

TOWN OF WELLESLEY



MASSACHUSETTS
RECEIVED
TOWN CLERK'S OFFICE
WELLESLEY MA 02482

ZONING BOARD OF APPEALS

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

2004 JUN 23 A 8:37

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 2004-38
Petition of Charles and Wendy Beck Von Peccoz
26 Oakland Circle

Pursuant to due notice, the Special Permit Granting Authority held a Public Hearing on Thursday, May 27, 2004 at 7:30 p.m. in the Great Hall at the Town Hall, 525 Washington Street, Wellesley, on the petition of CHARLES AND WENDY BECK VON PECCOZ requesting a Special Permit/Finding pursuant to the provisions of Section XVII and Section XXV of the Zoning Bylaw that the construction of a one-story 8 foot by 15.4 foot addition with less than the required front yard setback, at their nonconforming dwelling with less than the required front and left side yard setbacks, at 26 OAKLAND CIRCLE, 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 10, 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 were Charles and Wendy Beck Von Peccoz. Mrs. Beck Von Peccoz said that their house is only 8 feet from the street and 5 feet from the left side line. When they bought the house, the front door faced the middle of the back yard. When they first moved in, they remodeled the kitchen, added a family room and made the entrance in the front. They would now like to demolish the existing stairs, and build an addition, which would be the depth of the stairs. The width is somewhat larger than the stairs to accommodate closets and a half bath.

The Board read into the record the recommendation of the Planning Board, which 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 26 Oakland Circle, in a 10,000 square foot Single Residence District, on a 14,065 square foot lot, and has a minimum front yard clearance of 9.1 feet and a minimum left side yard clearance of 5 feet.

The petitioners are requesting a Special Permit/Finding that the demolition of the existing stairs and construction of a one-story 15.4 foot by 8 foot addition, with a minimum front yard clearance of 9.1 feet, shall not be substantially more detrimental to the neighborhood than the existing nonconforming structure.

ZBA 2004-38
Petition of Charles and Wendy Beck Von Peccoz
26 Oakland Circle

A Plot Plan dated May 5, 2004, stamped by Frank Iebba, Professional Land Surveyor; Existing and Proposed Floor Plans and Elevations dated February 19, 2004, prepared by David L. Grissino; and photographs were submitted.

On May 25, 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 subject structure does not conform to the current Zoning Bylaw, as noted in the foregoing Statement of Facts.

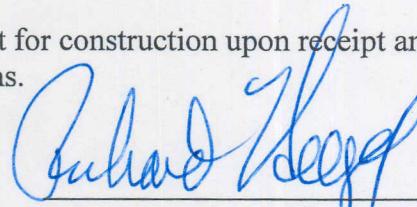
It is the finding of this Authority that the demolition of the existing stair and construction of the one-story 15.4 foot by 8 foot addition shall not be substantially more detrimental to the neighborhood than the existing nonconforming structure as the addition shall neither intensify the existing nonconformance, nor shall it create new nonconformity.

Therefore, a Special Permit is granted, as voted unanimously by this Authority at the Public Hearing, for the demolition of the stair and construction of 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.

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.

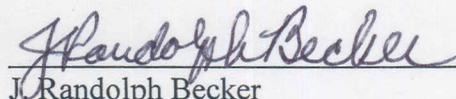
Cc: Planning Board
Inspector of Buildings
edg



