



ZONING BOARD OF APPEALS

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

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ZBA 2013-60

Petition of Sami & Stephanie Juma

3 48 College Road

L.M.

2013 AUG 22 P 3:01
 TOWN CLERK'S OFFICE
 WELLESLEY MA 02482

Pursuant to due notice, the Special Permit Granting Authority held a Public Hearing on Thursday, August 8, 2013, at 7:30 p.m. in the Juliani Meeting Room, 525 Washington Street, Wellesley, on the petition of SAMI & STEPHANIE JUMA requesting a Special Permit/Finding pursuant to the provisions of Section XIVE, Section XVII and Section XXV of the Zoning Bylaw that demolition of an existing one-story garage and reconstruction of a garage on the same footprint with a second story addition that will meet all setback requirements, and construction of a new roof overhang, on an existing nonconforming structure with less than required front yard setbacks, at 38 COLLEGE ROAD, in a 15,000 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 July 22, 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.

Presenting the case at the hearing was Charles Nardone, representing Sami and Stephanie Juma (the "Petitioner").

Mr. Nardone said that the project entails a one-story garage that is attached to the house. He said that the plan is to take the garage down to the existing foundation, rebuild it as the same size with a second story for two baths and a laundry.

Mr. Nardone said that the front yard setback is nonconforming.

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 38 College Road, in a 15,000 square foot Single Residence District, in a Water Supply Protection District, with a minimum front yard setback of 22 feet.

The Petitioner is requesting a Special Permit/Finding pursuant to the provisions of Section XIVE, Section XVII and Section XXV of the Zoning Bylaw that demolition of an existing one-story garage and reconstruction of a garage on the same footprint with a second story addition that will meet all setback requirements, and construction of a new roof overhang, on an existing nonconforming structure 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 7/16/13, stamped by Verne T. Porter, Jr., Professional Land Surveyor, Proposed Floor Plans and Elevations Drawings, dated 7/15/13, prepared by The MZO Group, and photographs were submitted.

On August 6, 2013, 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 opinion of this Authority that demolition of an existing one-story garage and reconstruction of a garage on the same footprint with a second story addition that will meet all setback requirements, and construction of a new roof overhang, on an existing nonconforming structure with less than required front 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 of an existing one-story garage and reconstruction of a garage on the same footprint with a second story addition that will meet all setback requirements, and construction of a new roof overhang, on an existing nonconforming structure 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 constructions 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.

2013 AUG 22 P 3:01

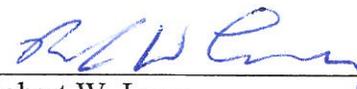
INSPECTOR'S OFFICE
MELLSLEY MA 02482

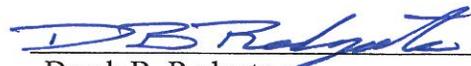
ZBA 2013-60
Petition of Sami & Stephanie Juma
38 College Road

