

TOWN OF WELLESLEY



MASSACHUSETTS

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WELLESLEY MA 02482

ZONING BOARD OF APPEALS

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

2000 09 13 A 8 27

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ZBA 2000-43  
Petition of Mark F. and Kara T. Sullivan  
80 Pleasant Street

Pursuant to due notice, the Special Permit Granting Authority held a Public Hearing on Thursday, May 25, 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 MARK F. AND KARA T. SULLIVAN requesting a Special Permit/Finding pursuant to the provisions of Section XVII and Section XXV of the Zoning Bylaw that the construction of a second story addition 28 feet by 29.5 feet with less than the required right side yard setback, at their nonconforming dwelling with less than the required right side yard setback, at 80 PLEASANT STREET, 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 May 8, 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 Mark and Kara Sullivan. Mr. Sullivan said that he believed when the original foundation was laid on the left side of the house, where there is a substantial amount of ledge, the ledge might of pushed the foundation over 3 inches creating the existing nonconformance.

The Board asked if there was any reason they could not set the second story back the full 20 feet. Mr. Sullivan replied that the second floor would have to be pushed in 3 inches in order to achieve conformance on the side.

The Board commented that the Planning Board had no objection to the grant of the Special Permit.

Statement of Facts

The subject property is located at 80 Pleasant Street, in a Single Residence District, on a 16,355 square foot lot, and has a minimum right side yard setback of 15.26 feet.

The petitioners are requesting a Special Permit/Finding that the construction of a 28 foot by 29.5 foot second story addition, with a minimum right side yard setback of 19.91 feet, over a portion of their existing nonconforming dwelling, shall not be substantially more detrimental to the neighborhood than the existing nonconforming structure.

A Plot Plan dated April 14, 2000, drawn by Robert E. Bissonnette, Registered Professional Land Surveyor; Existing and Proposed Floor Plans and Elevations; and photographs were submitted.

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On May 23, 2000, the Planning Board reviewed the petition and had no objection to the grant of a Special Permit, as there will be no change in the footprint.

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 proposed 28 foot by 29.5 foot second story addition, with a minimum right side yard clearance of 19.91 feet, shall not be substantially more detrimental to the neighborhood than the existing nonconforming dwelling 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 the construction of the 28 foot by 29.5 foot 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

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I CERTIFY THAT THE LOCATIONS AND DIMENSIONS SHOWN HEREON ARE THE RESULT OF AN INSTRUMENT SURVEY AND THAT THE ARE CORRECT TO THE BEST OF MY KNOWLEDGE.



*Robert E. Bissonnette*

LEGEND



PLAN OF LAND

IN

WELLESLEY  
SHOWING SECOND STORY ADDITION  
MASSACHUSETTS

SCALE: 1" = 20' APRIL 14, 2000  
PREPARED FOR: MARK AND KARA SULLIVAN  
80 PLEASANT STREET  
WELLESLEY MA 02181

JOB NUMBER: 122189 ACAD FILE: 122189BP



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