

ZONING BOARD OF APPEALS
TOWN HALL WELLESLEY, MA 02181JOHN A. DONOVAN, JR., Chairman
ROBERT R. CUNNINGHAM
KENDALL P. BATESELLEN D. GORDON
Executive Secretary
Telephone
431-1019 X208

JUN 13 10 40 AM '96

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ZBA 96-35

Petition of James and Jean Todd
16 Columbia Street

Pursuant to due notice, the Permit Granting Authority held a Public Hearing on Thursday, May 30, 1996 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 JAMES AND JEAN TODD requesting a variance from the terms of Section XIX and pursuant to the provisions of Section XXIV-D of the Zoning Bylaw to expand their existing nonconforming front porch from 4.5 feet by 9 feet 3.5 inches to 5.3 feet by 9.7 feet, and relocate a 3.5 foot by 8.5 foot stair, with less than the required front and right side yard setbacks, at their nonconforming dwelling at 16 COLUMBIA STREET, in a Single Residence District.

On May 13, 1996, 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 James Todd, who said that he would like to replace his rickety stair leading to the front porch with a masonry stair. The original porch was built in 1936, but was replaced in the late 1980's. The replacement was smaller than the original, so that the columns on each side cant inward. In order to make the columns perpendicular to the roof, they must be moved out about two inches on each side, requiring the requested expansion. The footprint of the porch will increase, but will still be within the roof structure.

No other person present had any comment on the petition.

Statement of Facts

The subject nonconforming dwelling is located at 16 Columbia Street, in a Single Residence District, on an 8,261 square foot lot and has a minimum front yard clearance of 23.4 feet and a minimum right side yard clearance of 9.8 feet.

The petitioners are requesting a variance to increase the size of their existing front porch from 4.5 feet by 9 feet 3.5 inches to 5.3 feet by 9.7 feet which would have a minimum front yard clearance of 22.6 feet and a minimum right side yard clearance of 9.5 feet. The project also includes relocation of a 3.5 foot by 8.5 foot stair.

In 1988, the Board gave permission (ZBA 88-100) to remove an existing addition at the right rear corner of the house and construct a one-story addition approximately 18 feet by 10 feet,

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which would leave a minimum right side yard clearance of 12.5 feet from the right rear corner of the addition. However, the petition made no reference to any change in the front portion of the dwelling.

A Plot Plan dated April 26, 1996 drawn by Paul Sawtelle, Registered Land Surveyor; Floor Plans and Elevations dated 4/19/96, drawn by Francis Bennett, Remodeling Contractor; and photographs were submitted.

On May 23, 1996, the Planning Board reviewed the petition and voted to offer no opposition.

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 opinion of this Authority that because of the shape of the lot and the location of the house on the lot, a literal enforcement of the provisions of Section XIX of the Zoning Bylaw would involve a substantial hardship to the petitioners and that desirable relief may be granted without substantially derogating from the intent or purpose of the Zoning Bylaw.

At the Public Hearing, this Authority voted unanimously to grant the requested variance. Therefore, the variance is granted for the porch expansion and stair relocation, subject to construction in conformance with the submitted plot plan and construction drawings.

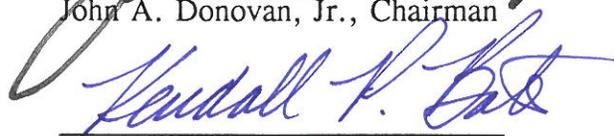
The Inspector of Buildings is hereby authorized to issue a permit for the construction upon his receipt and approval of a building application and detailed construction plans.

If the rights authorized by this variance are not exercised within one year of the date of grant of said variance, they shall lapse, and may be re-established only after notice and a new hearing pursuant to Section XXIV-D of the Zoning Bylaw.

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.



John A. Donovan, Jr., Chairman



Kendall P. Bates

cc: Planning Board
edg Inspector of Buildings



Robert A. Bastille

COLUMBIA STREET

MAY 13 10 25 AM '96

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OWNER: LEY, MA 02181

JAMES & JEAN TODD
14 COLUMBIA STREET
WELLESLEY, MASS.

ASSESSORS REF:

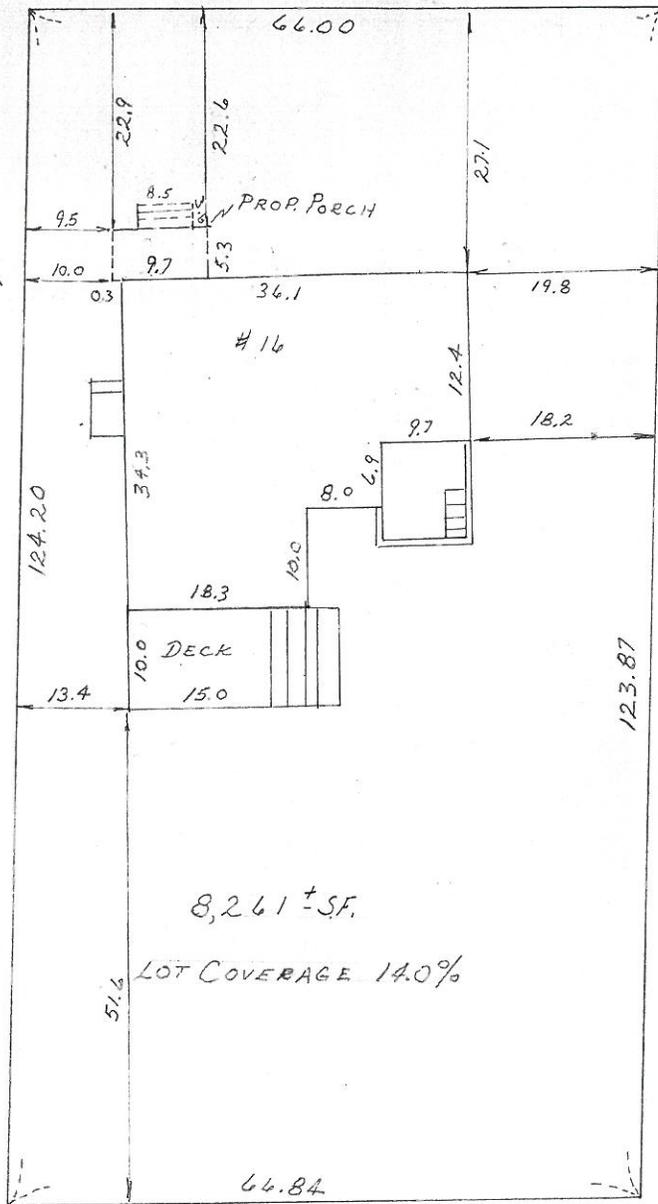
MAP 042
ROUTE 048

BUILDING ZONE:
SINGLE RESIDENCE
70,000 S.F.

N/F RAYMOND & MARY
CAPOBIANCO

N/F JAMES & SUZANNE
CHANDLER

N/F MARY R BOWERS



N/F ELLEN M. DAVIS

N/F HELEN F. MCMILLAN



PLAN OF LAND
IN

WELLESLEY, MASS.

Paul Sawtelle

SCALE: 1" = 20'
MASS BAY SURVEY, INC.

APRIL 26, 1996
NEWTON, MASS.