



ZONING BOARD OF APPEALS
TOWN HALL WELLESLEY, MA 02181

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ZBA 92-26
Petition of Virginia M. Grew
4 Morses Pond Road

Pursuant to due notice, the Special Permit Granting Authority held a Public Hearing on Thursday, April 30, 1992 at 8 p.m. in the Selectmen's Meeting Room (Conference Room B) of the Town Hall, 525 Washington Street, Wellesley, on the petition of VIRGINIA M. GREW requesting a Finding pursuant to the provisions of Section XVII and Section XXV of the Zoning Bylaw that the structural change and change in use of her pre-existing nonconforming dwelling located at 4 MORSES POND ROAD, in a Single Residence District, shall not be substantially more detrimental to the neighborhood than the existing nonconforming structure. Said change in structure and use shall consist of enclosing and incorporating the pre-existing nonconforming porch, approximately 28.5 feet by 29.2 feet, with less than the required front and left side yard setbacks, into the living space of the dwelling.

On April 9, 1992, the petitioner requested 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 Virginia Grew, who said that she would like to expand the living space of the house to include the porch. The house contains two small bedrooms and a half of a closet. The porch is not used, and could be enclosed to increase living space. There would be no expansion of the footprint.

The Board noted that if the oil tank, which is presently at ground level beneath the porch, were to be enclosed, Ms. Grew might want to check with the Building Inspector and the Fire Chief before this was done.

Mr. and Mrs. Osmond, 10 Morses Pond Road, spoke in favor of the petition.

Statement of Facts

The nonconforming dwelling is located at 4 Morses Pond Road, in a Single Residence District, on a 9,000 square foot lot. The subject porch extends 28.5 feet across the front portion of the dwelling with a depth of 8 feet and a minimum front setback of 12 feet. It extends 29.2 feet on the left side with a depth of 8 feet and a minimum left side yard clearance of 10 feet. The nonconforming dwelling was built prior to current Zoning setbacks.

The petitioner is requesting a Finding that the change in use and structure of the pre-existing nonconforming porch will not be more detrimental to the neighborhood than the existing use and structure. The structural change will involve enclosure of the porch and incorporation into the living space of the house by removing the interior front and side walls.

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A Plot Plan dated March 1, 1982, drawn by Joseph D. Marquedant, Registered Land Surveyor; a site plan, front elevation and floor plan; and photographs were submitted.

On April 14, 1992, the Planning Board reviewed the petition and voted to offer no objection to the granting of a favorable Finding.

Decision

This Authority has made a careful study of the material submitted and the information presented at the hearing. A Finding is required pursuant to Section XVII of the Zoning Bylaw as the petition involves a change of use and structural change to a pre-existing nonconforming structure.

This Authority unanimously finds that the requested structural change and change in use to said pre-existing nonconforming structure will not be more detrimental to the neighborhood as there will be no expansion of the footprint, and therefore no further encroachment on the inadequate front and left side yards. Although the ridge line of the existing porch will be raised to conform with the existing roof, the height of the total structure will not change. The proposed structural change is in keeping with the other homes in the neighborhood.

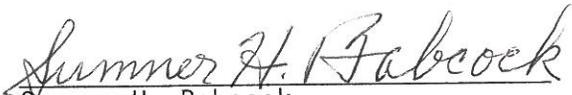
The Inspector of Buildings is hereby authorized to issue a building permit for the construction upon his receipt and approval of a building application and detailed construction plans.

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.

cc: Planning Board
Inspector of Buildings
edg


Kendall P. Bates, Acting Chairman


Robert R. Cunningham


Sumner H. Babcock

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