

**ZONING BOARD OF APPEALS**

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

RICHARD L. SEEDEL, CHAIRMAN
CYNTHIA S. HIBBARD
DAVID G. SHEFFIELDLENORE R. MAHONEY
EXECUTIVE SECRETARY
TELEPHONE
(781) 431-1019 EXT. 2208
web: www.wellesleyma.govJ. RANDOLPH BECKER, VICE CHAIRMAN
ROBERT W. LEVY
DAVID L. GRISSINO

ZBA 2011-68
Petition of Ellen Perko
131 Cliff Road

Pursuant to due notice, the Special Permit Granting Authority held a Public Hearing on Thursday, October 6, 2011, at 7:30 p.m. in the Juliani Meeting Room, 525 Washington Street, Wellesley, on the petition of ELLEN PERKO requesting a Special Permit/Finding pursuant to the provisions of Section XVII and Section XXV of the Zoning Bylaw that construction of an 11.66 foot by 11.9 foot second story dormer over an existing garage with less than required left side yard setbacks, in a 20,000 square foot Single Residence District, at 131 CLIFF ROAD, shall not be substantially more detrimental to the neighborhood than the existing nonconforming structure.

Record Owner of Property: Liang-Yuan Su

On September 19, 2011 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 William Foley, owner of CMD Corporation, and Ellen Perko, Architect. Mr. Foley said that the request is for a Special Permit for a small dormer addition on the rear of the garage. He said that it would be an extension of an existing nonconforming structure.

Ms. Perko displayed photographs (retained by proponent). She said that the existing garage is 9.9 feet off of the side lot line. She said that the dormer will be set off five feet from that for a 15 foot setback. She said that it will be a shed dormer that will not be as high as the existing ridge. She said that it will shed down toward the back of the lot.

Ms. Perko displayed the second floor plan (retained by proponent) of the space over the garage. She said that space is currently unfinished. She said that they will be making that into what they are calling a "bonus room". She said that the dormered piece will be approximately 12 feet wide.

There was no one present at the Public Hearing who wished to speak to the petition.

Statement of Facts

The subject property is located at 131 Cliff Road, in a 20,000 square Single Residence District, with a minimum left side yard setback of 9.9 feet.

The Petitioner is requesting a Special Permit/Finding that construction of an 11.66 foot by 11.9 foot second story dormer over an existing garage with less than required left side yard setbacks, shall not be substantially more detrimental to the neighborhood than the existing nonconforming structure.

A Plot Plan dated 8/15/11, stamped by Verne T. Porter, Existing and Proposed Floor Plans and Elevation Drawings, dated 8/22/11, prepared by CBT, and photographs were submitted.

On October 5, 2011, the Planning Board reviewed the petition and recommended that the petition be denied.

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 construction of an 11.66 foot by 11.9 foot second story dormer over an existing garage with less than required left side yard setbacks is increasing a 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 construction of an 11.66 foot by 11.9 foot second story dormer over an existing garage with less than required left side yard setbacks, 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.

If construction has not commenced, except for good cause, this Special Permit shall expire two years after the date time stamped on this decision.

