



## ZONING BOARD OF APPEALS

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

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ZBA 2012-51  
 Petition of Alexander & Jane Gavis  
 20 Riverdale Road

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Pursuant to due notice, the Special Permit Granting Authority held a Public Hearing on Thursday, July 12, 2012, at 7:30 p.m. in the Juliani Meeting Room, 525 Washington Street, Wellesley, on the petition of ALEXANDER & JANE GAVIS requesting a Special Permit/Finding pursuant to the provisions of Section XVII and Section XXV of the Zoning Bylaw that demolition and reconstruction of a 5 foot by 10 foot front porch with less than required front yard setbacks on an existing nonconforming structure with less than required front yard, left side yard and right side yard setbacks, at 20 RIVERDALE 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 June 26, 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 were Jane and Alexander Gavis (the "Petitioner"). Ms. Gavis said that the house was built in 1916. She said that they have lived in the house for 14 years. She said that they have been fixing things over the years.

Ms. Gavis said that over the years the street has been widened and they no longer meet the front yard setback. She said that the existing front porch is nonconforming. She said that the proposal is to replace the porch with the same size porch. She said that they will change the roof from flat to sloped because of water problems.

Ms. Gavis said that currently they are not able to open the front door properly. She said that water causes an ice situation in the winter and rot during the rest of the year.

The Board asked about the two other changes that were proposed. Ms. Gavis said that the proposed changes are within the Building Code. She said that they are roof overhangs that they are hoping will help to pull water away from the clapboards. She said that one will be over an existing garage door and the other will be over an entry door to the basement. The Board confirmed that no Special Permits are needed for the two proposed roof overhangs.

Ms. Gavis said that previous owners were granted Special Permits for the garage and the structure above it.

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 20 Riverdale Road, in a 10,000 square foot Single Residence District, with a minimum front yard setback of 21.6 feet, a minimum left side yard setback of 9.1 feet and a minimum right side yard setback of 18.8 feet.

The Petitioner is requesting a Special Permit/Finding that demolition and reconstruction of a 5 foot by 10 foot front porch with less than required front yard setbacks on an existing nonconforming structure with less than required front yard, left side yard and right side yard setbacks, shall not be substantially more detrimental to the neighborhood than the existing nonconforming structure.

A Plot Plan dated 4/23/12, stamped by Dennis B. O'Brien, Professional Land Surveyor, Existing and Proposed Floor Plans and Elevation Drawings, prepared by D. Michael Collins Architects, and photographs were submitted.

On July 6, 2012, the Planning Department Staff 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 demolition and reconstruction of a 5 foot by 10 foot front porch with less than required front yard setbacks on an existing nonconforming structure with less than required front yard, left side yard and right side yard setbacks, shall not be substantially more detrimental to the neighborhood than the existing nonconforming structure, as it shall neither increase an existing nonconformity nor create a new nonconformity.

Therefore, a Special Permit is granted, as voted unanimously by this Authority at the Public Hearing, for demolition and reconstruction of a 5 foot by 10 foot front porch with less than required front 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.

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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.

  
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J. Randolph Becker, Acting Chairman

