



ZONING BOARD OF APPEALS

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

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ZBA 2015-23
Petition of Robert Allensworth & Christine Ruffley
51 Ledgeways

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2015 MAR 19 P 3:22

Pursuant to due notice, the Special Permit Granting Authority held a Public Hearing on Thursday, March 5, 2015, at 7:30 p.m. in the Juliani Meeting Room, 525 Washington Street, Wellesley, on the petition of ROBERT ALLENSWORTH & CHRISTINE RUFFLEY requesting a Special Permit/Finding pursuant to the provisions of Section XVII and Section XXV of the Zoning Bylaw that enclosure of an existing nonconforming porch on the same footprint with less than required setbacks, on a corner lot in a 20,000 square foot Single Residence District, at 51 LEDGEWAYS, shall not be substantially more detrimental to the neighborhood than the existing nonconforming structure.

On February 17, 2015, 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 Bruce Allensworth and Christine Ruffley, (the Petitioner).

Mr. Allensworth said that the proposal is to replace an existing three season porch with an enclosed structure that will sit on the same footprint. He said that the existing porch is in fairly poor shape in terms of the roof, clapboards with moisture problems and a beam with structural issues. He said that they hoped to address those issues with the design that was submitted to the Board.

Mr. Allensworth said that the issue is that one corner of the existing and the proposed structure is eight inches shy of the setback requirement.

The Board confirmed that the plan is to re-use the existing foundation.

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 51 Ledgeways, on a 24,297 square foot corner lot in a 20,000 square foot Single Residence District, with a minimum side yard setback of 19.2 feet.

The Petitioner is requesting a Special Permit/Finding pursuant to the provisions of Section XVII and Section XXV of the Zoning Bylaw that enclosure of an existing nonconforming porch on the same footprint with less than required setbacks, on a corner lot in a 20,000 square foot Single Residence

District, shall not be substantially more detrimental to the neighborhood than the existing nonconforming structure.

A Plot Plan, dated 11/25/14, stamped by David E. Lukens, Professional Land Surveyor, Existing and Proposed Floor Plans and Elevation Drawings, dated 2/9/15, prepared by Spring Hill Design, and photographs were submitted.

On March 3, 2015, the Planning Board reviewed the petition and recommended that the petition 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 enclosure of an existing nonconforming porch on the same footprint with less than required setbacks, on a corner lot in a 20,000 square foot Single Residence District, 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 enclosure of an existing nonconforming porch on the same footprint with less than required setbacks, on a corner lot in a 20,000 square foot Single Residence District, 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.

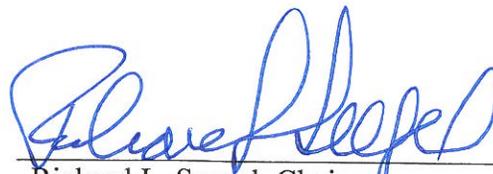
If construction has not commenced, except for good cause, this Special Permit shall expire two years after the date time stamped on this decision.

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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



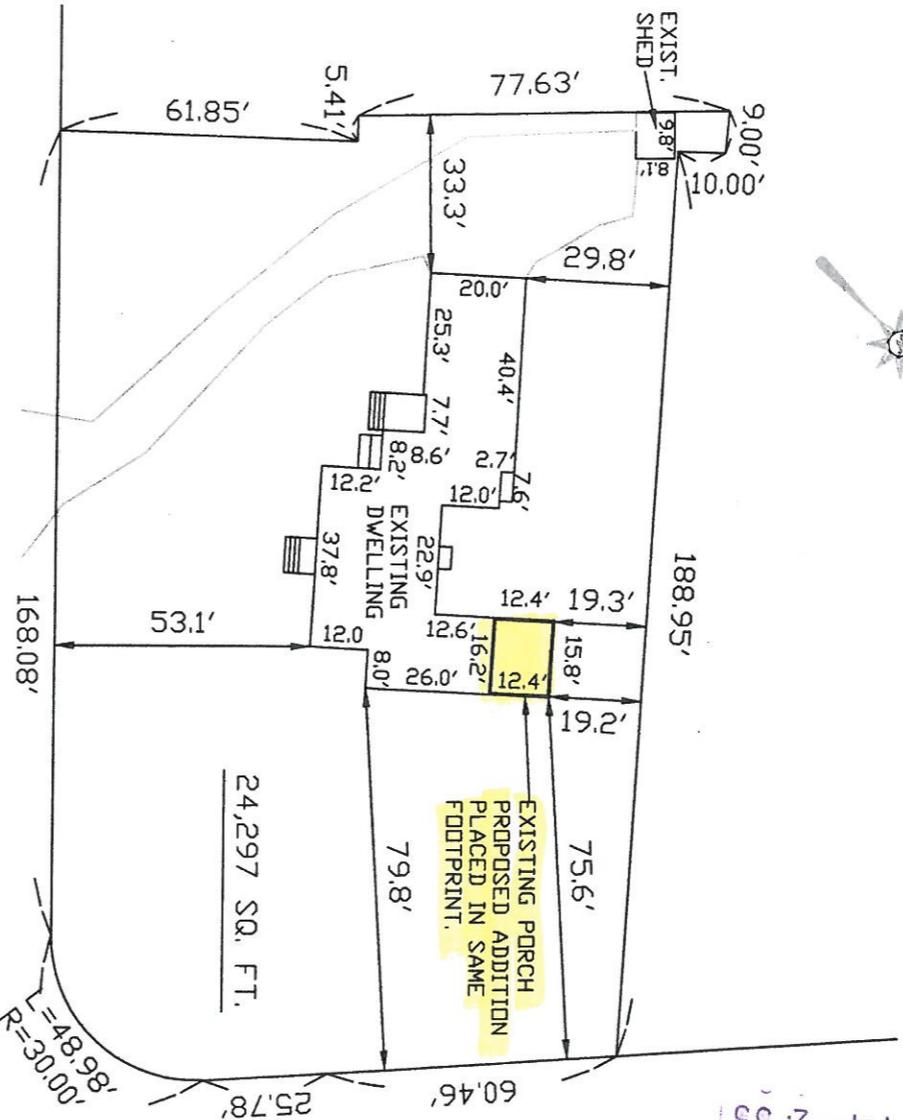
J. Randolph Becker



Walter B. Adams

cc: Planning Board
Inspector of Buildings
Irm

TOTAL LOT AREA: 24,297 SQ.FT.
 EXISTING LOT COVERAGE:
 2,516 SF / 24,297 SF = 10.4%
 PROPOSED LOT COVERAGE:
 2,516 SF / 24,297 SF = 10.4%
 EXISTING LOT COVERAGE:
 2,516 SQ.FT.
 PROPOSED LOT COVERAGE:
 2,516 SQ.FT.



LEDGEWAYS

24,297 SQ. FT.

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 2015 FEB 25 2:55 PM
 WHITE OAKS ROAD

I CERTIFY THAT THE ABOVE STRUCTURES
 ARE LOCATED AS SHOWN,
 THE LOT DOES NOT LIE IN A FEMA 100
 YEAR FLOOD HAZARD ZONE.

51 LEDGEWAYS
 PLOT PLAN OF LAND
 IN

WELLESLEY, MASS.

SCALE: 1" = 40'

25 November 2014

LANDMARK ENGINEERING OF NEW ENGLAND, INC.
 REG. LAND SURVEYORS & REG. PROF. ENGINEERS
 224 DEDHAM STREET NORFOLK, MA 02056
 P. O. BOX 415



REG. PROF. LAND SURVEYOR

David E. Lukens