



ZONING BOARD OF APPEALS

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

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ZBA 2013-32
 Petition of Olimpiu Dejeu
 30 River Ridge

Pursuant to due notice, the Special Permit Granting Authority held a Public Hearing on Thursday, May 2, 2013, at 7:30 p.m. in the Juliani Meeting Room, 525 Washington Street, Wellesley, on the petition of OLIMPIU DEJEU requesting modification of a Variance pursuant to the provisions of Section XIX and Section XXIV-D, and a Special Permit/Finding pursuant to the provisions of Section XVII and Section XXV of the Zoning Bylaw that changing the roofline to a flat roof at the same height of 14.4 feet, at 30 RIVER RIDGE, in a 10,000 square foot Single Residence District, in a Water Supply Protection District, shall not be substantially more detrimental to the neighborhood than the existing nonconforming structure.

On April 16, 2013, the Petitioner filed a request for a hearing before this Authority, and thereafter, due notice of the hearing was given by mailing and publication.

A Board Member stated that he lives on River Ridge. He stated that he felt that he could render an unbiased decision on this. The Board said that the Petitioner has the right to object to that Board Member hearing the petition and the petition will be continued to the next hearing.

Presenting the case at the hearing was Olimpiu Dejeu, the ("Petitioner"). Mr. Dejeu said that he did not object to the Board Member hearing the petition.

Mr. Dejeu said that he purchased the house with his wife on March 18, 2013. He said that the house is composed of two structures. He said that there is a 1.5 story barn connected to a 1 story structure. He said that the plan is to remodel the entire house and bring it up to code. He said that the request is for a Variance and a Special Permit to flatten the roof on the one story structure. He said that the ridge line of the existing roof is at 14.4 feet and the plan is to flatten the roof at the same height. He said that they will not change the footprint of the house. He said that it will increase the volume of one room.

The Board confirmed that the rest of the work will be done within the house.

The Board said that this is an odd property configuration.

Frederick Klingmeyer, 32 River Ridge, said that he is an abutter. He said that he fully supports the change. He said that the house does need renovation.

The Board said that a Variance was granted in 1984 that allowed the existing house to remain. The Board said that the MDC gave up its rights in a letter dated October 13, 1983. The Board said that it is a Variance without effect.

Statement of Facts

The subject property is located at 30 River Ridge, in a 10,000 square foot Water Supply Protection District, with a minimum front yard setback of 24.5 feet, a minimum left side yard setback of 10.4 feet, no right side yard setback, and 10 feet of frontage.

The Petitioner is requesting modification of a Variance and a Special Permit/Finding pursuant to the provisions of Section XIVE, Section XVII, Section XIX, Section XXIV-D and Section XXV of the Zoning Bylaw to change the roofline to a flat roof at the same height of 14.4 feet.

A Plot Plan, dated 4/8/13, stamped by David W. Humphrey, Professional Land Surveyor, Existing and Proposed Floor Plans and Elevation Drawings, dated 4/8/13, prepared by Harry W. Tarkington, Architect, and photographs were submitted.

On April 24, 2013, the Planning Board reviewed the petition and recommended 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 opinion of this Authority that, to the extent this Special Permit is modifying an existing Variance that it will be deemed a modification of an existing Variance as well as a Special Permit.

It is the opinion of this Authority that changing the roofline to a flat roof at the same height of 14.4 feet 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, to change the roofline to a flat roof at the same height of 14.4 feet

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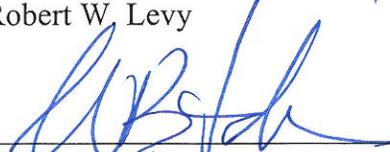
APPEALS FROM THIS DECISION,
IF ANY, SHALL BE MADE PURSUANT
TO GENERAL LAWS, CHAPTER 40A,
SECTION 17, AND SHALL BE FILED
WITHIN 20 DAYS AFTER THE DATE
OF FILING OF THIS DECISION IN THE
OFFICE OF THE TOWN CLERK.



