

TOWN OF WELLESLEY



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WELLESLEY MA 02482
2004 SEP 10: 47
MASSACHUSETTS

ZONING BOARD OF APPEALS

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

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ROBERT A BASTILLE
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ZBA 2004-50
Petition of Pei-Li Wang
295 Weston Road

Pursuant to due notice, the Special Permit Granting Authority held a Public Hearing on Thursday, August 12, 2004 at 7:30 p.m. in the Great Hall at the Town Hall, 525 Washington Street, Wellesley, on the petition of PEI-LI WANG requesting a Special Permit/Finding pursuant to the provisions of Section XVII and Section XXV of the Zoning Bylaw that the demolition of the existing one story dwelling and construction of a 2 ½ story 47.5 foot by 42 foot dwelling with a 24.5 foot by 16 foot deck which meets all Zoning requirements on a 33,534 square foot lot at 295 WESTON ROAD, in a 10,000 square foot Single Residence District, shall not be substantially more detrimental to the neighborhood than the existing nonconforming structure. The frontage of said lot is 20.15 feet in a district in which the minimum frontage required is 60 feet.

On July 26, 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 Frank Kao, Architect, who said that the 20.15 foot frontage was nonconforming but all setbacks were conforming.

The Board asked if the owners would occupy the new dwelling. The Board noted that neighbors were concerned about the size of the new dwelling and removal of large trees on the property. Mr. Kao said the lot coverage was only increased by 1.3% and that there were no plans to take down the trees in question.

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

Statement of Facts

The subject property is located at 295 Weston Road, in a 10,000 square foot Single Residence District. The frontage of said lot is 20.15 feet.

The petitioners are requesting a Special Permit/Finding that the demolition of the existing one story dwelling and construction of 2 ½ story 47.5 foot by 42 foot dwelling with a 24.5 foot by 16 foot deck which meets all Zoning requirements on a 33,534 square foot lot, shall not be substantially more

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detrimental to the neighborhood than the existing nonconforming structure. The frontage of said lot is 20.15 feet in a district in which the minimum frontage required is 60 feet.

A Plot Plan dated 7/16/04, stamped by Malcolm N. Johnston, Professional Land Surveyor; existing and proposed Floor Plans and Elevation Drawings, prepared by Frank Kao, Architect; and photographs were submitted.

On August 10, 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 hearing. The subject structure does not conform to the current Zoning Bylaw, as noted in the foregoing Statement of Facts.

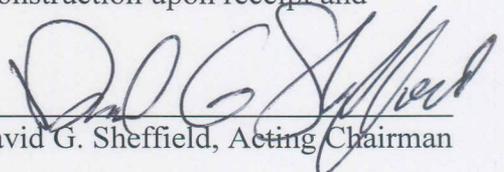
It is the finding of this Authority that the proposed demolition of the existing one story dwelling and construction of a 2 ½ story 47.5 foot by 42 foot dwelling with a 24.5 foot by 16 foot deck, all of which conform to zoning requirements on their 33,534 square foot lot, shall be an intensification of the use of the lot, as the lot coverage shall expand from 1,445 square feet (4.31%) to 1,903 square feet (5.67%), and the height shall expand from 1 story to 2 ½ stories.

It is the finding of this Authority that although the new structure may be larger and higher than the existing structure, it shall meet all the zoning requirements, and shall not create any new nonconformity.

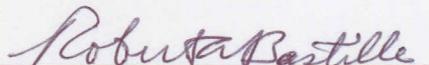
Therefore, a Special Permit is granted, as voted unanimously by this Authority, to demolish the existing dwelling and construct the new dwelling in accordance with the submitted plot plan and construction drawings, subject to the condition that the height of the ridgeline of the proposed structure from average mean grade, does not exceed the 36 foot limitation in the Zoning Bylaw.

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.



David G. Sheffield, Acting Chairman



Robert A. Bastille

Cc: Planning Board
Inspector of Buildings
lrm

Robert W. Levy

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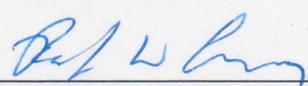
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David G. Sheffield, Acting Chairman