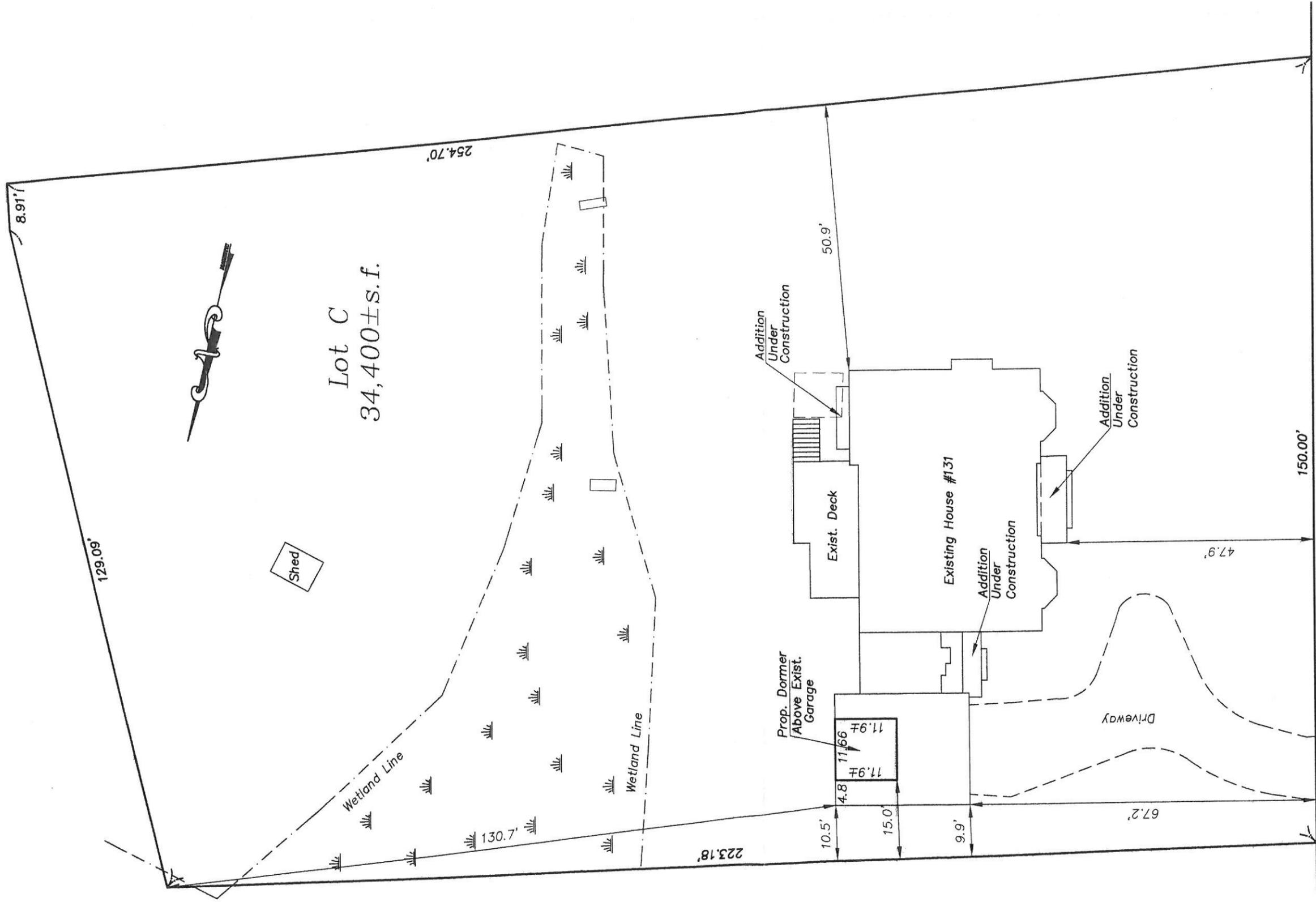
APPEALS FROM THIS DECISION,
IF ANY, SHALL BE MADE PURSUANT
TO GENERAL LAWS, CHAPTER 40A,
SECTION 17, AND SHALL BE FILED
WITHIN 20 DAYS AFTER THE DATE
OF FILING OF THIS DECISION IN THE
OFFICE OF THE TOWN CLERK.

J. Randolph Becker, Acting Chairman

Robert W. Levy

David G. Sheffield

cc: Planning Board
Inspector of Buildings
lrm



Cliff Road

PLOT PLAN
131 CLIFF ROAD
WELLESLEY, MASSACHUSETTS

SCALE: 1"=20' AUGUST 15, 2011

VERNE T. PORTER JR., PLS

354 ELLIOT STREET, NEWTON, MA. 02464



AREA DISTRICT=20
EXISTING LOT COVERAGE=9.33%
PROPOSED LOT COVERAGE=9.33%
EXISTING BUILDING COVERAGE=3212S.F.
PROPOSED BUILDING COVERAGE=3212S.F.
MAX. ALLOWABLE BUILDING COVERAGE=6000S.F.