

TOWN OF WELLESLEY



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ZONING BOARD OF APPEALS

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

2004 JUL 23 10:18

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ZBA 2004-43
Petition of Michael and Donna Wilson
9 Vane Street

Pursuant to due notice, the Special Permit Granting Authority held a Public hearing on Thursday, July 15, 2004 at 7:30 p.m. in the Great Hall at the Town Hall, 525 Washington Street, Wellesley, on the petition of MICHAEL AND DONNA WILSON requesting a Special Permit/Finding pursuant to the provisions of Section XVII and Section XXV of the Zoning Bylaw that the raising of the ridgeline above their existing nonconforming 25.6 foot by 22.3 foot garage, with less than the required right side yard setback, to accommodate a second story addition above the garage, which will have the same dimensions and setback, at their nonconforming dwelling, with less than the required left, front and right side yard setbacks, at 9 VANE STREET, in a 10,000 square foot Single Residence District, shall not be substantially more detrimental to the neighborhood than the existing nonconforming structure.

On June 28, 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 Michael Wilson, who said they have recently purchased the property. There is an existing garage with unfinished standing room over the garage. They would like to finish this space by creating a bedroom and a small bathroom. In order to accomplish this and make it livable, they would have to raise the ridgeline of the room and add a small dormer in the front and rear.

The Board asked if they had discussed the project with their neighbors. Mr. Wilson said his wife had spoken to the neighbors, who had no negative feedback.

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

No other person present had any comment on the petition.

Statement of Facts

The subject property is located at 9 Vane Street, in a 10,000 square foot Single Residence District, on an 8,232 square foot lot, and has a minimum front setback of 28.3 feet, a minimum left side yard setback of 13 feet and a minimum right side yard setback of 10.5 feet.

The petitioners are requesting a Special Permit/Finding that raising the ridgeline above their existing nonconforming 25.6 foot by 22.3 foot garage, with a minimum right side yard setback of 10.5 feet, to accommodate a second story addition with the same dimensions and setback, shall not be substantially more detrimental to the neighborhood than the existing nonconforming structure.

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A Plot Plan dated May 28, 2004, stamped by Wayne S. Carlson, Registered Land Surveyor; Existing and Proposed floor plans and elevations dated June 2, 2004; and photographs were submitted.

On July 13, 2004, 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 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 proposed raising of the roof above the nonconforming 25.6 foot by 22.3 foot garage with a minimum right side yard setback of 10.5 feet, to accommodate a second story addition with the same dimensions and setback, shall not be substantially more detrimental to the neighborhood than the existing nonconforming structure, as the construction shall neither intensify the existing nonconformance, nor shall it create new nonconformity.

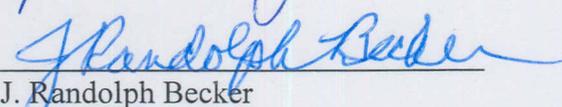
Therefore, a Special Permit is granted, as voted unanimously by this Authority at the Public Hearing, for the raising of the ridgeline above the nonconforming garage to construct a second floor in accordance with the submitted plot plan and construction drawings.

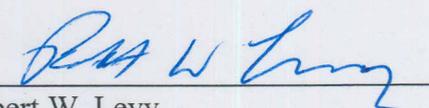
The Inspector of Buildings is hereby authorized to issue a permit for construction upon receipt and approval of a building application and detailed construction plans.

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


J. Randolph Becker


Robert W. Levy

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PROPOSED SECOND STORY ADDITION PLAN

WELLESELY - MASS.