2013 AUG 22 P 3:07
TOWN CLERK'S OFFICE
MILLSLEY MA 02482

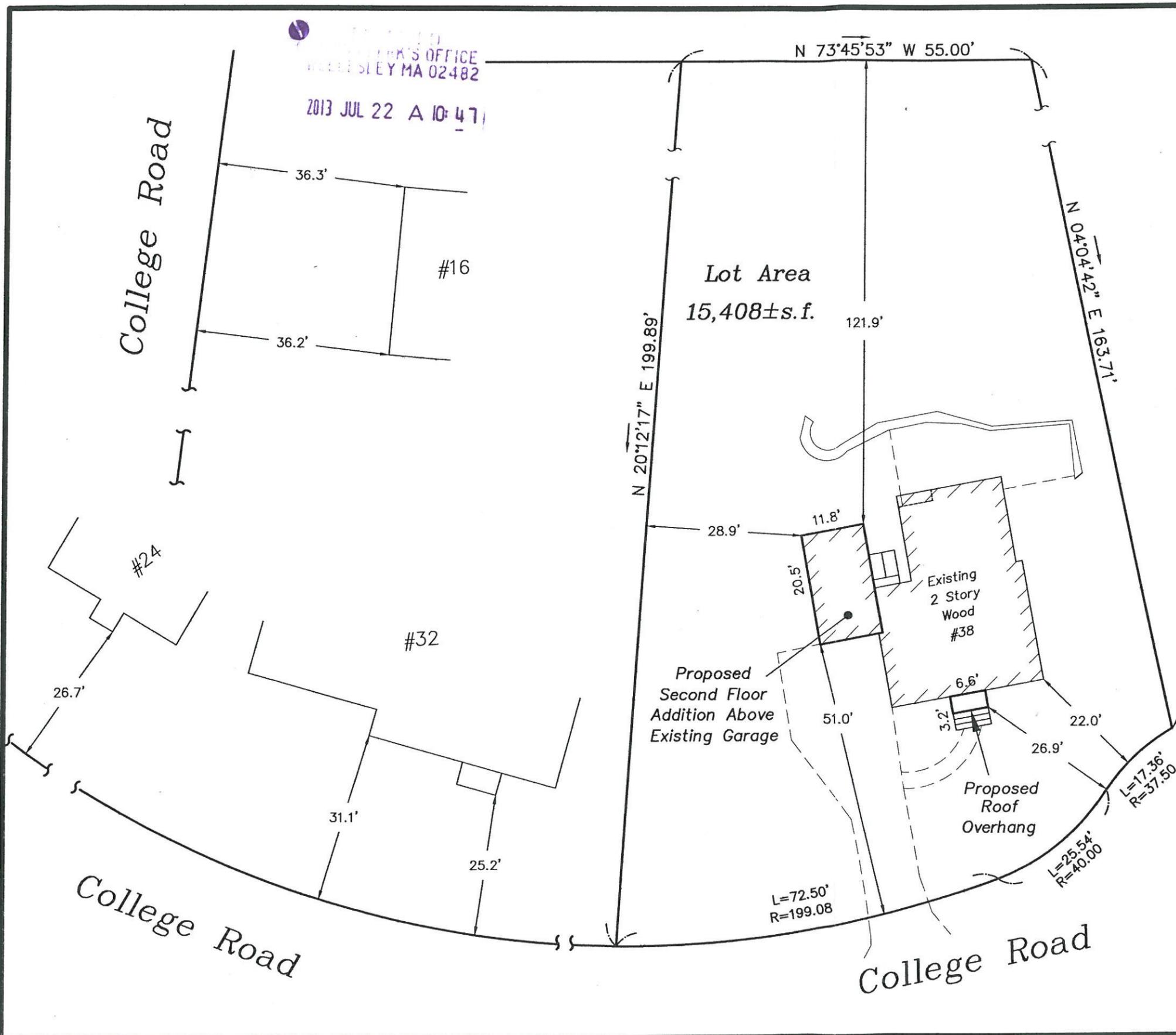
APPEALS FROM THIS DECISION,
IF ANY, SHALL BE MADE PURSUANT
TO GENERAL LAWS, CHAPTER 40A,
SECTION 17, AND SHALL BE FILED
WITHIN 20 DAYS AFTER THE DATE
OF FILING OF THIS DECISION IN THE
OFFICE OF THE TOWN CLERK.


J. Randolph Becker, Acting Chairman


Robert W. Levy


Derek B. Redgate

cc: Planning Board
Inspector of Buildings
lrm



VERNE T. PORTER JR.
 LAND SURVEYOR'S OFFICE
 WELLESLEY MA 02482
 2013 JUL 22 A 10:47



Existing Lot Coverage=7.92% (1221 sf)
 Proposed Lot Coverage=8.19% (1263 sf)



Plot Plan of Proposed Additions
 38 College Road
 Wellesley, Massachusetts
 Scale: 1"=20' July 16, 2013
 Verne T. Porter Jr., PLS
 Land Surveyors Civil Engineers
 354 Elliot Street Newton, MA 02464