



ZONING BOARD OF APPEALS

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

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ZBA 2013-84
Petition of Elizabeth & Arthur Butcher
62 Denton Road

2013 DEC 19 P 12:09

TOWN'S OFFICE
WELLESLEY MA 02482

Pursuant to due notice, the Special Permit Granting Authority held a Public Hearing on Thursday, December 5, 2013, at 7:30 p.m. in the Juliani Meeting Room, 525 Washington Street, Wellesley, on the petition of ELIZABETH & ARTHUR BUTCHER requesting A Special Permit/Finding pursuant to the provisions of Section XVII and Section XXV of the Zoning Bylaw that construction of a one-story addition with less than required right side yard setbacks, on a 6,331 square foot lot in a district in which the minimum lot size is 10,000 square feet, at 62 DENTON ROAD, shall not be substantially more detrimental to the neighborhood than the existing nonconforming structure.

On November 18, 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 were Elizabeth and Arthur Butcher, (the "Petitioner") and Claudia Noury-Ello, Architect

Ms. Butcher said that the request is for relief for the side yard setback for a one story addition on an existing nonconforming lot.

Ms. Noury-Ello said that the proposed addition captures the space of an existing porch. She said that the addition will be humble at 161 square feet. She said that it will be extending the existing side yard setback of the house. She said that it will move activity away from the neighbor. She said that a neighbor submitted a letter of support for the project.

The Board said that the proposed addition is a good solution.

The Board confirmed that they will use the same materials as on the house.

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 62 Denton Road, on a 6,331 square foot lot in a district in which the minimum lot size is 10,000 square feet, with a minimum front yard setback of 19.9 feet and a minimum right side yard setback of 7.7 feet.

The Petitioner is requesting a Special Permit/Finding pursuant to the provisions of Section XVII and Section XXV of the Zoning Bylaw that construction of a one-story addition with less than required right side yard setbacks, on a 6,331 square foot lot in a district in which the minimum lot size is 10,000 square feet, shall not be substantially more detrimental to the neighborhood than the existing nonconforming structure.

A Plot Plan, dated 8/15/13, stamped by Joseph M. Small, Professional Land Surveyor, Existing and Proposed Floor Plans and Elevation Drawings, dated 9/11/13, prepared by Noury-Ello Architects, and photographs were submitted.

On December 3, 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 although construction of a one-story addition with less than required right side yard setbacks, on a 6,331 square foot lot in a district in which the minimum lot size is 10,000 square feet 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 a one-story addition with less than required right side yard setbacks, on a 6,331 square foot lot in a district in which the minimum lot size is 10,000 square feet, 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.

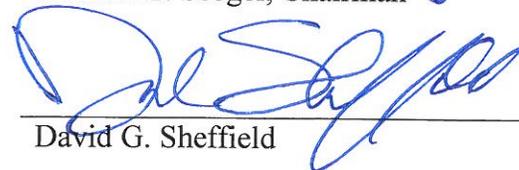
2013 DEC 19 P 12:10
CITY OF MALEY MA 02482
CITY OFFICE

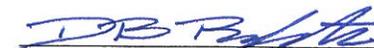
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LUSLEY MA 02482

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.


Richard L. Seegel, Chairman


David G. Sheffield


Derek B. Redgate

cc: Planning Board
Inspector of Buildings
lrm

MERIDIAN FROM PL. IN BOOK 1640, PG. 66

DENTON ROAD
(EXTENSION)
(PUBLIC - 40' WIDE)

ASSESSORS: MAP 125, LOT 78

REFERENCES:

DEED BOOK 21145, PAGE 120
PLAN IN BK.1640, PAGE 66

ZONING: SRD 10, SINGLE RESIDENCE

OWNERS OF RECORD:

