

TOWN OF WELLESLEY



MASSACHUSETTS
TOWN CLERK'S OFFICE
WELLESLEY, MA 02482

ZONING BOARD OF APPEALS

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

2002 APR -2 A 8:50

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ZBA 2002-23
Petition of Maria Corda
3 Peck Avenue

Pursuant to due notice, the Special Permit Granting Authority held a Public Hearing on Thursday, March 21, 2002 at 7:30 p.m. in the Great Hall at the Town Hall, 525 Washington Street, Wellesley, on the petition of MARIA CORDA requesting a Special Permit/Finding pursuant to the provisions of Section XVII and Section XXV of the Zoning Bylaw that the enclosure of her nonconforming 12 foot by 15.1 foot deck, with less than the required rear yard setback, for use as a screened porch, at her nonconforming dwelling with less than the required front setbacks from PECK AVENUE and SEAVER STREET, and less than the required rear yard setback, at 3 PECK AVENUE in a 10,000 square foot 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 March 4, 2002, 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 Joe Lopes of Champion Patio Rooms, who was accompanied by Victor Corda, son of the petitioner, who was also present. Mr. Lopes said the screened room would be constructed from anodized aluminum with a four inch insulated roof containing skylights. The room will be constructed in the location of the existing deck. There will be no change in the footprint.

The Board asked if the lighting would change. Mr. Corda said there is a light over the door and at the corner of the existing porch. There is no plan to add any more lighting.

Mr. Becker, sitting member of the Board, disclosed that his home is within 300 feet of the locus. The petitioner did not voice any objection to Mr. Becker as a Board member voting on the petition.

No other person present had any comment on the petition.

Statement of Facts

The subject property is located at 3 Peck Avenue at the intersection with Seaver Street, in a 10,000 square foot Single Residence District, on a 10,150 square foot lot, and has a minimum front yard clearance of 28.5 feet from Peck Avenue, a minimum front yard clearance of 28.8 feet from Seaver Street, and a minimum rear yard clearance of 13.2 feet.

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The petitioner is requesting a Special Permit/Finding that the enclosure of an existing 12 foot by 15.1 foot deck for use as a screened porch, with a minimum rear yard setback of 13.6 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 February 7, 2002, stamped by Joseph R. Sullivan, Registered Professional Land Surveyor; Floor Plan and Elevation drawings; a catalog of Champion Home Patio Rooms with the proposed screened porch (Studio-Style Patio Room on Deck) indicated; and photographs were submitted.

On March 12, 2002, the Planning Board reviewed the petition and had no objection to the granting of the request.

Decision

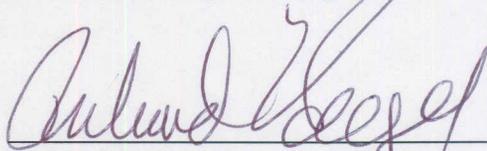
This Authority has made a careful study of the materials submitted and the information presented at the hearing. The subject structure does not conform to the current Zoning Bylaw, as noted in the foregoing Statement of Facts.

It is the finding of this Authority that the enclosure of the 15.1 foot by 12 foot deck with a minimum 13.6 foot rear yard clearance shall not be substantially more detrimental to the neighborhood than the existing nonconforming structure because the enclosure shall neither intensify the existing nonconformance, nor shall it create new nonconformance, as there will be no change in the footprint.

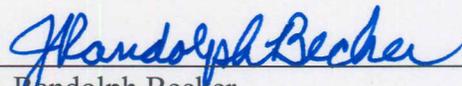
Therefore, a Special Permit is granted, as voted unanimously by this Authority at the Public Hearing, for the enclosure of said nonconforming deck for use as a screened porch in accordance with the submitted plot plan and construction drawings.

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.


Richard L. Seegel, Acting Chairman

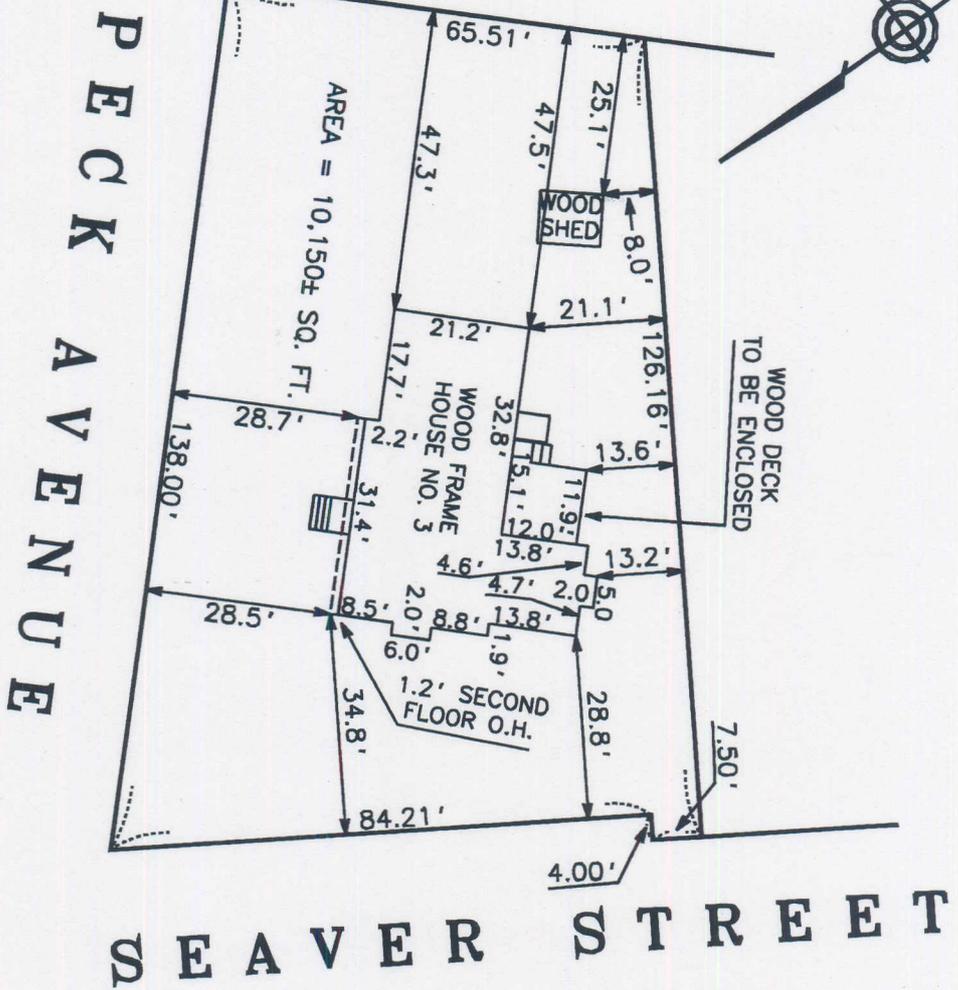

Robert A. Bastille


J. Randolph Becker

Cc: Planning Board
Inspector of Buildings
edg

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**BOARD OF APPEALS
PLAN OF LAND IN
WELLESLEY, MASS.**

APPLICANT : RENZO E. CORDA &
MARIA L. CORDA

SCALE : 1" = 30' FEBRUARY 7, 2002

EXISTING COVERAGE = 15.40%
PROPOSED COVERAGE = 15.40%



Joseph R. Sullivan
JOSEPH R. SULLIVAN
REG. PROF. SURVEYOR



**MCCARTHY & SULLIVAN
ENGINEERING, INC.**

41 BEACON STREET FRAMINGHAM, MASS.
508-626-8101 01701