

TOWN OF WELLESLEY



MASSACHUSETTS

ZONING BOARD OF APPEALS

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

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2002 JUN -5 A 8:20

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ZBA 2002-49

Petition of Peter and Alexia Monsen
15 Oakencroft Road

Pursuant to due notice, the Special Permit Granting Authority held a Public Hearing on Thursday, May 23, 2002 at 7:30 p.m. in the Great Hall at the Town Hall, 525 Washington Street, Wellesley, on the petition of PETER AND ALEXIA MONSEN requesting a Special Permit/Finding pursuant to the provisions of Section XVII and Section XXV of the Zoning Bylaw that the demolition of their existing rear deck and construction of a two-story 32.5 foot by 9.92 foot addition and an 8 foot by 32.5 foot second story addition, both of which having less than the required left and right side yard setbacks, at their nonconforming dwelling with less than the required left and right side yard setbacks, at 15 OAKENCROFT 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 May 6, 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 Peter and Alexia Monsen. Mr. Monsen said their house in nonconforming on both the right and left sides. They would like to expand to the rear and on the second floor to give them more kitchen space on the first floor and a master bedroom on the second floor. The additions will come no closer to the side lines than the existing house.

The Board noted that the Planning Board had no objection to the granting of the Special Permit. It was the opinion of the Board that the addition would not be visible from the street.

No other person present had any comment on the petition.

Statement of Facts

The subject property is located at 15 Oakencroft Road, in a 10,000 square foot Single Residence District, on a 10,044 square foot lot and has a minimum left side yard clearance of 15.2 feet and a minimum right side yard clearance of 15.8 feet.

The petitioners are requesting a Special Permit/Finding that the demolition of their existing deck and construction of a two-story 32.5 foot by 9.92 foot addition with a minimum left side yard setback of 15 feet and a minimum right side yard setback of 16.4 feet and an 8 foot by 32.4 foot second story addition with a minimum left side yard setback of 15.2 feet and a minimum right side yard setback of 15.8 feet shall not be substantially more detrimental to the neighborhood than the existing nonconforming structure.

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A Plot Plan dated May 7, 2002, stamped by George C. Collins, Professional Land Surveyor; Existing and Proposed Floor Plans and Elevations dated 4/23/02, drawn by ECI Engineering; and photographs were submitted.

On May 14, 2002, the Planning Board reviewed the petition and offered no objection to granting a 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 with the current Zoning Bylaw, as noted in the foregoing Statement of Facts.

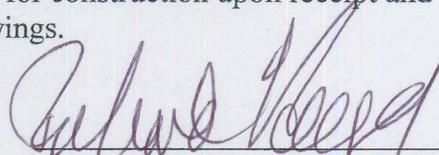
It is the finding of this Authority that the demolition of the existing deck and construction of the 9.92 foot by 32.5 foot two- story addition and the 8 foot by 32.5 foot second story addition shall not be substantially more detrimental to the neighborhood than the existing nonconforming structure. The construction of the two-story addition will not intensify the existing nonconformance and, although it will create additional nonconformity of .2 feet, it is the finding of this Authority that the new nonconformity is de minimus and can be allowed. The construction of the second story addition will neither intensify the existing nonconformance, nor will it create new nonconformity 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 demolition of the deck and construction of both the two-story addition and the second story addition in accordance with the submitted plot plan and construction drawings.

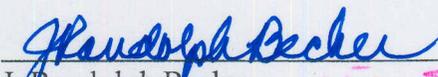
The Inspector of Buildings is hereby authorized to issue a permit for construction upon receipt and approval of a building application and detailed construction drawings.

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

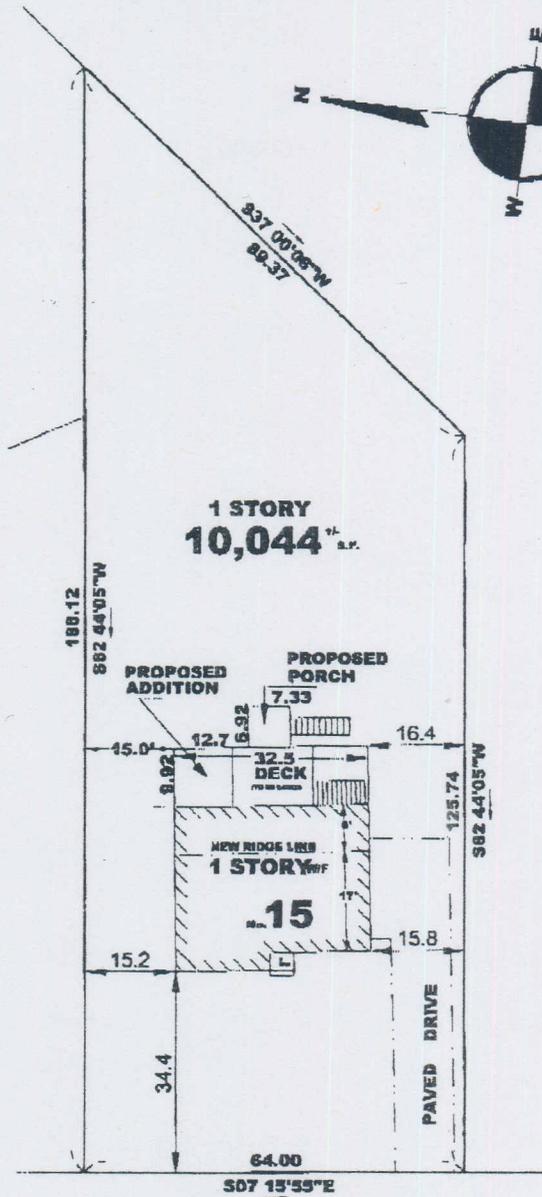
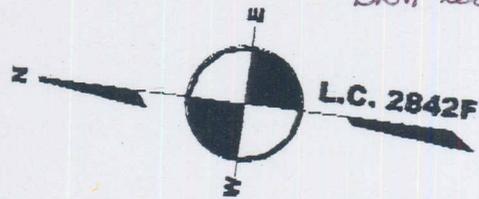

Richard L. Seegel, Acting Chairman


Robert A. Bastille

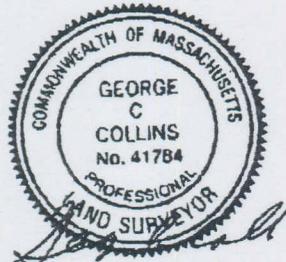

J. Randolph Becker

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5-7-02

OAKENCROFT ROAD

I CERTIFY THAT THIS PLAN WAS MADE FROM AN INSTRUMENT SURVEY ON THE GROUND AND THE STRUCTURES ARE LOCATED AS SHOWN HEREON.

REFERENCES:
DEED: BOOK 751 ;PAGE 158
PLAN: L.C. PLAN # 5003G

PROPOSED LOT COVERAGE = 11.1%

CERTIFIED PLOT PLAN	
LOCATED AT 15 OAKENCROFT ROAD WELLESLEY, MA.	
PREPARED FOR: PETER MONSEN 15 OAKENCROFT ROAD WELLESLEY, MA.	
SCALE: 1 INCH = 30 FEET	DATE: MAY, 7, 2002
 BOSTON SURVEY, INC. <small>UNIT C-4 BIRCHWAYS PLACE CHARLESTOWN, MA 02129 (617) 242-1212</small>	
JOB # 02-00379	