

TOWN OF WELLESLEY



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WELLESLEY MA 02482

ZONING BOARD OF APPEALS

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

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ZBA 2001-92
Petition of Reza and Diana Vahedi
14 Leewood Road

Pursuant to due notice, the Special Permit Granting Authority held a Public Hearing on Thursday, November 29, 2001 at 7:30 p.m. in the Great Hall at the Town Hall, 525 Washington Street, Wellesley, on the petition of REZA AND DIANA VAHEDI requesting a Special Permit/Finding pursuant to the provisions of Section XVII and Section XXV of the Zoning Bylaw that the enclosure and incorporation into the internal structure of their dwelling of the existing nonconforming 12.41 foot by 10.16 foot one-story porch, with less than the required left side yard setback, at their nonconforming dwelling, with less than the required left and right side yard setbacks, at 14 LEEWOOD 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 November 13, 2001, 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 Reza and Diana Vahedi. Mr. Vahedi said they have spoken to all of their neighbors, who have approved the project. They bought their home three years ago. In September, they were issued a building permit for the conforming addition and the second story addition. As they proceeded with the construction, they decided that the existing screened porch was not useful as a porch. The entire view of the back yard would be blocked by the porch. They have shifted the front entrance to the side, which decreased the size of the living room. They would like to add the space of the porch to the living room.

The Board asked if there would be a basement below the addition. Mr. Vahedi said there would be a basement beneath the addition, but not under the porch, which is slab on grade. There is no second floor above the porch.

The Board noted that the Planning Board had no objections.

No other person present had any comment on the petition.

Statement of Facts

The subject property is located at 14 Leewood Road, on a 10,080 square foot lot, in a Single Residence District, and has a minimum right side yard clearance of 11.91 feet and a minimum left side yard clearance of 9 feet.

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The petitioners are requesting a Special Permit/Finding that the enclosure and incorporation into the internal structure of the dwelling of a one-story 10.16 foot by 12.41 foot screened porch, with a minimum left side yard clearance of 9 feet, shall not be substantially more detrimental to the neighborhood than the existing nonconforming structure. There will be no change in the footprint.

A plot plan dated August 17, 2001, stamped by Saeed V. Mossavat, Professional Land Surveyor; Existing and Proposed Floor Plans and Elevations dated 11/04/01 drawn by Hossein V. Vahed, Registered Architect; and photographs were submitted.

On November 27, 2001, the Planning Board reviewed the petition and had no objection.

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 enclosure and incorporation of the 10.16 foot by 12.41 foot one-story screened porch, with less that the required left side yard setback, into the internal structure of the nonconforming dwelling shall not be substantially more detrimental to the neighborhood than the existing nonconforming dwelling, as said enclosure and incorporation shall neither intensify the existing nonconformance, as there will be no change in the height, nor create new nonconformance 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, to enclose and incorporate the existing nonconforming one-story screened porch into the internal structure of the dwelling 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.

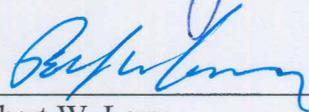
Cc: Planning Board
Inspector of Buildings
edg



