



ZONING BOARD OF APPEALS

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

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ZBA 2012-45
 Petition of Fran Oh
 10 Paine Street

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 2012 JUN 20 P 12:25

Record Owner of Property: Huron Oh

Pursuant to due notice, the Special Permit Granting Authority held a Public Hearing on Thursday, June 7, 2012, at 7:30 p.m. in the Juliani Meeting Room, 525 Washington Street, Wellesley, on the petition of FRAN OH requesting a Special Permit/Finding pursuant to the provisions of Section XVII and Section XXV of the Zoning Bylaw that extension of an existing nonconforming front porch by 17.3 feet along the front and 30.6 feet along the side, with less than required front yard setbacks, in a 10,000 square foot Single Residence District, at 10 PAINE STREET, shall not be substantially more detrimental to the neighborhood than the existing nonconforming structure.

On May 22, 2012, 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 was John Ryan. Also present were Fran Oh (the "Petitioner") and Denise DeMartini.

Mr. Ryan said that the proposed porch extension will match the existing porch with less than required front yard setbacks.

The Board said that there are wetlands at the back. Ms. DeMartini said that the Conservation Administrator had looked at the plans and determined that the porch work would be outside of the wetlands buffer zone.

The Board said that it will be a sizeable house for the district but not for the property. The Board said that the Architect provided a lot of texture that will help the house fit in with the neighborhood.

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 10 Paine Street, in a 10,000 square foot Single Residence District, with a minimum front yard setback of 24 feet.

The Petitioner is requesting a Special Permit/Finding that extension of an existing nonconforming front porch by 17.3 feet along the front and 30.6 feet along the side, with less than required front yard setbacks, shall not be substantially more detrimental to the neighborhood than the existing nonconforming structure.

A Plot Plan dated 5/14/12, stamped by Peter Nolan, Professional Land Surveyor, Existing and Proposed Floor Plans and Elevation Drawings, dated 5/11/12, prepared by McGavern Design, and photographs were submitted.

On June 5, 2012, the Planning Board reviewed the petition and recommended that the Special Permit be granted.

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 extension of an existing nonconforming front porch by 17.3 feet along the front and 30.6 feet along the side, with less than required front 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 extension of an existing nonconforming front porch by 17.3 feet along the front and 30.6 feet along the side, 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.

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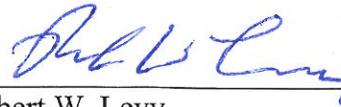
APPEALS FROM THIS DECISION,
IF ANY, SHALL BE MADE PURSUANT
TO GENERAL LAWS, CHAPTER 40A,
SECTION 17, AND SHALL BE FILED
WITHIN 20 DAYS AFTER THE DATE
OF FILING OF THIS DECISION IN THE
OFFICE OF THE TOWN CLERK.



Richard L. Seegel, Chairman



David G. Sheffield



Robert W. Levy

cc: Planning Board
Inspector of Buildings
lrm

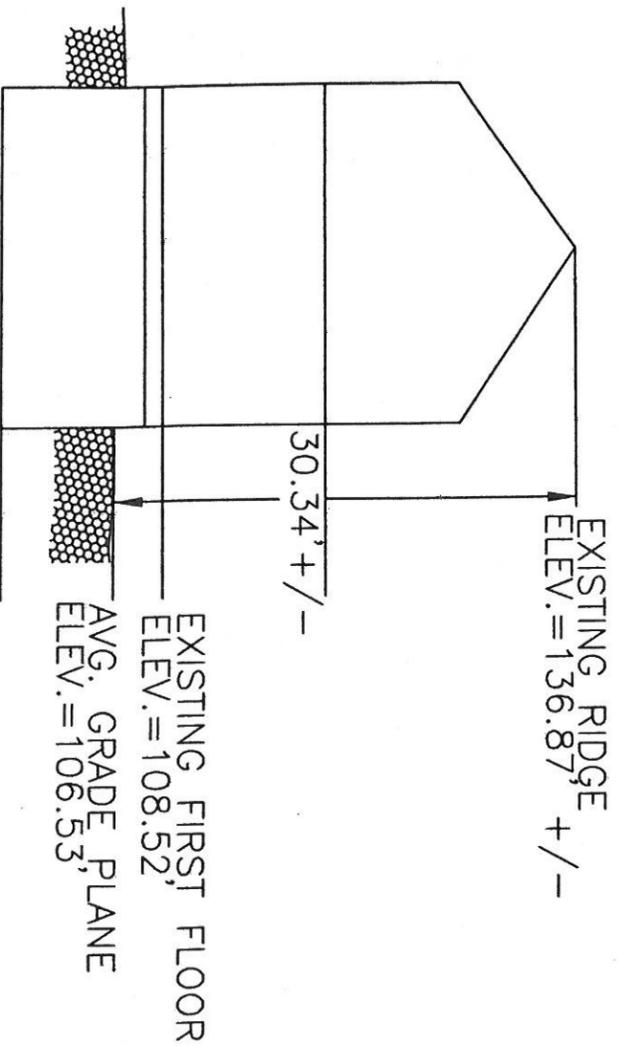
ZONING LEGEND

ZONING DISTRICT: SINGLE RESIDENCE DISTRICT 10 (SRD10)

	REQUIRED	PROPOSED	COMPLIANCE
MIN. AREA	10,000 S.F	22,000 S.F	YES
MIN. FRONTAGE	60'	88.0'	YES
MIN. YARD FRONT	30'	24.0'	EXISTING NON-CONFORMING
	SIDE	20.3'	
	REAR	155.9'	
MIN. LOT WIDTH	60'	88.0'	YES
MAX. LOT COV.%	18%	11.6%	YES
MAX. LOT COV. S.F	3,960 S.F	2,258 S.F	YES
MAX. BLDG. HEIGHT	45'	30.34'	YES
MAX. STORIES	3	2.5	YES

NOTES:

1. INFORMATION SHOWN ON THIS PLAN IS THE RESULT OF A FIELD SURVEY PERFORMED BY PETER NOLAN & ASSOCIATES LLC ON 04-11-12.
2. DEED REFERENCE BOOK 29785 PAGE 352, PLAN REFERENCE NUMBER 565 BOOK 449 NORFOLK REGISTRY OF DEEDS.
3. THIS PLAN IS NOT INTENDED TO BE RECORDED.
4. ELEVATIONS SHOWN ARE TOWN OF WELLESLEY DATUM.



EXISTING PROFILE
NOT TO SCALE

10 PAINE STREET
WELLESLEY, MA