

TOWN OF WELLESLEY



MASSACHUSETTS

ZONING BOARD OF APPEALS

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

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2004 SEP 22 A 9:52

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ZBA 2004-61

Petition of Peter J. and Debora J. White
10 Marvin Road

Pursuant to due notice, the Special Permit Granting Authority held a Public Hearing on Thursday, September 9, 2004 at 7:30 p.m. in the Great Hall at the Town Hall, 525 Washington Street, Wellesley, on the petition of PETER J. AND DEBORA J. WHITE, requesting a Special Permit/Finding pursuant to the provisions of Section XVII and Section XXV of the Zoning Bylaw that enclosure of the existing 10.1 foot by 17.2 foot nonconforming porch with less than required right side yard setback, and construction of an 8 foot by 23.3 foot addition with less than required left side yard setback, at their nonconforming dwelling with less than required left side and right side yard setbacks, at 10 MARVIN 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 August 23, 2004, the petitioner 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 Peter and Debora White, who said that they have lived at 10 Marvin Road for 6 ½ years. They want to enclose the existing screened porch and add a mudroom to create a library and storage space. Ms. White noted that letters of support for the proposal had been distributed to Zoning Board of Appeals members and that she had spoken with the abutters, none of whom had objections to the proposal.

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

Statement of Facts

The subject property is located at 10 Marvin Road, in a 10,000 square foot Single Residence District, and has a minimum left side yard setback of 16.8 feet, and a minimum right side yard setback of 14.5 feet.

The petitioner is requesting a Special Permit/Finding that enclosure of the existing 10.1 foot by 17.2 foot nonconforming porch, with a minimum right side yard setback of 14.5 feet, and construction of an 8 foot by 23.3 foot addition, with a minimum left side yard setback of 16.8 feet, shall not be substantially more detrimental to the neighborhood than the existing nonconforming structure.

A Plot Plan dated 8/5/04, stamped by Frank Iebba, Professional Land Surveyor, Existing and Proposed Floor Plans and Elevations Drawings, dated 8/16/04, prepared by Debora White, Architect, and photographs were submitted.

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On August 31, 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 hearing. The subject structure does not conform to the current Zoning Bylaw, as noted in the foregoing Statement of Facts.

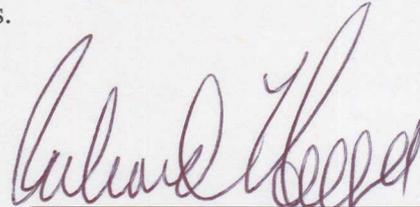
It is the finding of this Authority that enclosure of the existing 10.1 foot by 17.2 foot nonconforming porch, with a minimum right side yard setback of 14.5 feet, and construction of an 8 foot by 23.3 foot addition, with a minimum left side yard setback of 16.8 feet, shall not be substantially more detrimental to the neighborhood than the existing nonconforming structure, as the enclosure and addition shall neither intensify the existing nonconformance, nor shall they create a new nonconformity as the left side and right side yard setbacks shall remain the same.

Therefore, a Special Permit is granted, as voted unanimously by this Authority, for enclosure of the porch and construction of an 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.

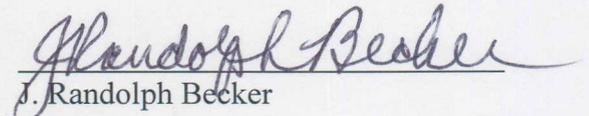
Cc: Planning Board
Inspector of Buildings
Irm



Richard L. Seegel, Chairman



Robert A. Bastille



J. Randolph Becker

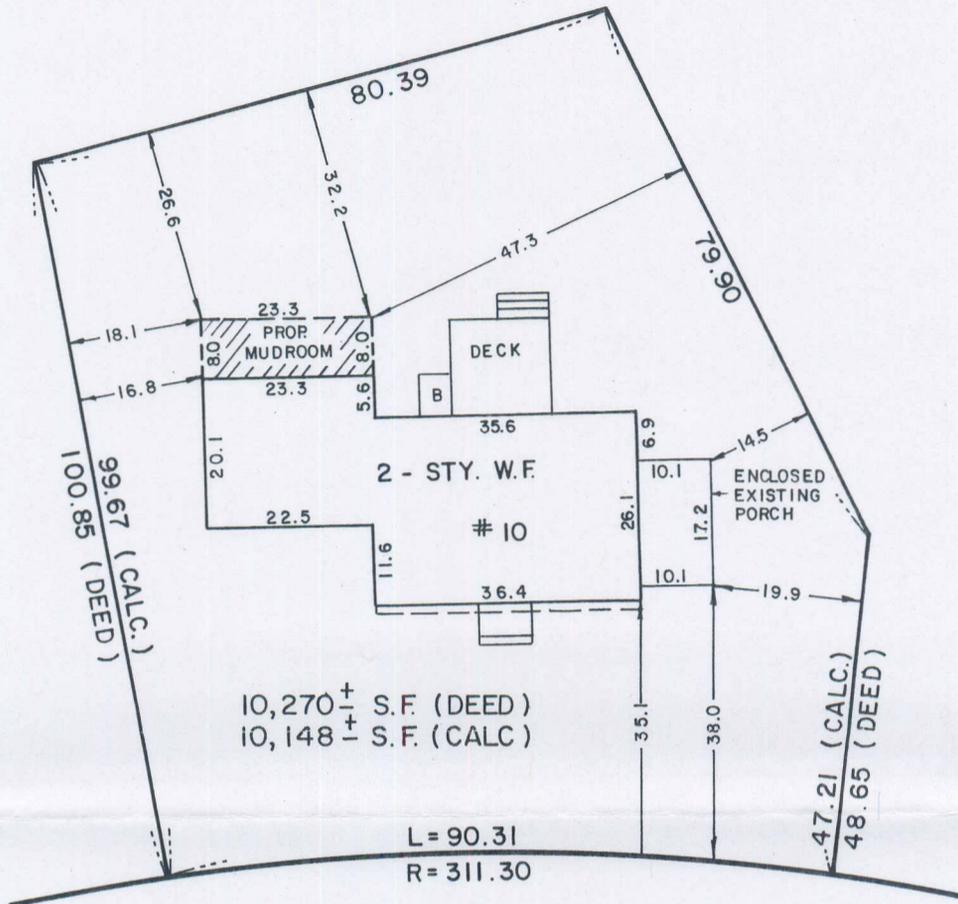
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RECORD OWNERS:
PETER J. & DEBORA J. WHITE

EXISTING LOT COVERAGE = 17.7%
EXISTING HOUSE AREA = 1,793± S.F.
PROPOSED LOT COVERAGE = 19.5%
PROPOSED HOUSE AREA = 1,979± S.F.

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2004 AUG 23 P 3:21



MARVIN ROAD



PLAN OF LAND
IN
WELLESLEY, MASS.

SCALE: 1" = 20'
ESSEX ENGINEERING & SURVEY
617-797-7342

AUGUST 5, 2004
NEWTON, MASS.