Richard L. Seegel, Chairman



Robert W. Levy



Walter B. Adams

cc: Planning Board
Inspector of Buildings
lrm

Now or Formerly
Commonwealth of Massachusetts

57.31'(R)

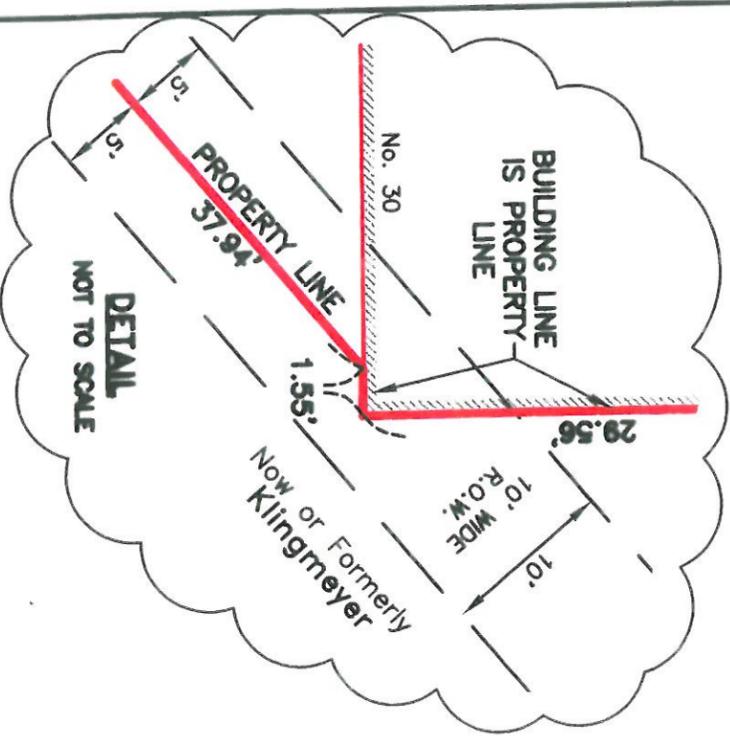
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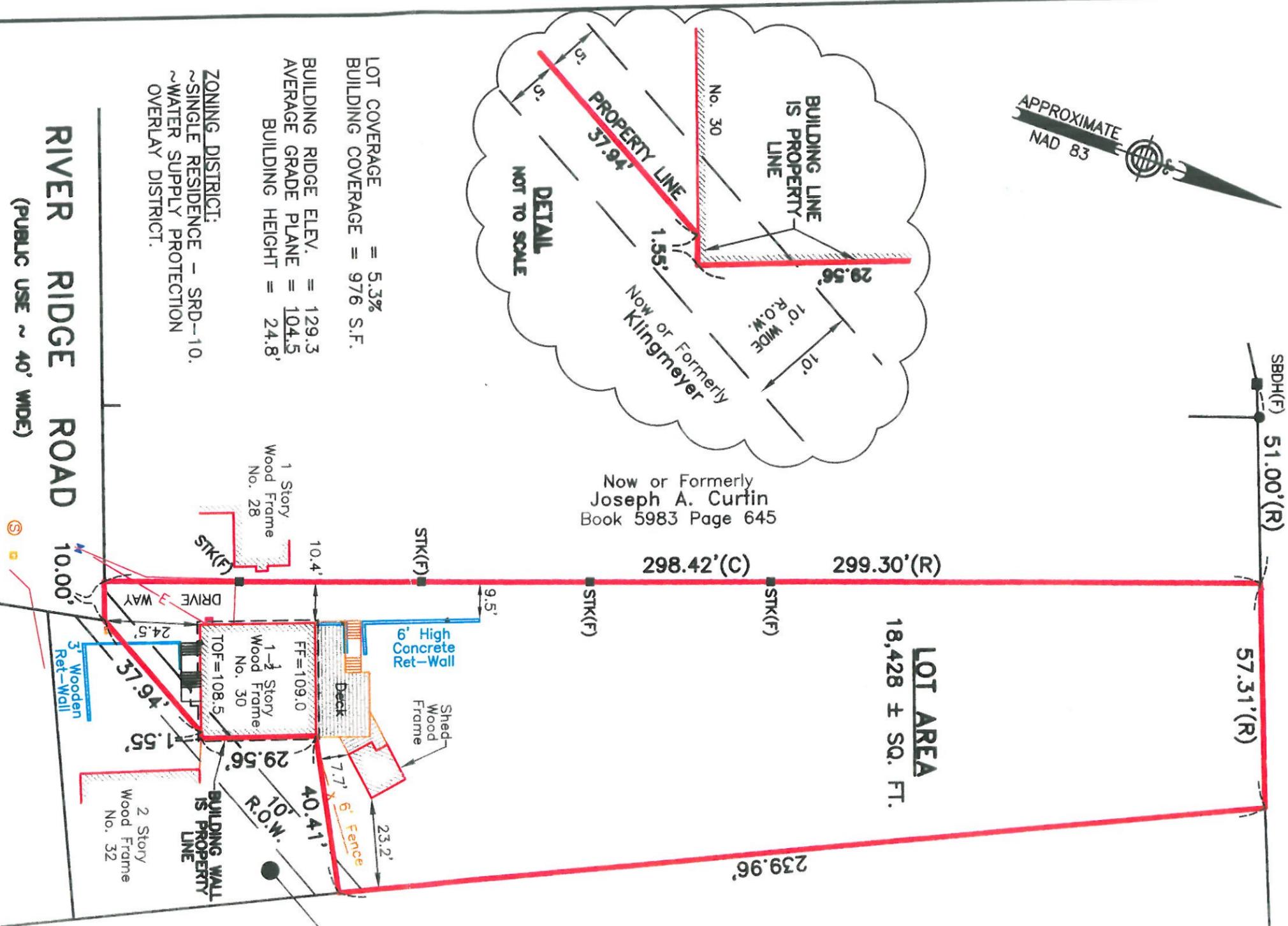
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LOT AREA
18,428 ± SQ. FT.