ARTHUR & ELIZABETH BUTCHER

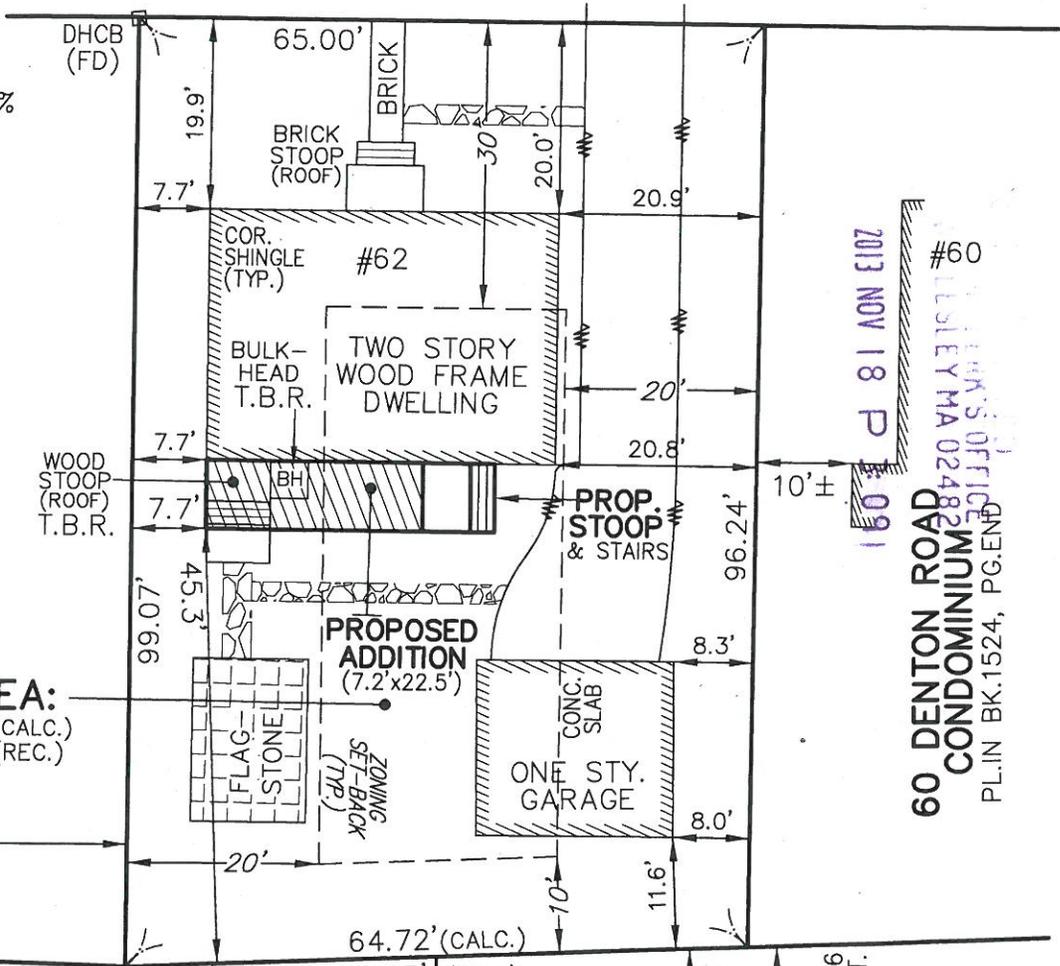
BUILDING/LOT COVERAGE

EXISTING	PROPOSED
1,406±S.F. (BUILDING, STOOPS & GARAGE)	1,560±S.F. (BUILDING, STOOPS & GARAGE)
LOT AREA = 6,331± S.F.	
$\frac{1,406}{6,331} = 22.2\%$	$\frac{1,560}{6,331} = 24.6\%$

#66

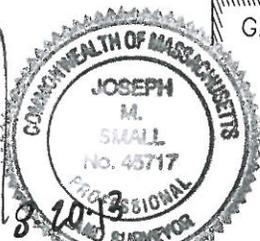
**STEPHANIE KIM
KADOHATA**
PL.IN BK.1525, PG.167

LOT AREA:
6,331± S.F.(CALC.)
6,333 S.F. (REC.)



2013 NOV 18 P 1:09 PM
 OFFICE
 WELLESLEY MA 02482
 PL.IN BK.1524, PG.END

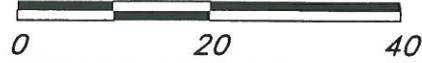
36'± TO REAR OF #14 COTTAGE ST.
EDWARD W. & MARY COFFEY
 PLAN BOOK 3, PLAN 63
 GAR.



48'± TO REAR OF #16 COTTAGE ST.
SCOTT & PATRICIA CLARK
 PLAN BOOK 3, PLAN 63
 GAR.

PROPOSED PLOT PLAN
OF LAND IN
WELLESLEY, MA
PREPARED FOR: ELIZABETH BUTCHER
SCALE: 1" = 20' AUGUST 15, 2013

HANCOCK
Survey Associates, Inc.
185 CENTRE STREET, DANVERS, MA. 01923
VOICE (978) 777-3050, FAX (978) 774-7816



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