

TOWN OF WELLESLEY



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WELLESLEY MA 02482

ZONING BOARD OF APPEALS

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

2002 MAR 19 A 8:19

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ZBA 2002-14
Petition of William C. and Carrie Armstrong
349 Linden Street

Pursuant to due notice, the Special Permit Granting Authority held a Public Hearing on Thursday, February 28, 2002 at 7:30 p.m. in the Great Hall at the Town Hall, 525 Washington Street, Wellesley, on the petition of WILLIAM C. AND CARRIE ARMSTRONG requesting a Special Permit/Finding pursuant to the provisions of Section XVII and Section XXV of the Zoning Bylaw that the following construction at their nonconforming dwelling, with less than the required left and right side yard setbacks, at 349 LINDEN STREET, in a 10,000 square foot Single Residence District, shall not be substantially more detrimental to the neighborhood than the existing nonconforming structure:

1. Enclosure of the 9.17 foot by 16 foot open porch with less than the required right side yard setback and incorporation into the internal structure of the dwelling.
2. Construction of a one-story 5 foot by 2 foot closet addition with less than the required right side yard setback.
3. Construction of a deck of which the 22 foot by 10 foot rear portion has less than the required left side yard setback.

On February 11, 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 was Carrie Armstrong, who said they would like to enclose the existing porch for use as a computer room, and add a deck at the rear. The porch enclosure would have the same dimensions as the existing open porch.

The Board asked if the enclosure would be one-story. Mrs. Armstrong said that it would. The Board decided to add a condition that no second story ever be built above the enclosed porch.

No other person present had any comment on the petition.

Statement of Facts

The subject property is located at 349 Linden Street, on an 11,453 square foot lot, in a 10,000 square foot Single Residence District, and has a minimum left side yard clearance of 10.1 feet and a minimum right side yard clearance of 18.5 feet.

The petitioners are requesting a Special Permit/Finding that the enclosure of their 9.17 foot by 16 foot open porch, with a minimum right side yard setback of 18.5 feet, and incorporation into the internal structure of the dwelling; construction of a 5 foot by 2 foot closet addition; and construction of a deck of

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which the 22 foot by 10 foot rear portion has a minimum left side yard setback of 16 feet, shall not be substantially more detrimental to the neighborhood than the existing nonconforming structure.

A Plot Plan dated January 24, 2002, stamped by Joyce E. Hastings, Registered Professional Land Surveyor; Existing and Proposed floor plans and elevations; and photographs were submitted.

On February 26, 2002, the Planning Board reviewed the petition and had no objection to the granting of the Special Permit.

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.

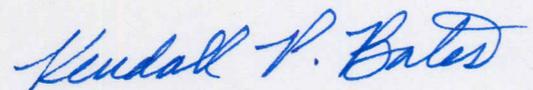
It is the finding of this Authority that the proposed enclosure of the existing open porch and incorporation into the internal structure of the dwelling; construction of the 5 foot by 2 foot closet addition; and construction of the deck, of which the 22 foot by 10 rear portion has less than the required left side yard setback, shall not be substantially more detrimental to the neighborhood than the existing nonconforming structure, as in no instance shall the existing nonconformance be intensified nor shall new nonconformance be created.

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

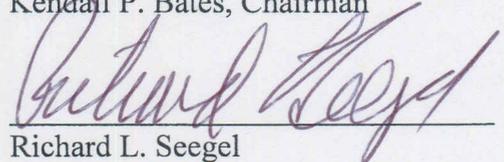
The Inspector of Buildings is hereby authorized to issue a permit for construction upon receipt and approval of a building application and detailed construction plans.

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.

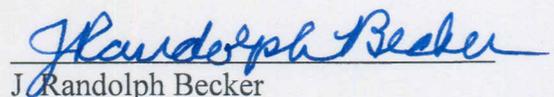
Cc: Planning Board
Inspector of Buildings
edg