Now or Formerly
Joseph A. Curtin
Book 5983 Page 645



Now or Formerly
Frederick & Margaret
Klingmeyer
Book 5662 Page 186
Book 6071 Page 538
Book 6549 Page 60

LOT COVERAGE = 5.3%
BUILDING COVERAGE = 976 S.F.
BUILDING RIDGE ELEV. = 129.3
AVERAGE GRADE PLANE = 104.5
BUILDING HEIGHT = 24.8'

ZONING DISTRICT:
~ SINGLE RESIDENCE - SRD-10.
~ WATER SUPPLY PROTECTION
OVERLAY DISTRICT.

RIVER RIDGE ROAD
(PUBLIC USE ~ 40' WIDE)

IN MY PROFESSIONAL OPINION, I CERTIFY TO OLIMPIU DEJEU AND THE TOWN OF WELLESLEY BUILDING INSPECTOR THAT AS A RESULT OF A SURVEY MADE ON THE GROUND TO THE NORMAL STANDARD OF CARE OF PROFESSIONAL LAND SURVEYORS PRACTICING IN MASSACHUSETTS, I FIND THAT THE STRUCTURE FALLS WITHIN FLOOD ZONE "X" UNSHADED AS SHOWN ON THE F.I.R.M. MAP FOR WELLESLEY MASSACHUSETTS, COMMUNITY #250255, PANEL 0009, SUFFIX E, MAP NUMBER 25021C0009E, DATED: JULY 12, 2012 AND THAT THE LOCATION OF THE EXISTING STRUCTURES ARE AS SHOWN HEREON.

Plot Plan of Land
IN
Wellesley, MA.

Prepared For: **Olimpiu Dejeu**
Scale: 1" = 30' Date: April 8, 2013

SCHOFFIELD BROTHERS OF NEW ENGLAND, INC.
ENGINEERING SURVEYING PLANNING

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Deed Recorded At Norfolk Registry Of Deeds
Book 31145, Page 69
Plan Bk. 317 Plan 1428-1984 & No. 827-1931
Assessors Map 20, Parcel 13
Zoning District: Single Residence - SRD-10 **24438**



PROFESSIONAL LAND SURVEYOR
DATE: 8 April 2013