonconforming structure. There will be no change in the footprint.

On October 9, 2001, 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 Mark Armstrong, representing the Greens, who were present. Mr. Armstrong said that this was a simple request. The ridge line above the proposed second story addition will be below the ridge line of the existing house roof. The sunroom is only nonconforming on one corner. They would like to build above the sunroom, which would not be substantially more detrimental than the existing structure.

The Board complemented Mr. Armstrong on his plans.

Richard Ten Eyck, 2 Jackson Road, expressed support for the petition.

Statement of Facts

The subject property is located at 1 Jackson Road at the corner of Oakland Street, on a 16,449.6 square foot lot, in a Single Residence District, and has a minimum front yard clearance of 28 feet from Oakland Street.

The petitioners are requesting a Special Permit/Finding that the construction of a 14.30 foot by 9.85 foot second story addition above an existing nonconforming sunroom with the same dimensions and a minimum front setback of 28 feet from Oakland Street, shall not be substantially more detrimental to the neighborhood than the existing nonconforming structure.

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A Plot Plan dated September 3, 2001, stamped by Ronald J. Natoli, Registered Professional Land Surveyor; Existing and Proposed Floor Plans and Elevations dated September 12, 2001, drawn by Mark A. Armstrong, Registered Architect; and photographs were submitted.

On October 16, 2001, the Planning Board reviewed the petition and had no objection to the granting of 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.

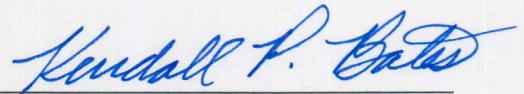
It is the finding of this Authority that the construction of a 14.30 foot by 9.85 second story addition over the existing nonconforming sunroom with the same dimensions shall not be substantially more detrimental to the neighborhood than the existing nonconforming structure as the addition will neither intensify the existing nonconformance, nor will it create new nonconformity as there will be no change in the footprint.

Therefore, a Special Permit is granted, as voted unanimously by this Authority at the Public Hearing, to raise the ridge line of the roof above the nonconforming sunroom 7 feet 7.5 inches to allow construction of a 14.30 foot by 9.85 second story addition in accordance with the submitted plot plan and construction drawings.

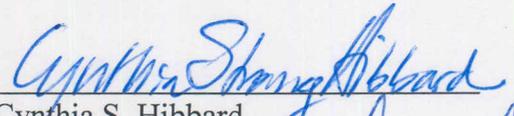
The Inspector of Buildings is hereby authorized to issue a permit for construction upon receipt and approval of a building application and detailed construction plans.

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.

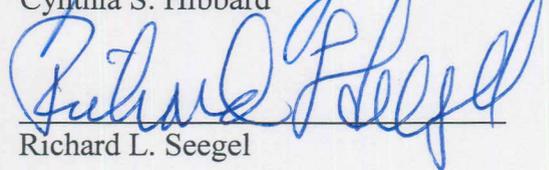
Cc: Planning Board  
Inspector of Buildings  
edg



Kendall P. Bates, Chairman



Cynthia S. Hibbard



Richard L. Seegel