Kendall P. Bates, Chairman

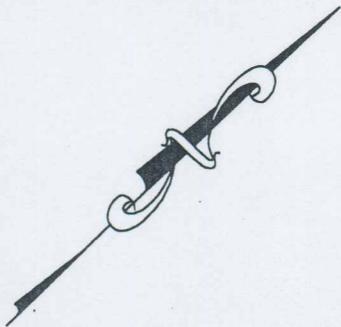


Richard L. Seegel

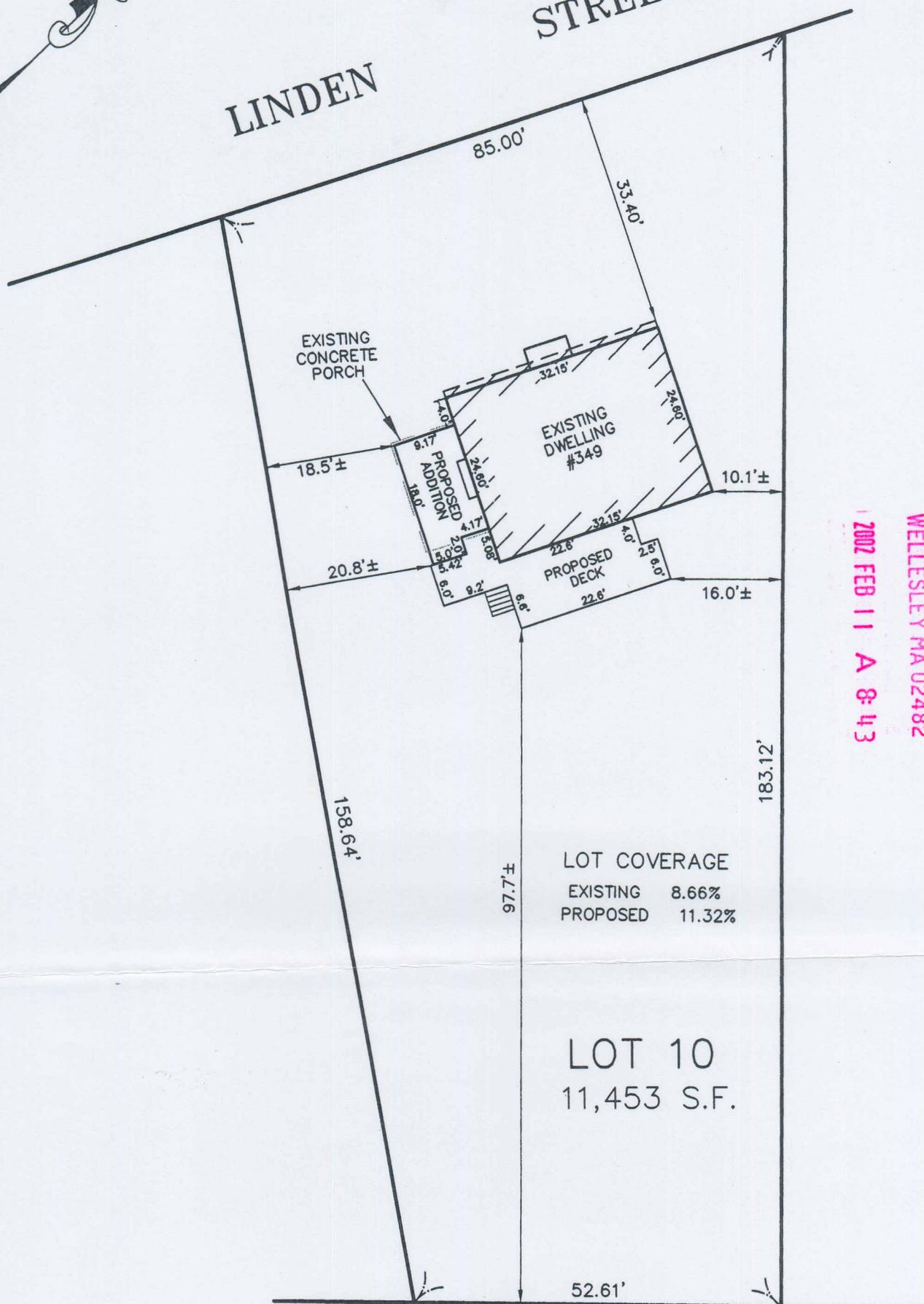


J. Randolph Becker

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WEBB LEMLEY M. 02/28/02
2002 MAR 19 4:48 PM



LINDEN STREET



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WELLESLEY MA 02482
2002 FEB 11 A 8:43

I CERTIFY THAT THE BUILDINGS ON THIS PROPERTY ARE LOCATED AS SHOWN ABOVE



JANUARY 24, 2002

PROFESSIONAL LAND SURVEYOR DATE

PLOT PLAN OF LAND

IN WELLESLEY, MASS.

SCALE : 1" = 20' JAN. 24, 2002

GLM ENGINEERING CONSULTANTS INC.
1750 WASHINGTON STREET
HOLLISTON, MASS. 429-1100