

TOWN OF WELLESLEY



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ZONING BOARD OF APPEALS

2002 OCT 18 A 9 36

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ZBA 2002-93
Petition of Donald Hollings and Martha Castro
61 Whittier Road

Pursuant to due notice, the Special Permit Granting Authority held a Public Hearing on Thursday, September 19, 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 DONALD HOLLINGS AND MARTHA CASTRO requesting a Special Permit/Finding pursuant to the provisions of Section XVII and Section XXV of the Zoning Bylaw that the construction of a 12 foot by 18.5 foot second story addition above the existing nonconforming garage with less than the required right side yard setback, at their nonconforming structure with less than the required right side yard setback, at 61 WHITTIER ROAD, in a 15,000 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 September 3, 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 Martha Castro, who said she was requesting a Special Permit for construction of a second story bedroom of approximately 240 square feet over an existing two-car garage. They felt this was a better solution than expanding the footprint, and more in keeping with the cape-style house. The roof line will be lower than that over the main house.

The Board asked if the found beneath the garage was capable of sustaining the load of a second story addition. Ms. Castro said she believed it was.

No other person present had any comment on the petition.

Statement of Facts

The subject property is located at 61 Whittier Road, in a 15,000 square foot Single Residence District, on a 15,618 square foot lot, and has a minimum right side yard setback of 12.3 feet.

The petitioners are requesting a Special Permit/Finding that the addition of an 18.5 foot by 12 foot second story addition above the existing nonconforming garage with a minimum right side yard of 12.3 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 August 28, 2002, stamped by George N. Guinta, Professional Land Surveyor; Existing and Proposed Floor Plans and Elevations signed by D. Hollings; and photographs were submitted.

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2002 OCT 18 A 9:36

On September 10, 2002, the Planning Board reviewed the petition and offered no comment.

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.

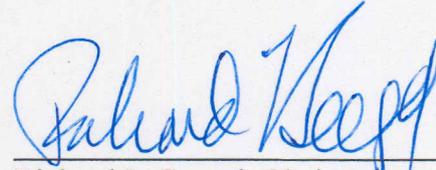
It is the finding of this Authority that the proposed 18.5 foot by 12 foot second story addition above the existing nonconforming garage shall not be substantially more detrimental to the neighborhood than the existing nonconforming structure as the addition shall neither intensify the existing nonconformance, nor shall new nonconformance be created 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 construction of the 18.5 foot by 12 foot second story addition in accordance with the submitted plot plan and construction drawings.

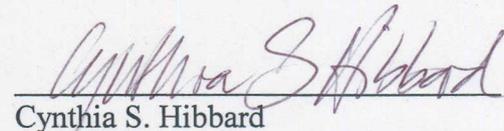
The Inspector of Buildings is hereby authorized to issue a permit for construction upon receipt and approval of a building application and detailed construction plans.

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.

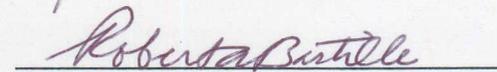
Cc: Planning Board
Inspector of Buildings
edg ZBA 2002-93



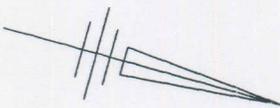
Richard L. Seegel, Chairman



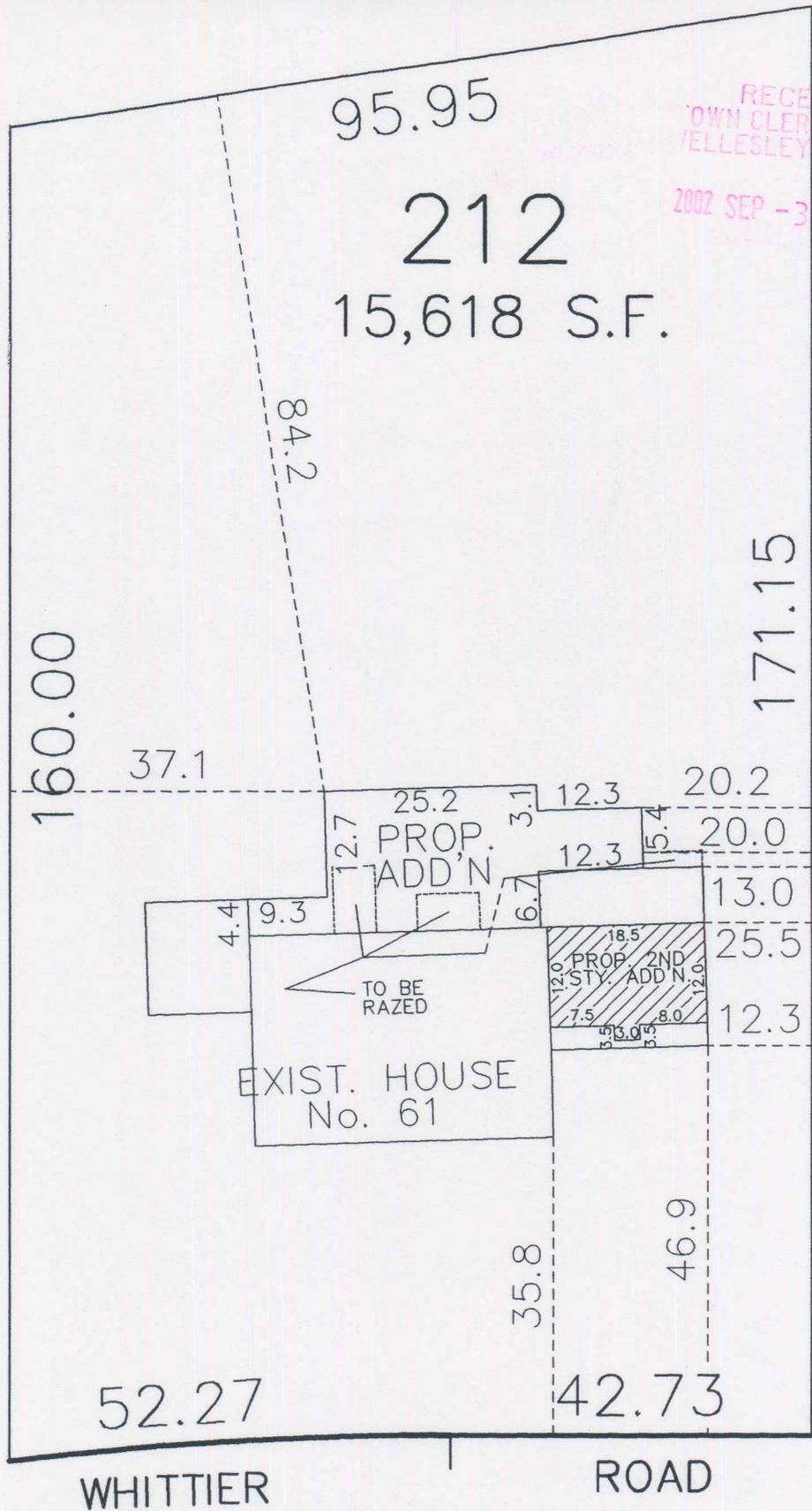
Cynthia S. Hibbard



Robert A. Bastille



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WHITTIER

ROAD

PLOT PLAN OF LAND WELLESLEY, MASS.

AUG. 28, 2002 SCALE: 1"=20'
NEEDHAM SURVEY ASSOCIATES, INC.

281 CHESTNUT STREET
NEEDHAM, MASS. 02192
781-444-5936

EXIST LOT COV.=9.46%
PROP. LOT COV.=12.91%
OWNER: DON HOLLINGS & MARTHA CASTRO

