TOWN OF WELLESLEY MASSACHUSETTS

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2002 JUL 12 A 8:31

ZONING BOARD OF APPEALS

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

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ZBA 2002-62
Petition of Michael and Jill Sayre
4 Strathmore Road

Pursuant to due notice, the Special Permit Granting Authority held a Public Hearing on Thursday, June 27, 2002 at 7:30 p.m. in the Selectmen's Meeting Room (Conference Room B) at the Town Hall, 525 Washington Street, Wellesley, on the petition of MICHAEL AND JILL SAYRE requesting a Special Permit/Finding pursuant to the provisions of Section XVII and Section XXV of the Zoning Bylaw that the following additions to their nonconforming dwelling with less than the required left and rear yard setbacks and less than the required front setbacks from STRATHMORE ROAD and DORSET LANE, at 4 STRATHMORE ROAD, in a 10,000 square foot Single Residence District, shall not be substantially more detrimental to the neighborhood than the existing nonconforming structure:

1. Addition of a 13 foot by 24 foot second story above the existing nonconforming garage with the same dimensions and less than the required front setback from Dorset Lane. There will be no change in the footprint.
2. Construction of a one-story 12 foot 2 inch by 9 foot 6 inch addition with less than the required rear yard setback of 20 feet.

On June 10, 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 Michael and Jill Sayre. Mr. Sayre said they would like to build a small addition to their kitchen and add a bedroom above their existing garage.

The Board commented that although the plot plan shows a setback of 13.3 feet from Dorset Lane, visually, it appears to be much more. Mr. Sayre said Dorset Lane is a right of way that once might have been part of the property.

The Board noted that the Planning Board had no objection to the granting of the request.

No other person present had any comment on the petition.

Statement of Facts

The subject property is located at 4 Strathmore Road, in a 10,000 square foot Single Residence District, on a 7,000 square foot lot, and has a minimum front setback from Strathmore Road of 28.2 feet, a minimum left side yard setback of 12.2 feet, a minimum rear yard setback of 18.7 feet, and a minimum front setback of 13.3 feet from Dorset Lane.

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The petitioners are requesting a Special Permit/Finding that the addition of a 13 foot by 24 foot second story above their existing nonconforming garage with a minimum front setback of 13.3 feet from Dorset Lane; and construction of a 9 foot 6 inch by 12 foot 2 inch one story addition with a minimum rear yard setback of 17.3 feet shall not be substantially more detrimental to the neighborhood than the existing nonconforming structure.

A Plot Plan dated May 29, 2002, rev. 6/4/02, stamped by Paul J. Finocchio, Professional Land Surveyor; Existing and Proposed Floor Plans and Elevations dated 5/31/02, drawn by K. Pereira; and photographs were submitted.

On June 18, 2002, the Planning Board reviewed the petition and had no objection to granting 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 neither the second story 13 foot by 24 foot second story addition above the nonconforming garage nor the 9 foot 6 inch by 12 foot 2 inch one-story addition shall be substantially more detrimental to the neighborhood than the existing nonconforming structure. The addition of a second story will neither intensify the existing nonconformance, nor will it create new nonconformity as there will be no change in the footprint. The 9 foot 6 inch by 12 foot 2 inch one-story addition will create an additional nonconformity of 1 foot 4 inches on the rear yard setback, but the bulk and mass of the one-story addition are minimal.

Therefore, a Special Permit is granted, as voted unanimously by this Authority at the Public Hearing, for construction of both the second story addition and the one-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.

