

TOWN OF WELLESLEY



MASSACHUSETTS

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WELLESLEY MA 02482

ZONING BOARD OF APPEALS

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

2002 FEB 20 A 8:20

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ZBA 2002-10
Petition of Jeffrey B. Abramson and
Jacqueline Jones
17 Belair Road

Pursuant to due notice, the Special Permit Granting Authority held a Public Hearing on Thursday, January 31, 2002 at 7:30 p.m. in the Great Hall at the Town Hall, 525 Washington Street, Wellesley, on the petition of JEFFREY B. ABRAMSON AND JACQUELINE JONES requesting a Special Permit/Finding pursuant to the provisions of Section XVII and Section XXV of the Zoning Bylaw that the demolition of an existing nonconforming deck and one-story 17.4 foot by 9 foot structure; and construction of a 19.3 foot by 19.4 foot two-story addition, with less than the required front setback from BIRCH ROAD, at their nonconforming dwelling with less than the required front setback from BIRCH ROAD, at 17 BELAIR ROAD, in a 10,000 square foot Single Residence District, shall not be substantially more detrimental to the neighborhood than the existing nonconforming structure.

On January 14, 2002, 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 Jeffrey Abramson and Jacqueline Jones. Ms. Jones said they have owned the house for 20 years. They would like to extend their small breakfast room at the back of the house to make it a family room, and add a master bedroom and bath on the second floor.

The Board noted that the left and right side designations appear to have been switched on the "Existing" elevation drawings. The Board asked when the deck had been constructed. Mr. Abramson said the deck was built in 1991 after the issuance of a building permit.

The Board commented that the Planning Board had no objection to the petition.

Mr. Abramson said they have spoken to their neighbors, and no one had any objections.

No other person present had any comment on the petition.

Statement of Facts

The subject structure is located at 17 Belair Road, on a 7,500 square foot lot in a 10,000 square foot Single Residence District, and has a minimum front setback of 11.5 feet from Birch Road.

The petitioners are requesting a Special Permit/Finding that the demolition of their existing 10.3 foot by 19.4 nonconforming deck and a 9 foot by 17.5 foot one-story portion of the dwelling; and construction of

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a two-story 19.3 foot by 19.4 foot two story addition, with a minimum front yard setback of 20.5 feet from Birch Road, shall not be substantially more detrimental to the neighborhood than the existing nonconforming structure.

A Plot Plan dated December 31, 2001, drawn by Frank Iebra, Registered Land Surveyor; Existing and Proposed Floor Plans and Elevations dated 1/7/02, drawn by CDL Design Service; and photographs were submitted.

On January 29, 2002, the Planning Board reviewed the petition and had no objection to the granting of the petition as the proposed addition is set back from the front property line farther than the existing house.

Decision

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

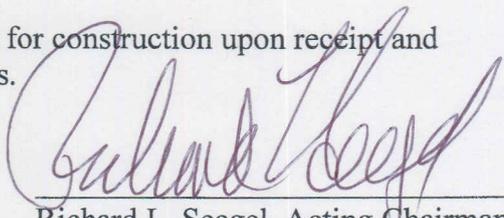
It is the finding of this Authority that the demolition of the existing deck and rear portion of the dwelling and construction of the two-story 19.3 foot by 19.4 foot addition with less than the required front setback from Birch Road shall not be substantially more detrimental to the neighborhood than the existing nonconforming structure as the existing nonconformance will not be intensified, nor will new nonconformity be created.

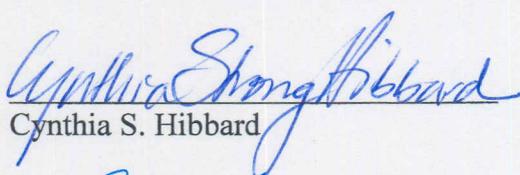
Therefore, a Special Permit is granted, as voted unanimously by this Authority at the Public Hearing, to demolish the deck and rear portion of the dwelling and construct the two-story addition in accordance with the submitted plot plan and construction drawings.

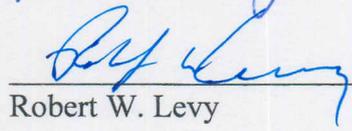
The Inspector of Buildings is hereby authorized to issue a permit for construction upon receipt and approval of a building application and detailed construction plans.

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


Richard L. Seegel, Acting Chairman


Cynthia S. Hibbard


Robert W. Levy

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AREA = 7,500 ± S.F.