Kendall P. Bates, Chairman



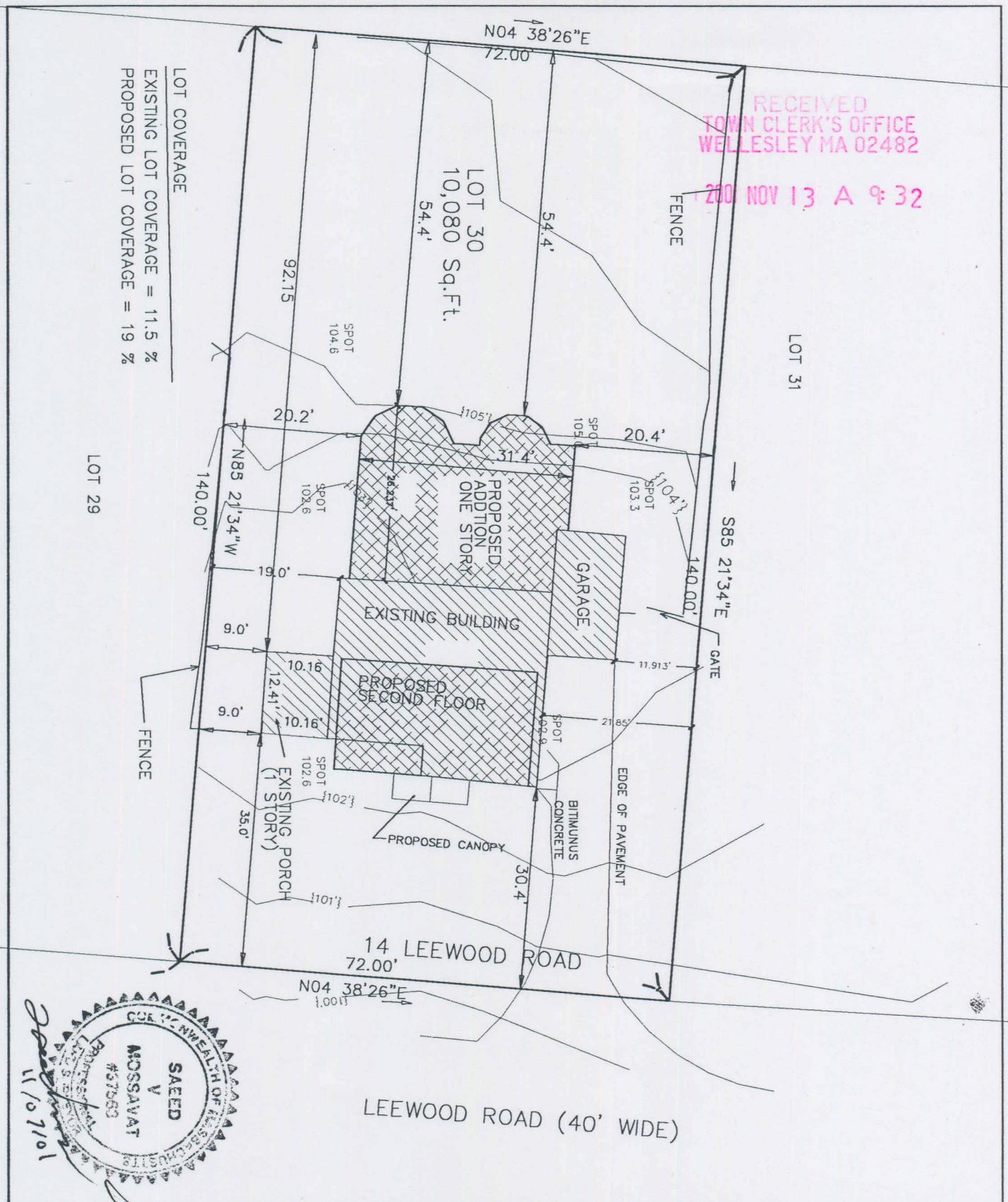
Cynthia S. Hibbard



Robert W. Levy

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200 NOV 13 A 9:32



LOT COVERAGE
EXISTING LOT COVERAGE = 11.5 %
PROPOSED LOT COVERAGE = 19 %

LOT 29

LOT 31

LEEWOOD ROAD (40' WIDE)



ATLANTIS GROUP, INC.
Architect, Engineers and Planners
15 Gorton Street
Norton Centre, MA 02459
Tel: (917-865-0783
Fax: (917-865-0103)

OWNER
REZA & DIANA VAHEDI
14 LEEWOOD ROAD
WELLESLEY MA

1. PREPARED BY: SAEED V. MOSSAVAT
2. CHECKED BY: SAEED V. MOSSAVAT
3. APPROVED BY: SAEED V. MOSSAVAT
DATE: 11/10/01

SURVEY PLAN

SHEET TITLE
RENOVATION OF A
SINGLE FAMILY HOUSE
14 LEEWOOD ROAD
WELLESLEY MA

SHEET TITLE
PROPOSED
PLOT PLAN

SCALE
1" = 20'-0"

DATE
8/17/01

SURV-1