Richard L. Seegel, Chairman

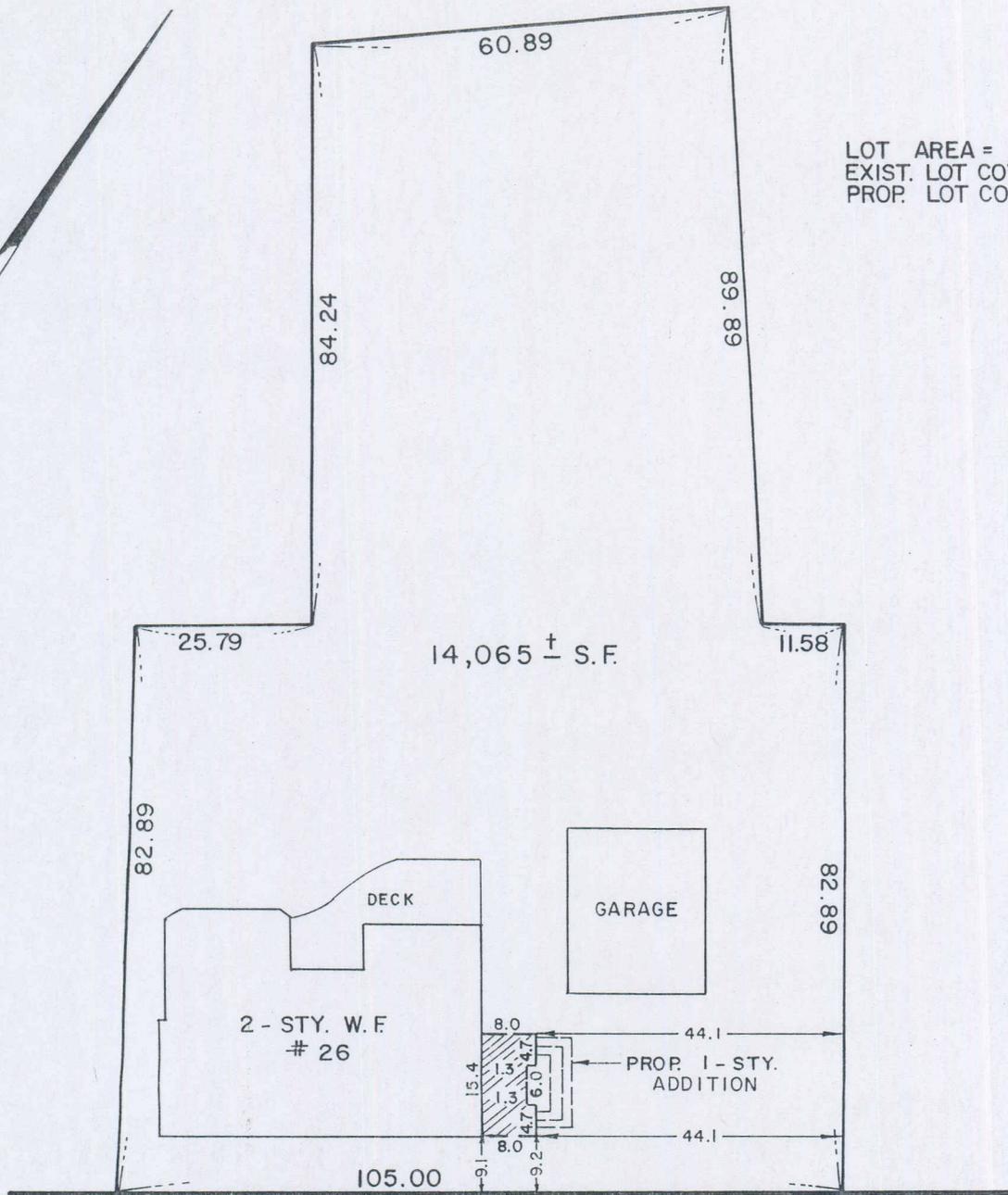


Robert A. Bastille



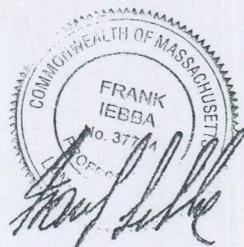
J. Randolph Becker

RECEIVED
TOWN CLERK'S OFFICE
WELLESLEY MA 02482
2004 JUN 23 A 8:37



LOT AREA = 14,065[±] S.F.
 EXIST. LOT COVERAGE = 15.0 %
 PROP. LOT COVERAGE = 16.4 %

OAKLAND CIRCLE



PLAN OF LAND
 IN

WELLESLEY, MASS.

RECEIVED
 TOWN CLERK'S OFFICE
 WELLESLEY MA 02482
 2004 MAY 10 10:19 AM
 SCALE: 1" = 20'
 SEX ENGINEERING & SURVEY
 617-797-7342

MAY 5, 2004
 NEWTON, MASS.