

TOWN OF WELLESLEY



MASSACHUSETTS

ZONING BOARD OF APPEALS

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

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WELLESLEY, MA 02181

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ROBERT A. BASTILLE
CYNTHIA S. HIBBARD

ZBA 99-26

Petition of Peter and Virginia Solomon
8 Solon Street

Pursuant to due notice, the Special Permit Granting Authority held a Public Hearing on Thursday, April 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 PETER AND VIRGINIA SOLOMON requesting a Special Permit/Finding pursuant to the provisions of Section XVII and Section XXV of the Zoning Bylaw that the relocation of an existing 8.2 foot by 16.2 foot detached shed by rotation of 90 degrees clockwise, which will maintain the existing nonconforming right side yard setback, at their property at 8 SOLON STREET, in a Single Residence District, shall not be substantially more detrimental to the neighborhood than the existing nonconforming structure.

On April 12, 1999, 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 Peter Solomon, who said they would like to rotate the shed in order to obtain more usable space in the back yard.

The Board asked when the shed was built. Mr. Solomon said that he had spoken to the Building Department, and thought it had been built in the 70's.

The Board noted that the Planning Board had no objection, and that two letters in support of the petition had been received.

No other person present had any comment on the petition.

Statement of Facts

The subject property is located at 8 Solon Street, in a Single Residence District, on a 5,474 square foot lot, which contains a nonconforming two and one-half story dwelling and a detached 8.2 foot by 16.2 foot shed, which has a minimum right side yard clearance of 6.1 feet.

The petitioners are requesting a Special Permit/Finding that the rotation of said shed 90 degrees clockwise, maintaining the 6.1 foot minimum right side yard clearance, will not be substantially more detrimental to the neighborhood than the existing nonconforming structure.

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A Plot Plan dated March 3, 1999 drawn by Paul J. Sawtelle, Registered Land Surveyor; Elevation drawings dated 3/8/99, prepared by the petitioner; and photographs were submitted.

Letters in support of the petition were received from Bernard and Jane Murphy, 10 Solon Street, and Rebecca Driscoll and John Bachman, 6 Solon Street.

On April 27, 1999, the Planning Board reviewed the petition and had no objection to the granting of the request.

Decision

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

It is the finding of this Authority that the relocation of the subject shed by a 90 degree clockwise rotation will not be substantially more detrimental to the neighborhood than the existing nonconforming structure as it will neither intensify the existing nonconformance nor create new nonconformity.

Therefore, a Special Permit is granted, as voted unanimously by this Authority at the Public Hearing, to relocate said shed in accordance with the submitted plot plan and construction drawings.

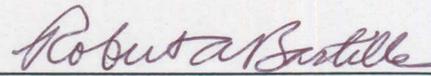
The Inspector of Buildings is hereby authorized to issue a permit for the construction upon receipt and approval of a building application and detailed construction plans.

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.

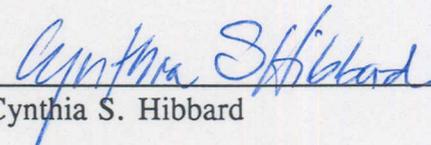
cc: Planning Board
Inspector of Buildings
edg



Kendall P. Bates, Chairman

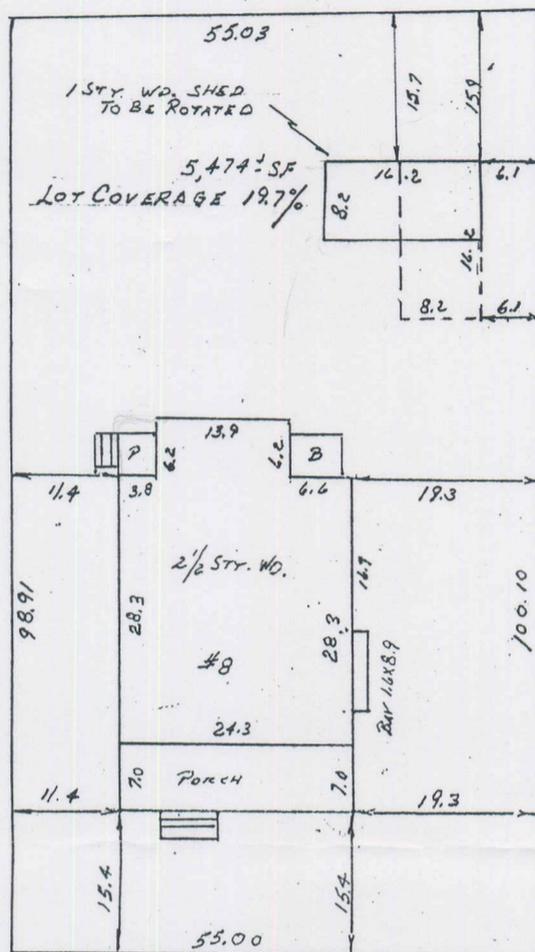


Robert A. Bastille



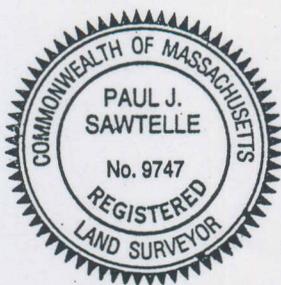
Cynthia S. Hibbard

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1999 APR 12 A 9 36



SOLON STREET

PLAN OF LAND
IN
WELLESLEY, MASS.



Paul Sawtelle

SCALE 1" = 20' MARCH 3, 1999
MASS BAY SURVEY INC. NEWTON, MASS.