

TOWN OF WELLESLEY



RECEIVED
TOWN CLERK'S OFFICE
WELLESLEY MA 02482

2000 NOV 14 P 11:08

ZONING BOARD OF APPEALS

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

KENDALL P. BATES, CHAIRMAN
WILLIAM E. POLLETTA, VICE CHAIRMAN
RICHARD L. SEEDEL

ELLEN D. GORDON
EXECUTIVE SECRETARY
TELEPHONE
(781) 431-1019 EXT. 208

ROBERT A. BASTILLE
CYNTHIA S. HIBBARD
ROBERT W. LEVY

ZBA 2000-85
Petition of Lincoln and Holly Holmes
88 Dover Road

Pursuant to due notice, the Special Permit Granting Authority held a Public Hearing on Thursday, October 26, 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 LINCOLN AND HOLLY HOLMES requesting a Special Permit/Finding pursuant to the provisions of Section XVII and Section XXV of the Zoning Bylaw that the demolition of a nonconforming detached garage and construction of a two-story addition with a 30.2 foot by 23.3 foot first floor and a conforming 19.9 foot by 18.8 foot second floor, with less than the required rear yard setback on a corner lot at 88 DOVER ROAD on the corner of INGRAHAM ROAD, in a Single Residence District, shall not be substantially more detrimental to the neighborhood than the existing nonconforming structure.

On October 6, 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 was David Morgan, project designer, who was accompanied by Holly and Lincoln Holmes. Mr. Morgan said they had come before the Board in July with a proposal that included a bedroom above the existing nonconforming garage. They were advised that the Board would not look with favor on construction of habitable space above the garage. They withdrew the petition without prejudice.

Mr. Morgan said that the addition has been redesigned. It is smaller and there is no habitable space above the nonconforming garage. Mrs. Holmes added that the only reason they are before the Board is to be allowed to move the garage back three feet. It will be conforming in relation to Ingraham Road, and all habitable space will be conforming.

The Board commented that there is no dimension on the construction drawing showing the dimension of the second floor to show that it will be conforming and stated that the decision would contain a condition that a corrected plan be submitted which includes all pertinent dimensions.

No other person present had any comment on the petition.

ZBA 2000-85
Petition of Lincoln and Holly Holmes
88 Dover Road

RECEIVED
TOWN CLERK'S OFFICE
WELLESLEY MA 02482

Statement of Facts

2000 NOV 14 P 11: 08

The subject property is located at 88 Dover Road on the corner of Ingraham Road, in a Single Residence District, on a 7,371 square foot lot which contains a nonconforming two-story dwelling with less than the required front setbacks from both Dover and Ingraham Roads, and a nonconforming detached garage with a minimum side yard clearance of 9.6 feet and a minimum front yard clearance from Ingraham Road.

The petitioners are requesting a Special Permit/Finding that the demolition of the existing nonconforming detached garage with a minimum side yard clearance of 9.6 feet and a minimum front setback from Ingraham Road; and construction of a two-story addition with a 30.2 foot by 23.3 foot first floor with a minimum side yard clearance of 9.6 feet and a conforming front setback of 32.1 feet from Ingraham Road, and a conforming 19.9 foot by 18.8 foot second story bedroom addition with a conforming side yard setback of 20.2 feet, shall not be substantially more detrimental to the neighborhood than the existing nonconforming structure.

A Plot Plan dated June 6, 2000, revised October 2, 2000, drawn by John W. McEachern, Registered Professional Land Surveyor; Existing and Proposed Floor Plans and Elevations dated October 1, 2000, with revised Proposed First and Second Floor Plans dated October 27, 2000, drawn by David Morgan of DRM Design Build, Inc.; and photographs were submitted.

On October 17, 2000, the Planning Board reviewed the petition and objected to the request. The Planning Board stated that if the applicant is tearing down the existing detached garage, then the proposal should comply with the setback requirements for corner lots.

Decision

This Authority has made a careful study of the materials submitted and the information presented at the hearing. The subject dwelling and detached garage do not conform with the current Zoning Bylaw as noted in the foregoing Statement of Facts.

It is the finding of this Authority that although the proposed first floor of the two-story addition does intensify the existing nonconformance, as the first floor will occupy more nonconforming space than the existing nonconforming detached garage, it will not create any new nonconformance, and will eliminate the existing nonconformance from Ingraham Road. Furthermore, the second floor conforms to all setback requirements. For these reasons, this Authority finds that the proposed two-story addition will not be substantially more detrimental to the neighborhood than the existing nonconforming detached garage.

Therefore, a Special Permit is granted, as voted unanimously by this Authority at the Public Hearing, for the construction of the two-story addition in accordance with the submitted plot plan and most recent 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.

Petition of Lincoln and Holly Holmes
88 Dover Road

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.