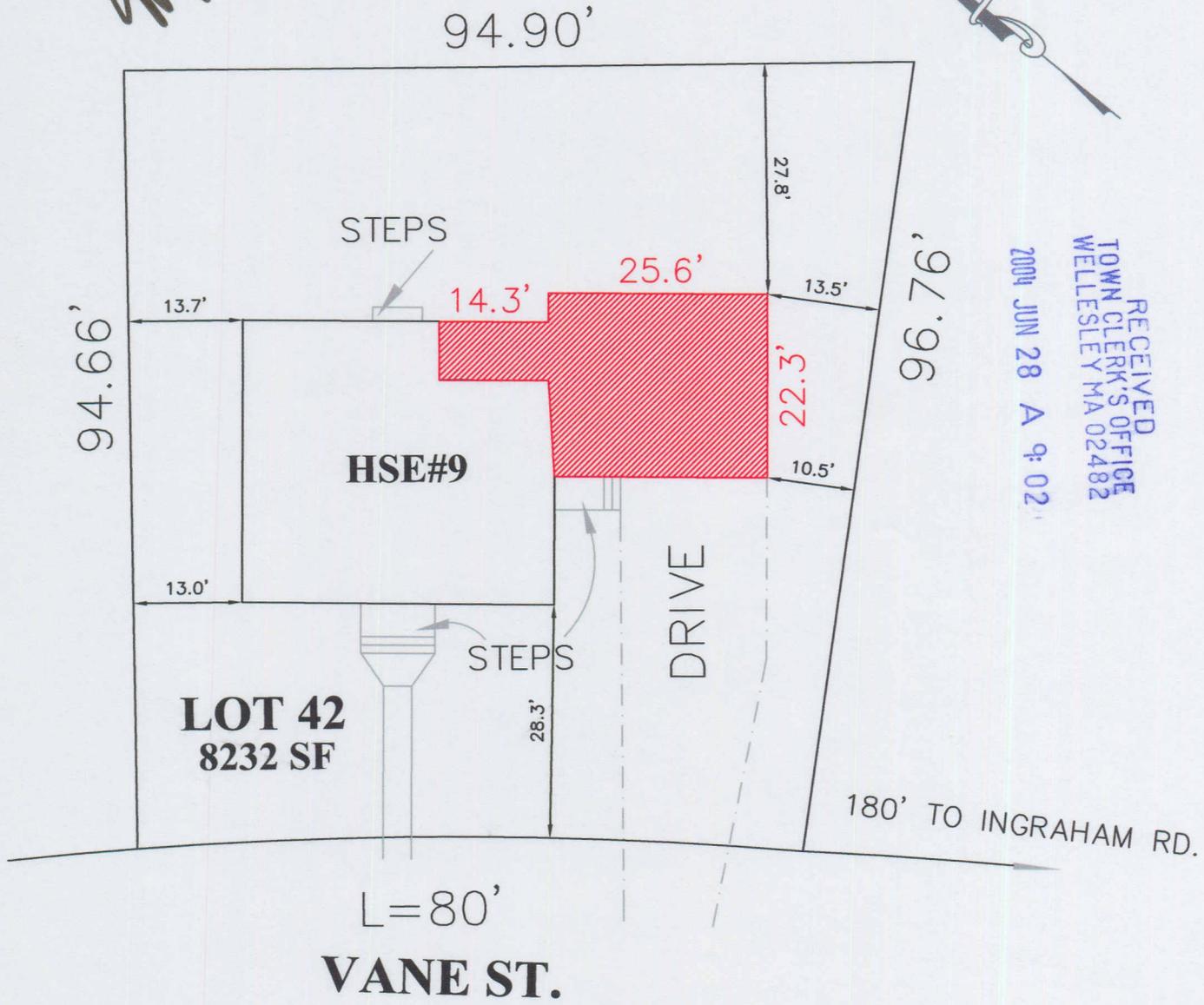
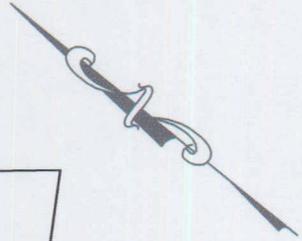
SCALE 1" = 20' DATED: MAY 28, 2004

MICHAEL G. & DONNA H. WILSON

9 VANE STREET - WELLESELY

CARLSON SURVEY COMPANY

261 UNION STREET - MILLIS, MASS. 02054



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NOTES:

- ZONE RESIDENTIAL 10
- PRE AND POST CONSTRUCTION MAXIMUM BUILDING COVERAGE = 1768 SF (SECONDARY STORY ADDITION)
- AREA OF LOT IS 8232 SF
- LOT COVERAGE = 2002 SF / 8232 SF = 24.3 %