EXIST. LOT COVERAGE = 22.1 %
PROP. LOT COVERAGE = 22.0 %

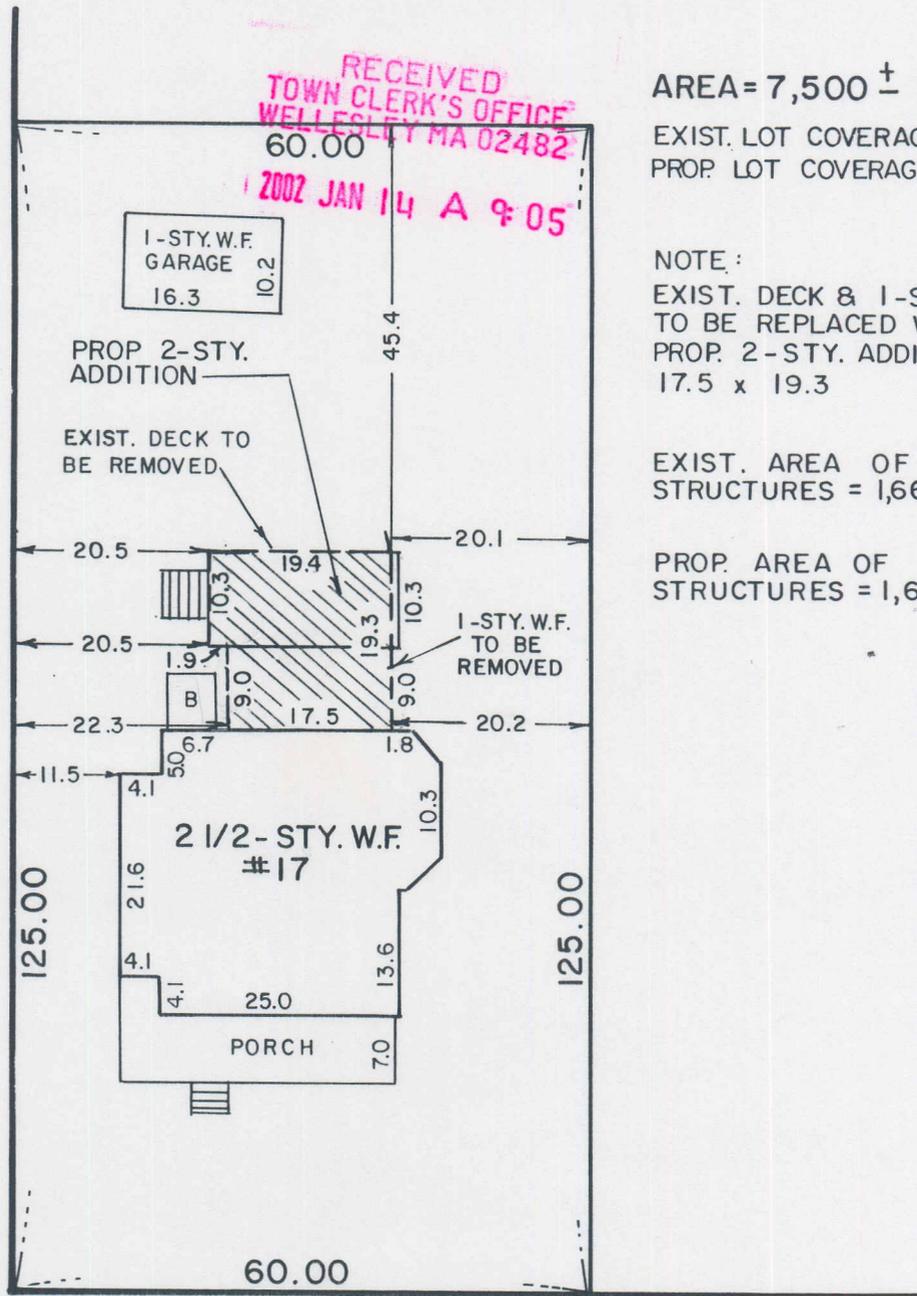
NOTE:

EXIST. DECK & 1-STY. W.F.
TO BE REPLACED WITH
PROP. 2-STY. ADDITION
17.5 x 19.3

EXIST. AREA OF
STRUCTURES = 1,660 ± S.F.

PROP. AREA OF
STRUCTURES = 1,651 ± S.F.

BIRCH ROAD



BELAIR ROAD



617-965-3975
781-553-0299

PLAN OF LAND
IN

WELLESLEY, MASS.

SCALE : 1" = 20'
MASS BAY SURVEY, INC.

DEC. 31, 2001
NEWTON, MASS.
REVISED - JAN. 08, 2002