Richard L. Seegel, Chairman

Cynthia S. Hibbard

Robert A. Bastille

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

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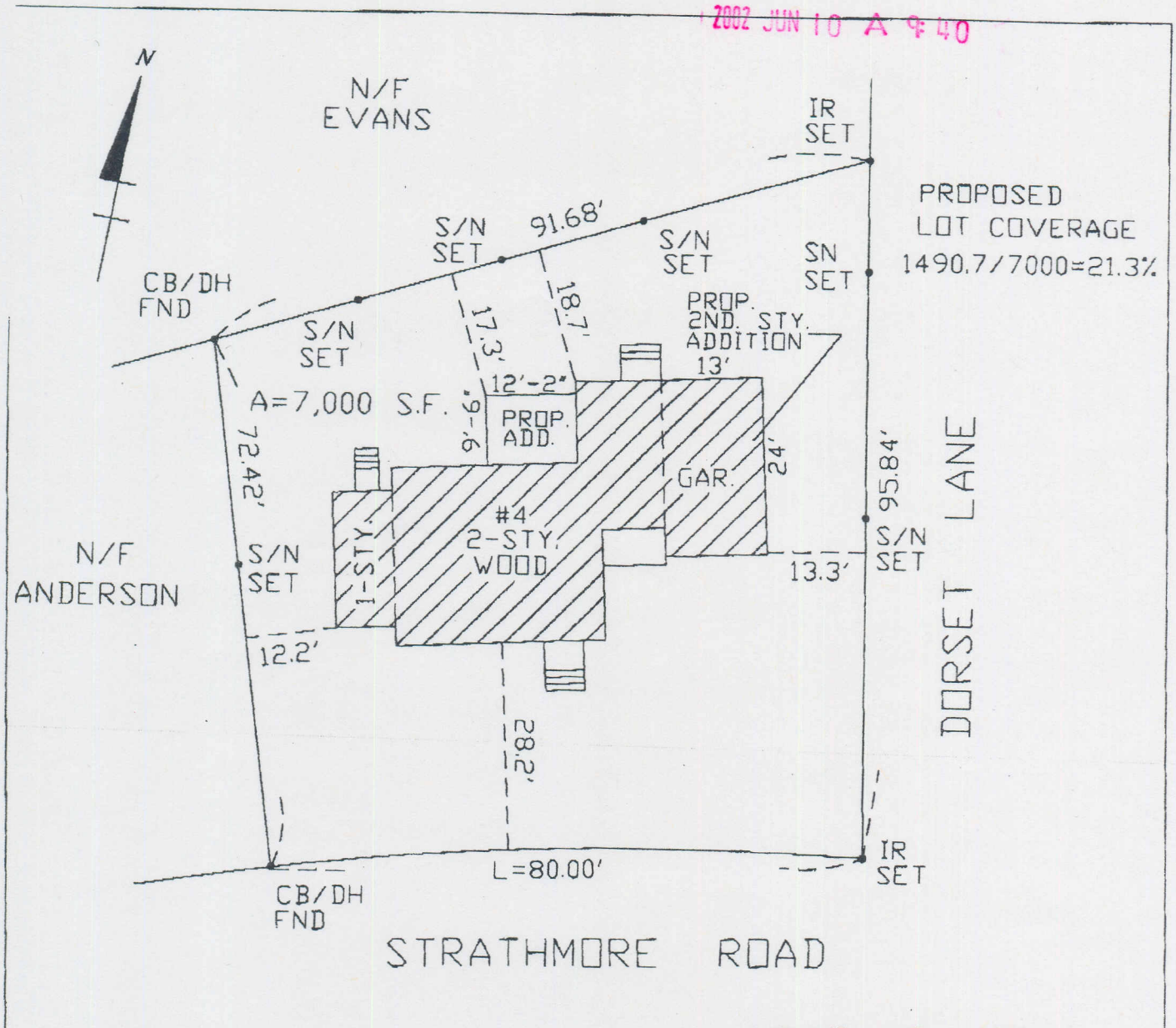

AMENDED JUNE 4, 2002

NOTE:

THIS PLAN WAS PREPARED FROM AN ACTUAL ON THE GROUND INSTRUMENT SURVEY.

I HEREBY CERTIFY THAT THE PROPERTY IS NOT LOCATED IN AN ESTABLISHED FLOOD HAZARD AREA
F.I.R.M. MAP No.250255
REVISION DATE: SEPT. 5, 1979

6/4/02

PAUL J. FINOCCHIO P.L.S. No.36115 DATE

PLOT PLAN OF LAND
IN
WELLESLEY, MA

COMMONWEALTH OF MASSACHUSETTS
PAUL J. FINOCCHIO #36115
PROFESSIONAL LAND SURVEYOR

PREPARED BY:
PJF & ASSOCIATES
11 GLEASON ST. MEDFORD, MA.
PAUL J. FINOCCHIO-P.L.S.
(781)395-7662

SCALE: 1" =20'

DEED REF.:BK. 13138 PG. 153

DATE: MAY 29, 2002

FILE No.: 4781C