  
\_\_\_\_\_  
Robert W. Levy

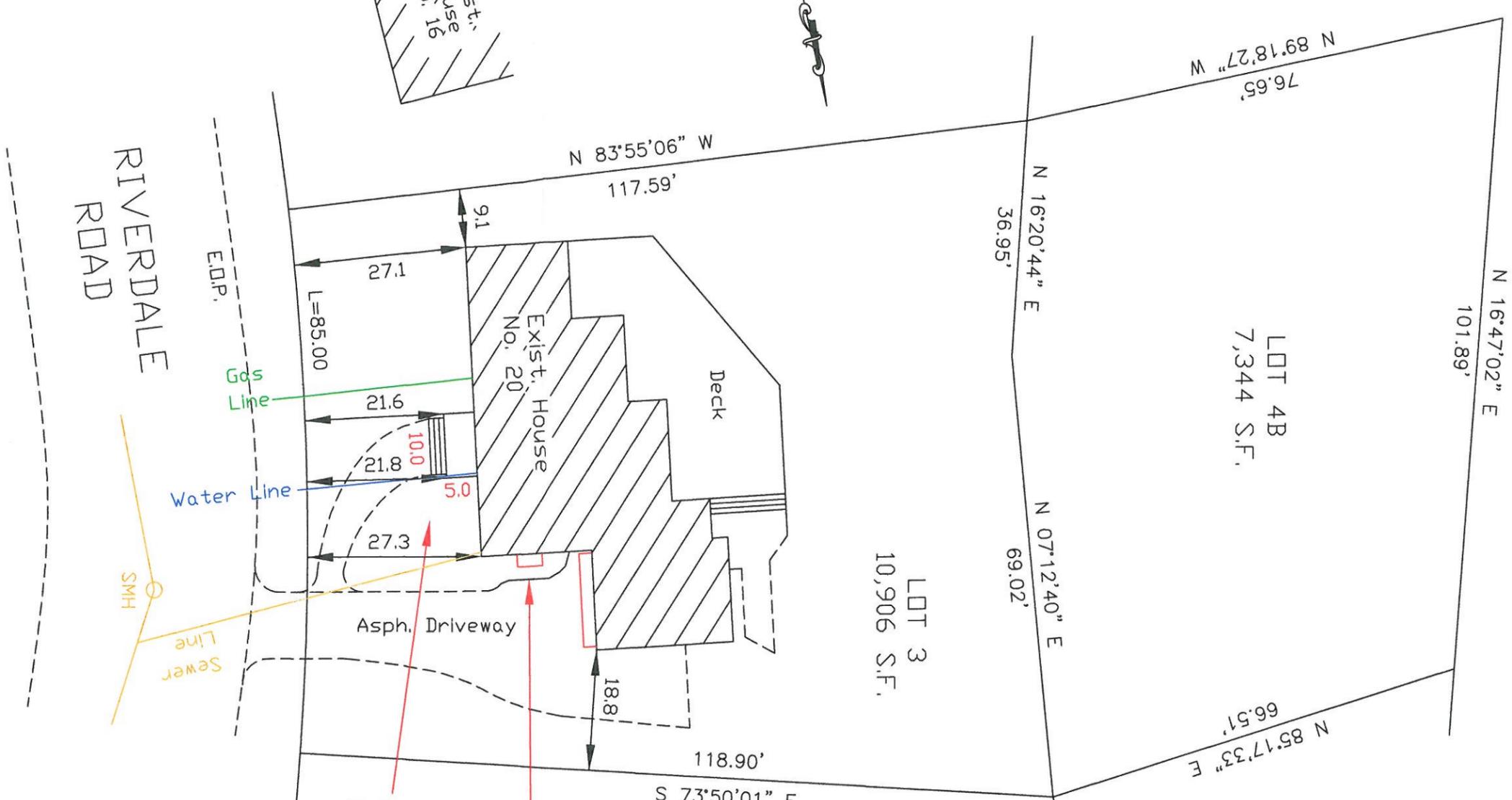
  
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Walter B. Adams

cc: Planning Board  
Inspector of Buildings  
lrm

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RIVERDALE  
ROAD



REPLACING EXISTING  
FRONT PORCH ROOF

PROPOSED  
2' ROOF OVERHANGS

Zoning: SRD 10

	REQUIRED
Area	10,000 S.F.
Frontage	60.00 Ft.
Front Yard	30.00 Ft.
Side Yard	20.00 Ft.
Rear Yard	10.00 Ft.
Lot Coverage	20% or 2,500 SF

EXISTING LOT COVERAGE 9.0%  
 EXISTING OPEN SPACE 79.9%  
 PROPOSED LOT COVERAGE 9.2%  
 PROPOSED OPEN SPACE 79.7%

PLAN SHOWING PROPOSED ADDITION  
IN  
WELLESLEY, MASS.

Norfolk County

Scale: 1" = 20'

April 23, 2012

Dennis D'Brien P.L.S.  
11 Concord Street Franklin, Mass. 02038  
( 508 ) 541 - 0048



Dennis D'Brien P.L.S.

