TOWN OF WELLESLEY MASSACHUSETTS

RECEIVED
TOWN CLERK'S OFFICE
WELLESLEY MA 02482
2004 MAY 27 PM 2: 22

ZONING BOARD OF APPEALS

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

RICHARD L. SEEGEL, CHAIRMAN
CYNTHIA S. HIBBARD, VICE CHAIRMAN
DAVID G. SHEFFIELD

ELLEN D. GORDON
EXECUTIVE SECRETARY
TELEPHONE
(781) 431-1019 EXT. 208

ROBERT A BASTILLE
J. RANDOLPH BECKER
ROBERT W. LEVY

ZBA 2004-32
Timothy and Nora Phillips
10 Avon Road

Pursuant to due notice, the Special Permit Granting Authority held a Public Hearing on Thursday, May 13, 2004 at 7:30 p.m. in the Great Hall at the Town Hall, 525 Washington Street, Wellesley, on the petition of TIMOTHY AND NORA PHILLIPS 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 nonconforming 5.5 foot by 8 foot porch and construction of a new one-story 5 foot by 11.2 foot addition with a 3.5 foot by 5 foot covered landing and a 2.5 foot by 4 foot stair, all of which have less than the required right side yard setback, at their nonconforming dwelling with less than the required front and right side yard setbacks, at 10 AVON 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 April 27, 2004, 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 Nora Phillips, who said they would like to take down their porch and add a new entry and mudroom.

The Board noted that the Planning Board had no objection to the request. The Board commented that the addition would be a very small but high impact solution to the entry problem.

No other person present had any comment on the petition.

Statement of Facts

The subject property is located at 10 Avon Road, in a 10,000 square foot Single Residence District, on an 8,000 square foot lot, and has a minimum front yard setback of 11.6 feet and a minimum right side yard setback of 10.1 feet.

The petitioners are requesting a Special Permit/Finding that the demolition of their existing 5.5 foot by 8 foot porch and construction of a one-story 5 foot by 11.2 foot addition with a 3.5 foot by 5 foot covered landing and a 2.5 foot by 4 foot stair, all of which would have a minimum right side yard clearance of 16.9 feet, shall not be substantially more detrimental to the neighborhood than the existing nonconforming structure.

ZBA 2004-32
Timothy and Nora Phillips
10 Avon Road

A Plot Plan dated 4/15/04 stamped by Robert F. Drake, Registered Professional Land Surveyor; Existing and Proposed Floor Plans and Elevation drawings dated April 14, 2004, prepared by Douglas Ruther Architects; and photographs were submitted.

On May 11, 2004, 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 Public Hearing. The existing 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 demolition of the existing porch and construction of the one-story 5 foot by 11.2 foot addition, 3.5 foot by 5 foot covered landing and 2.5 foot by 4 foot stair, all having a minimum right side yard clearance of 16.9 feet, shall not be substantially more detrimental to the neighborhood than the existing nonconforming structure, as the addition, landing and stair shall not intensify the existing nonconformance, nor shall any of the structures create new nonconformity.

Therefore, a Special Permit is granted, as voted unanimously by this Authority at the Public Hearing, for the demolition of the existing porch and construction of the one-story 5 foot by 11.2 foot addition, the 3.5 foot by 5 foot covered landing and the 2.5 foot by 4 foot stair 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, Chairman

