

TOWN OF WELLESLEY



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WELLESLEY MA 02482

ZONING BOARD OF APPEALS

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

2003 SEP -5 A 8:18

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ROBERT W. LEVY

ZBA 2003-64  
Petition of Alvorado and Donna Stoddard  
72 Old Colony Road

Pursuant to due notice, the Special Permit Granting Authority held a Public Hearing on Thursday, August 14, 2003 at 7:30 p.m. in the Great Hall at the Town Hall, 525 Washington Street, Wellesley, on the petition of ALVORADO AND DONNA STODDARD requesting a Special Permit/Finding pursuant to the provisions of Section XVII and Section XXV of the Zoning Bylaw that the raising of the ridge line of the roof 5 feet 4 inches above the existing 20.09 by 20.47 portion of the existing second story of their nonconforming dwelling with less than the required left side yard setback, at 72 OLD COLONY ROAD, in a 20,000 square foot Single Residence District, shall not be substantially more detrimental to the neighborhood than the existing nonconforming structure. There shall be no change in the footprint.

On July 28, 2003, 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 Donna Stoddard, who was accompanied by the project architect, Hezekiah Pratt. Mr. Pratt said the project grew out of a need to update an old kitchen and to utilize the space above the kitchen, which has a very low ceiling. They would like to raise the second floor roof above the kitchen area about 5 feet. The characteristics, materials and style of the house would be maintained. All of the neighbors have been shown the plans and approve of the project. A petition, expressing support for the project signed by five of the neighbors, has been submitted.

The Board was of the opinion that the proposal would enhance the house, and noted that the Planning Board had no objection.

No other person present had any comment on the petition.

Statement of Facts

The subject property is located at 72 Old Colony Road, in a 20,000 square foot Single Residence District, on a 24,636 square foot lot, and has a minimum left side yard setback of 18.1 feet.

The petitioners are requesting a Special Permit/Finding that the raising of the roof 5 feet 4 inches above a 20.47 foot by 20.09 foot portion of their second story, with a minimum left side yard setback of 18.1 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 July 17, 2003, stamped by Terrence M. Ryan, Registered Professional Land Surveyor; Existing and Proposed Floor Plans and Elevations dated April 11, 2003, drawn by Hezekiah Pratt, Architect; and photographs were submitted.

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.

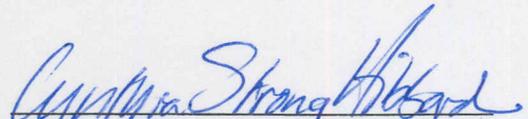
It is the finding of this Authority that the raising of the roof 5 feet 4 inches above the 20.09 foot by 20.47 foot portion of the second story, with less than the required left side yard setback, shall not be substantially more detrimental to the neighborhood than the existing nonconforming structure as the proposed creation of additional second floor space shall neither intensify the existing nonconformance or create new nonconformity, as there shall be no change in the footprint.

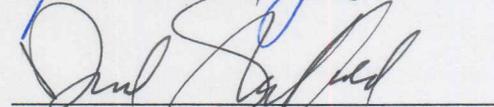
Therefore, a Special Permit is granted, as voted unanimously by this Authority at the Public Hearing, to raise the ridge line of the roof 5 feet 4 inches above the indicated portion of the second story in accordance with the submitted plot plan and construction drawings.

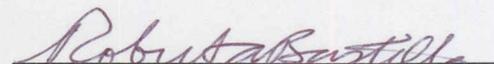
The Inspector of Buildings is hereby authorized to issue a permit for construction upon receipt and approval of a building application and detailed construction plans.

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

  
Cynthia S. Hibbard, Acting Chairman

  
David G. Sheffield

  
Robert A. Bastille

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# PROPOSED PLOT PLAN 72 OLD COLONY ROAD WELLESLEY, MASS.

DATE: JULY 17, 2003 SCALE: 1" = 20'

PREPARED FOR:

ALVORADO & DONNA B. STODDARD  
72 OLD COLONY ROAD  
WELLESLEY, MASS. 02481

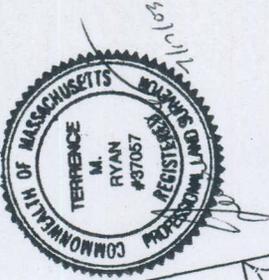
ENGINEERS & SURVEYORS:

APPLEWOOD SURVEY CO.  
21 GREEN STREET  
HOLLISTON, MASS. 01746  
TERRENCE M. RYAN R.L.S. 37057

ZONED: SINGLE RES.  
AREA: 20,000 SF  
FRONTAGE: 60 FT  
SETBACK: 30 FT  
SIDEYARD: 20 FT  
REARYARD: 20 FT  
MAX. COVERAGE: 20%  
EXISTING COVERAGE: 1,770 SF OR 7.2%  
PROPOSED LOT COVERAGE: 1,826 OR 7.4%

DEED BOOK 752 PAGE 42  
ASSESSORS MAP 108 LOT 52

I CERTIFY THAT THE LOT SHOWN, EXISTING HOUSE SHOWN, AND PROPOSED ADDITIONS SHOWN THEREON ARE LOCATED IN A FEDERAL FLOOD HAZARD ZONE "C" - SUBJECT TO MINIMAL FLOODING (SOURCE: F.I.R.M. 250255 0005B)



N/F MILDRED F. COLLINS TRUST

