

**ZONING BOARD OF APPEALS**

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

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ZBA 2005-21

Petition of Steven and Christine Bellon
14 Greenlawn Avenue

Pursuant to due notice, the Special Permit Granting Authority held a Public Hearing on Thursday, March 10, 2005 at 7:30 p.m. at the Town Hall, 525 Washington Street, Wellesley, on the petition of STEVEN AND CHRISTINE BELLON requesting a Special Permit/Finding pursuant to the provisions of Section XVII and Section XXV of the Zoning Bylaw that demolition of the existing nonconforming family room and deck, construction of a 20.8 foot by 21.2 foot one story addition with less than required left side yard and front yard setbacks, on an 5,992 square foot lot, in a district in which the minimum lot size is 10,000 square feet, shall not be substantially more detrimental to the neighborhood than the existing nonconforming structure.

On February 22, 2005, 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 Steve Bellon, who said that they wish to demolish the existing family room, which is on a 16 foot by 11 foot slab, and construct a single story 20 foot by 20 foot family room with a full basement. He would also like to replace the air conditioning compressor.

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

The Board confirmed that the Order of Conditions from the Wetlands Protection Committee has been recorded.

The Board said that no dimensions were shown for the existing family room. Mr. Bellon said that those dimensions are approximately 11 feet by 16 feet.

Mr. Bellon asked if installing a new air conditioning compressor closer to the house than where the existing compressor is would be allowed. The Board said that would be allowed.

Statement of Facts

The subject property is located at 14 Greenlawn Avenue, with a minimum rear yard setback of 5.5 feet, a minimum front yard setback of 24.8 feet, and a minimum front yard setback of 26.9 feet, on a corner lot which is 5,992 square feet, in a district in which the minimum lot size is 10,000 square feet.

The petitioner is requesting a Special Permit/Finding that demolition of the existing nonconforming family room and deck, construction of a 20.8 foot by 21.2 foot one story addition with a minimum rear yard setback of 8.5 feet, and a minimum front yard setback of 25.7 feet, on an 5,992 square foot lot, in a district in which the minimum lot size is 10,000 square feet, shall not be substantially more detrimental to the neighborhood than the existing nonconforming structure.

A Plot Plan dated 2/1/05, stamped by Wade T. Putnam, Professional Land Surveyor, Existing and Proposed Floor Plans and Elevation Drawings, dated 2/10/05, drawn by McConnell & Partners Architecture Inc., Order of Conditions, DEP File No. 324-477, dated 1/27/05, and photographs were submitted.

On February 28, 2005 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, although demolition of the existing nonconforming family room and deck, construction of a 20.8 foot by 21.2 foot one story addition with a minimum rear yard setback of 8.5 feet, and a minimum front yard setback of 25.7 feet, on an 5,992 square foot lot, in a district in which the minimum lot size is 10,000 square feet is increasing the nonconformity, such increase shall not be substantially more detrimental to the neighborhood than the existing nonconforming structure.

Therefore, a Special Permit is granted, as voted unanimously by this Authority at the Public Hearing, for the demolition of the existing nonconforming family room and deck and construction of the 20.8 foot by 21.2 foot one story addition, subject to the following condition:

1. The proponent may add an air conditioning unit, providing that it is no closer to the street than the existing air conditioning unit.

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.

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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

Randy Becker

cc: Planning Board
Inspector of Buildings
lrm