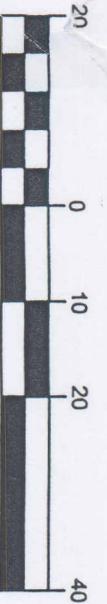
Cc: Planning Board
Inspector of Buildings

William E. Polletta
William E. Polletta, Acting Chairman

Richard L. Seegel
Richard L. Seegel

Robert A. Bastille
Robert A. Bastille

RECEIVED
TOWN CLERK'S OFFICE
WELLESLEY MA 02482
2000 NOV 14 P 11:08

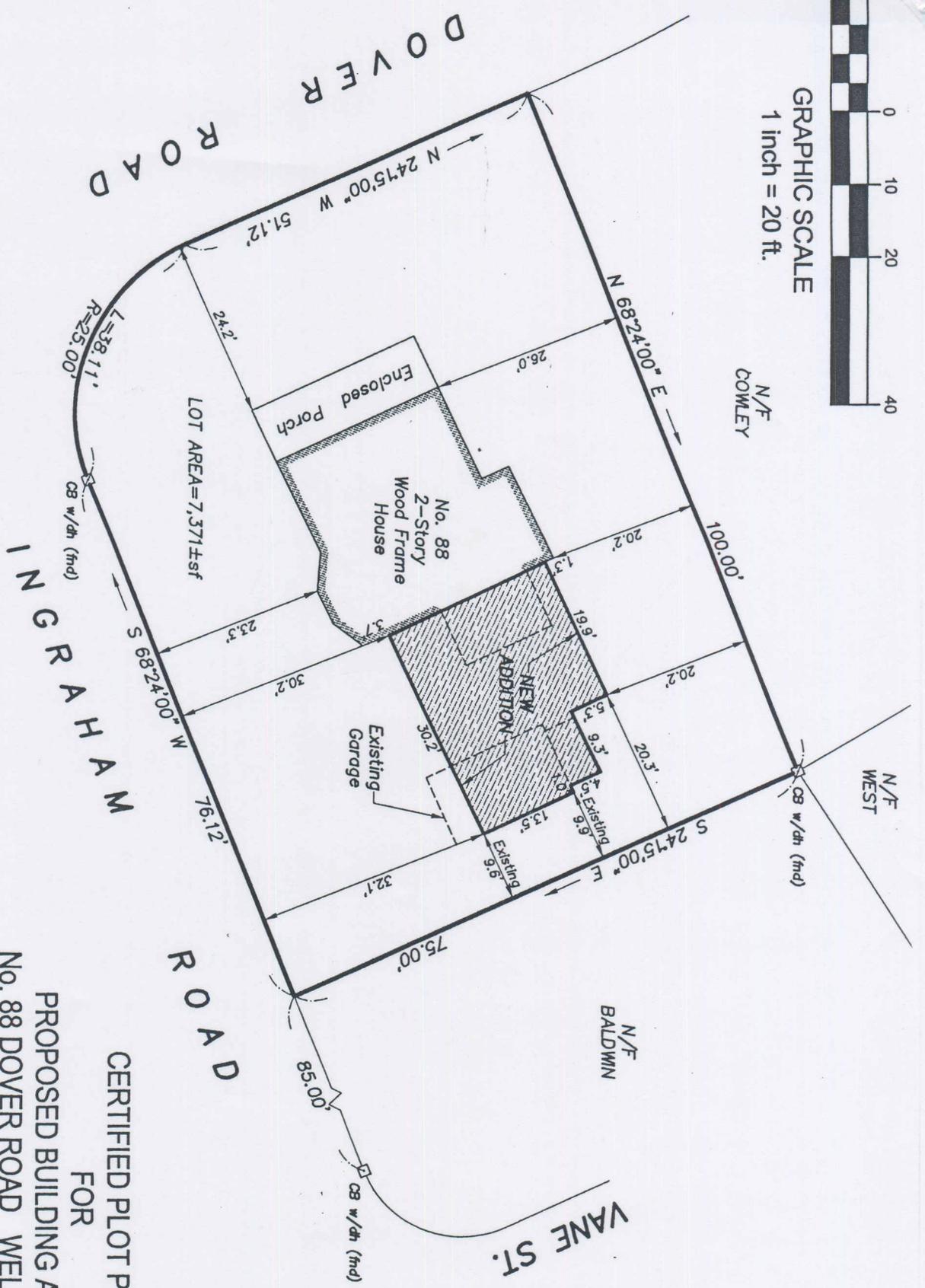


GRAPHIC SCALE
1 inch = 20 ft.

N/F
COWLEY

N/F
WEST

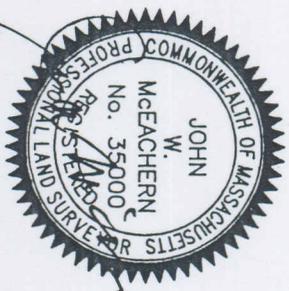
N/F
BALDWIN



I HEREBY CERTIFY THAT THIS PLAN IS
THE RESULT OF AN ON-THE-GROUND
INSTRUMENT SURVEY.

DATE: 10/2/00

John W. McEachern
JOHN W. McEACHERN - PLS. No. 35000



EXISTING LOT COVERAGE = 16.8%

PROPOSED LOT COVERAGE = 21.7%

CERTIFIED PLOT PLAN
FOR
PROPOSED BUILDING ADDITION
NO. 88 DOVER ROAD WELLESLEY, MA

APPLICANT: Lincoln & Holly Holmes
DATE: June 6, 2000 Scale: As shown
REV: October 2, 2000 (Revise Addition)
DUE NORTH LAND SURVEYING, INC.



252 Massachusetts Avenue
Arlington, MA 02474
(781) 641-3377