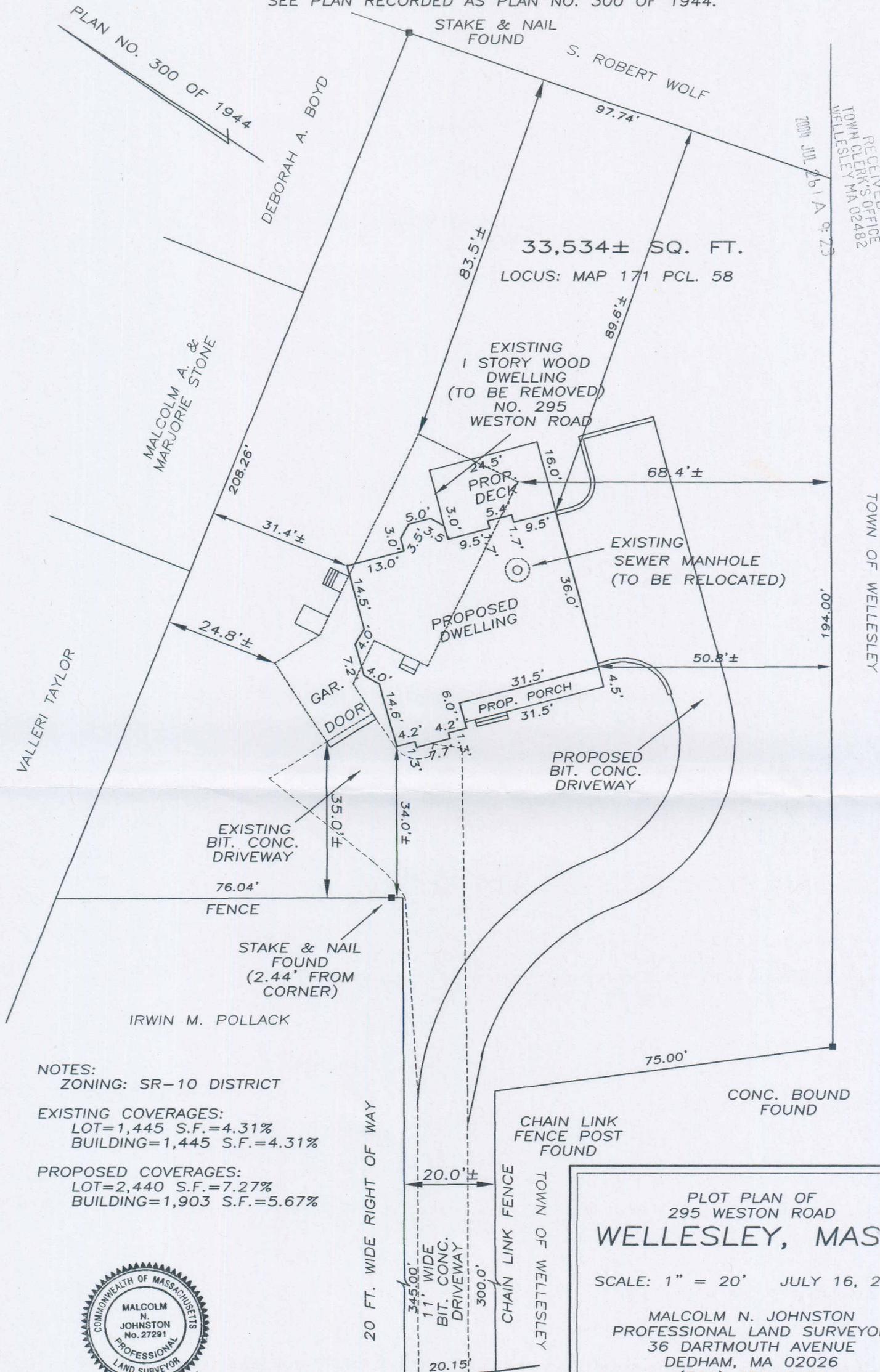
Robert A. Bastille



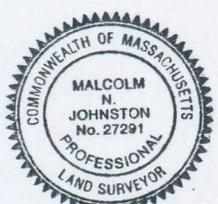
Robert W. Levy

SEE DEED RECORDED NORFOLK COUNTY IN BOOK 1012 PAGE 110
 SEE PLAN RECORDED AS PLAN NO. 300 OF 1944.

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NOTES:
 ZONING: SR-10 DISTRICT
 EXISTING COVERAGES:
 LOT=1,445 S.F.=4.31%
 BUILDING=1,445 S.F.=4.31%
 PROPOSED COVERAGES:
 LOT=2,440 S.F.=7.27%
 BUILDING=1,903 S.F.=5.67%



Malcolm N. Johnston
 7-16-04

PLOT PLAN OF
 295 WESTON ROAD
WELLESLEY, MASS.
 SCALE: 1" = 20' JULY 16, 2004
 MALCOLM N. JOHNSTON
 PROFESSIONAL LAND SURVEYOR
 36 DARTMOUTH AVENUE
 DEDHAM, MA 02026
 (781) 326-0482

WESTON ROAD
 (PUBLIC...VARIABLE WIDTH)

WESTON295.DWG