David G. Sheffield

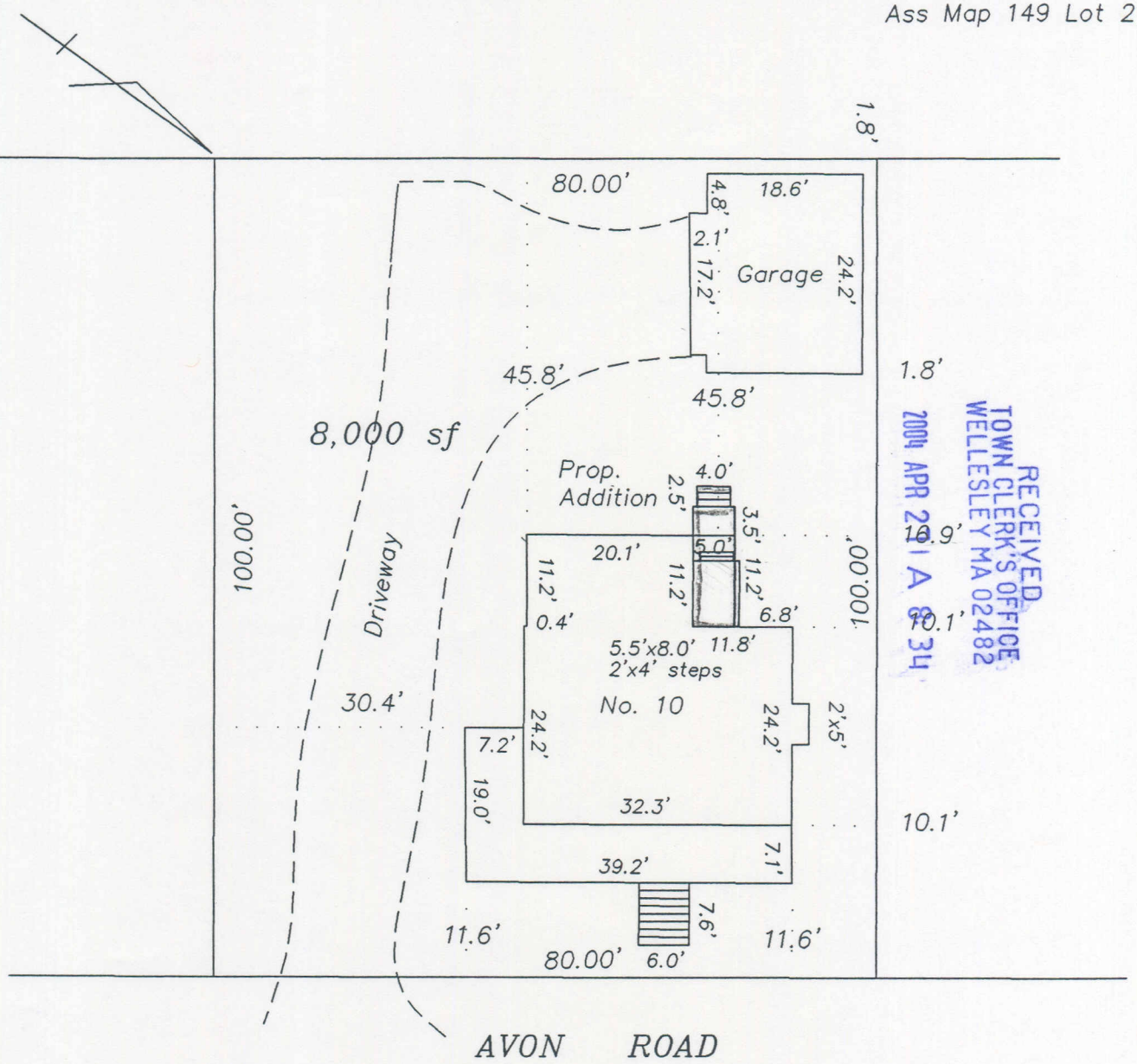
J. Randolph Becker

Cc: Planning Board
Inspector of Buildings
edg

RECEIVED
TOWN CLERK'S OFFICE
WELLESLEY MA 02482
2004 MAY 21 P 2:22

4/15/04

Ass Map 149 Lot 21



RECEIVED
TOWN CLERK'S OFFICE
WELLESLEY MA 02482
2004 APR 21 A 8:34

Exist. Conditions		
House & Chimney	1,016.8 sf	
Back Landing & Steps	52.0 sf	
Front Porch & Steps	409.6 sf	
Garage	486.2 sf	
	1,964.6 sf	24.56%

Prop. Conditions		
House & Chimney	1,016.8 sf	
Front Porch & Steps	409.6 sf	
Garage	486.2 sf	
5'x11.2' Addition	83.5 sf	
	1,996.1 sf	24.95 %

COMMONWEALTH OF MASSACHUSETTS
ROBERT F. DRAKE
No. 30321
REGISTERED PROFESSIONAL LAND SURVEYOR

CERTIFIED PLOT PLAN
IN
No. 10 Avon Road
WELLESLEY , MASS.

SCALE 1"= 20 FEET

Drake Associates Inc.
Civil Engineers Land Surveyors
770 Grove Street Framingham , Mass.
(508) 877-0848
FAX (508) 877-6350