

**ZONING BOARD OF APPEALS**

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

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ZBA 2008-01
Petition of Jeffrey Struzenski
189 Washington Street

Petition of JEFFREY STRUZENSKI requesting a Special Permit/Finding pursuant to the provisions of Section XVII and Section XXV of the Zoning Bylaw that construction of a 4 foot by 10.89 foot addition to an existing nonconforming garage, and construction of an 11.5 foot by 19.4 foot second story addition over the garage, with less than required side yard setbacks, on a corner lot in a 10,000 square foot Single Residence District, at 189 WASHINGTON STREET, shall not be substantially more detrimental to the neighborhood than the existing nonconforming structure.

On December 17, 2007, 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 Tom Saltsman, who said that he was representing Jeffrey Struzenski, (the "Petitioner"). Mr. Saltsman said that his company had designed the addition that was constructed on the west side of the house eight years ago. He said that the current proposal is to expand the garage area by four feet to the west. He said that they will not be increasing the nonconformity of the side yard setback.

Mr. Saltsman said that the proposal is to increase the height of existing space over the garage and expand the box-like addition. He said that they tried to retain some of the setback and the gable to maintain the scale. The Board said that the massing of the structure works well.

Mr. Saltsman said that the house was moved to its current location in the mid-1800's.

Mr. Saltsman said that he had a letter of support for the project from the abutters at 30 Woodlawn Avenue.

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 189 Washington Street, 15,086.2 square foot corner lot in a 10,000 square foot Single Residence District, with a minimum side yard setback of 16 feet.

The Petitioner is requesting a Special Permit/Finding that construction of a 4 foot by 10.89 foot addition to an existing nonconforming garage, and construction of an 11.5 foot by 19.4 foot second story addition over the garage, with less than required side yard setbacks, shall not be substantially more detrimental to the neighborhood than the existing nonconforming structure.

A Plot Plan dated 11/20/07, stamped by Rod D. Carter, Professional Land Surveyor, Existing and Proposed Floor Plans and Elevation Drawings, dated 11/5/07, drawn by Saltsman Brenzel, and photographs were submitted.

On December 27, 2007, the Planning Board reviewed the petition and had no objection to granting the request.

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 although construction of a 4 foot by 10.89 foot addition to an existing nonconforming garage, and construction of an 11.5 foot by 19.4 foot second story addition over the garage is increasing a nonconformity, such increase shall not be substantially more detrimental to the neighborhood than the existing nonconforming structure.

Therefore, a Special Permit is granted, as voted unanimously by this Authority at the Public Hearing, for construction of a 4 foot by 10.89 foot addition to an existing nonconforming garage, and construction of an 11.5 foot by 19.4 foot second story addition over the garage, 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.

If construction has not commenced, except for good cause, this Special Permit shall expire two years after the date time stamped on this decision.

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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.

Richard L. Seegel, Chairman

J. Randolph Becker

David G. Sheffield

cc: Planning Board
Inspector of Buildings
lrm