

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 W. LEVY

ZBA 2000-33  
Petition of Daniel and Barbara Rosenn  
26 Garrison Road

Pursuant to due notice, the Special Permit Granting Authority held a Public Hearing on Thursday, April 27, 2000 at 7:30 p.m. in the Selectmen's Meeting Room (Conference Room B) at the Town Hall, 525 Washington Street, Wellesley, on the petition of DANIEL AND BARBARA ROSENN requesting a Special Permit/Finding pursuant to the provisions of Section XVII and Section XXV of the Zoning Bylaw that the construction of a 10 foot by 13 foot 5 inch second story addition with less than the required right side yard setback at their nonconforming dwelling with less than the required front, left and right side yard setbacks, at 26 GARRISON 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 April 10, 2000, 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 were Daniel and Barbara Rosenn, who were accompanied by their builder, Jim Wyatt. Mr. Rosenn said they would like to build a small room above an existing nonconforming room. Mr. Wyatt added that the addition would be a sunroom over the existing den.

The Board requested that the construction drawings be identified as to the location of the premises. Mr. Wyatt identified the location of the drawings by adding the address of the petitioners to each drawing.

No other person present had any comment on the petition.

Statement of Facts

The subject property is located at 26 Garrison Road, in a Single Residence District, on a 10,000 square foot lot, and has a minimum front setback of 29.80 feet, a minimum left side setback of 9.56 feet and a minimum right side setback of 10.9 feet.

The petitioners are requesting a Special Permit/Finding that the construction of a 10 foot by 13 foot 5 inch second story addition with a minimum right side setback of 13.49 feet shall not be substantially more detrimental to the neighborhood than the existing nonconforming structure. There will be no change in the footprint.

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A Plot Plan dated March 20, 2000, drawn by David W. Preston, Registered Professional Land Surveyor; Existing and Proposed Floor Plans and Elevations dated 3/4/2000, drawn by Architecturals; and photographs were submitted.

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2000 MAY -9 P 12:05

On April 24, 2000, 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 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 10 foot by 13 foot 5 inch second story addition, with a minimum right side yard clearance of 13.49 feet 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, for construction of the 10 foot by 13 foot 5 inch 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.

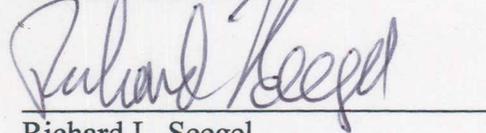
Cc: Planning Board  
Inspector of Buildings  
edg



Kendall P. Bates, Chairman



William E. Polletta



Richard L. Seegel



GARRISON ROAD

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2000 APR 10 A 11:43

EXISTING HOUSE = 1,618 S.F.  
LOT COVERAGE = 16%

ADDRESS: 26 GARRISON ROAD

THIS PLAN REFERS TO THE TOWN OF WELLESLEY  
ASSESSORS MAP SHEET 131 PARCEL 62

"SPECIAL PERMIT"

"I CERTIFY THAT THE LOCATIONS AND OFFSETS  
ARE AS SHOWN"

PLOT PLAN OF LAND  
IN  
WELLESLEY, MASS.

SCALE: 1" = 20' FEET | DATE: MARCH 20, 2000

**D S C**  
DEVELOPMENT SERVICE COMPANY

30 WOODLAND ROAD  
ASHLAND, MA 01721  
(508) 881-8776

DAVID W. PRESTON, P.L.S. #36389

DATE 3-20-00