

TOWN OF WELLESLEY



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ZONING BOARD OF APPEALS

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

2001 JUN -5 A 8:23

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ZBA 2001-34
Petition of Sarah W. Lorden
18 Bryn Mawr Road

Pursuant to due notice, the Special Permit Granting Authority held a Public Hearing on Thursday, May 24, 2001 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 SARAH W. LORDEN requesting a Special Permit/Finding pursuant to the provisions of Section XVII and Section XXV of the Zoning Bylaw that the addition of a 1 foot by 6.2 foot extension at the front and a 6.1 foot by 10.9 foot extension at the rear of her existing nonconforming porch with less than the required right side yard setback, and enclosure and incorporation of the expanded 24.4 foot by 6.2 foot nonconforming porch at her nonconforming dwelling, with less than the required right side yard setback, at 18 BRYN MAWR ROAD, in a Single Residence District, shall not be substantially more detrimental to the neighborhood than the existing nonconforming structure.

On May 7, 2001, the petitioner 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 Sarah Lorden, who said she would like to extend the porch at the front and rear, and then enclose it.

The Board noted that the Planning Board had no objection, but recommended that no second story be constructed above the expanded enclosed porch. The Board would make this a condition of the special permit.

The Board asked why there was a setback of 6.2 feet at the front right corner of the addition to the porch, but a setback of 6.1 feet at the right rear corner. Ms. Lorden said that although the house appears parallel to the right side lot line, it is slightly off, and in order not to encroach further on the right side line, the addition will be one inch less wide at the rear.

No other person present had any comment on the petition.

Statement of Facts

The subject property is located at 18 Bryn Mawr Road on a 5,000 square foot lot, in a Single Residence District, and has a minimum right side yard setback of 11.7 feet.

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The petitioner is requesting a Special Permit/Finding that the construction of a 6.2 foot by 1 foot addition at the front and a 10.9 foot by 6.1 feet addition at the rear of the nonconforming porch, and enclosure and incorporation of the 24 foot by 6.2 foot expanded porch, with a minimum right side yard setback of 11.7 feet, into the internal structure, shall not be substantially more detrimental to the neighborhood than the existing nonconforming structure.

A Plot Plan revised May 1, 2001, stamped by Frank Nebra, Professional Land Surveyor; Existing and Proposed Floor Plan and Elevations dated 5/1/01, drawn by Colon Gilbert; and photographs were submitted.

On May 15, 2001, the Planning Board reviewed the petition and had no objection to the granting of the request, but felt that there should be no second floor in the future.

Decision

This Authority has made a careful study of the materials submitted and the information presented at the hearing. The subject structure does not conform to the current Zoning Bylaw, as noted in the foregoing Statement of Facts.

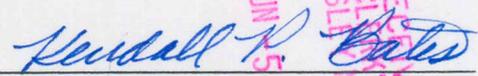
It is the finding of this Authority that the construction of the 6.2 foot by 1 foot front addition, the 10.9 foot by 6.1 foot rear addition and enclosure of the expanded 24 foot by 6.2 foot porch, with less than the required right side yard setback, shall not be substantially more detrimental to the neighborhood than the existing nonconforming structure as the additions and enclosure shall not increase the existing nonconformance or create new nonconformity.

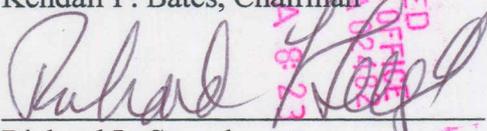
Therefore, a Special Permit is granted, as voted unanimously by this Authority at the Public Hearing, for the additions to and enclosure of the expanded porch in accordance with the submitted plot plan and construction drawings, and subject to the condition that no second story be constructed above the expanded and enclosed porch.

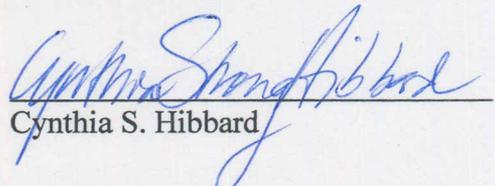
The Inspector of Buildings is hereby authorized to issue a permit for construction upon receipt and approval of a building application and detailed construction plans.

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


Richard L. Seegel


Cynthia S. Hibbard

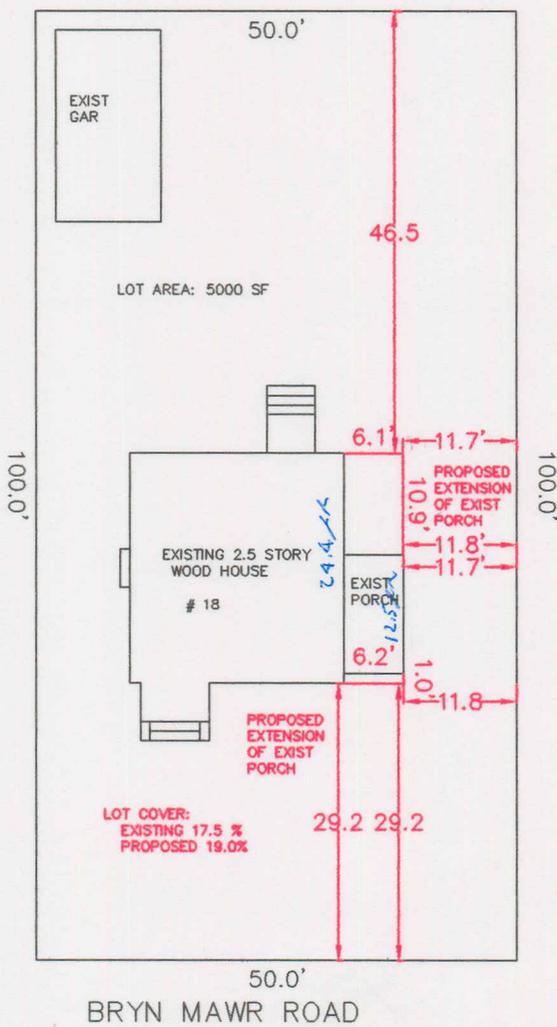
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PLAN OF LAND
IN
WELLESLEY, MA

SCALE: 1 IN = 20 FT REVISED MAY 1, 2001

MASS BAY SURVEY INC. NEWTON, MA
617-244-8295
617-784-3004



May 2, 01