



ZONING BOARD OF APPEALS
TOWN HALL WELLESLEY, MA 02181

JOHN A. DONOVAN, JR., Chairman
ROBERT R. CUNNINGHAM
KENDALL P. BATES

ELLEN D. GORDON
Executive Secretary
Telephone
431-1019 X208

WILLIAM E. POLLETTA
FRANKLIN P. PARKER
SUMNER H. BABCOCK

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ZBA 95-38
Petition of James L. and Elaine K. Elliot
27 Forest Street

Pursuant to due notice, the Special Permit Granting Authority held a Public Hearing on Thursday, May 25, 1995, at 8 p.m. in the Selectmen's Meeting Room (Conference Room B) at the Town Hall, 525 Washington Street, Wellesley, on the petition of JAMES L. AND ELAINE K. ELLIOT requesting a Special Permit/Finding pursuant to the provisions of Section XVII and Section XXV of the Zoning Bylaw that the second story addition approximately 5 feet 2 inches by 2.5 feet above the existing first floor at their nonconforming dwelling, with less than the required right side yard setback, at 27 FOREST STREET, in a Single Residence District, shall not be substantially more detrimental to the neighborhood than the existing nonconforming structure. Said addition will have less than the required right side yard setback, but will not result in a change in the footprint.

On May 8, 1995, the petitioners 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 James Elliot, who was accompanied by his architect, Edrick VanBeuzekom. Using the submitted floor plan, Mr. VanBeuzekom pointed out the location of the small section of the second floor addition which required Board permission. The rest of the two story addition conforms to zoning setbacks.

No other person present had any comment on the petition.

Statement of Facts

The subject nonconforming dwelling is located at 27 Forest Street on a 17,867 square foot lot, in a Single Residence District, and has a minimum side yard clearance of 18.2 feet.

The petitioners are proposing to build a conforming two-story addition at the rear of their dwelling. In order to connect this addition to the existing dwelling, an infill of 5 feet 2 inches by 2.5 feet above the existing first floor at the right rear corner is required. This addition will have a minimum right side yard clearance of 18.2 feet. There will be no change in the footprint.

A Plot Plan dated April 25, 1995, drawn by Anthony M. Dellorco, Professional Land Surveyor; Floor Plans and Elevations dated April 12, 1995, drawn by EvB Design; and photographs were submitted.

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On May 16, 1995, the Planning Board reviewed the petition and voted to recommend that the addition as proposed would not be substantially more detrimental to the neighborhood than the existing nonconforming house.

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Decision

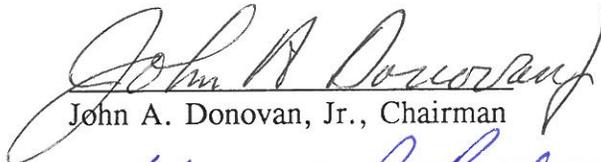
This Authority has made a careful study of the materials submitted and the information presented at the hearing. The subject dwelling does not conform to the current Zoning Bylaw as noted in the foregoing Statement of Facts.

It is the finding of this Authority that the proposed 5 foot 2 inch by 2.5 foot second story addition will not increase the existing nonconformity, nor will it create an additional nonconformity as there is no change in the footprint.

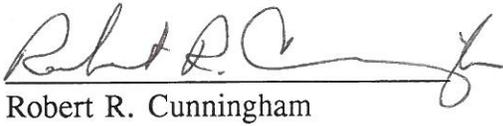
Therefore, a Special Permit is hereby granted for the proposed addition subject to construction in accordance with the submitted Plot Plan and construction drawings.

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

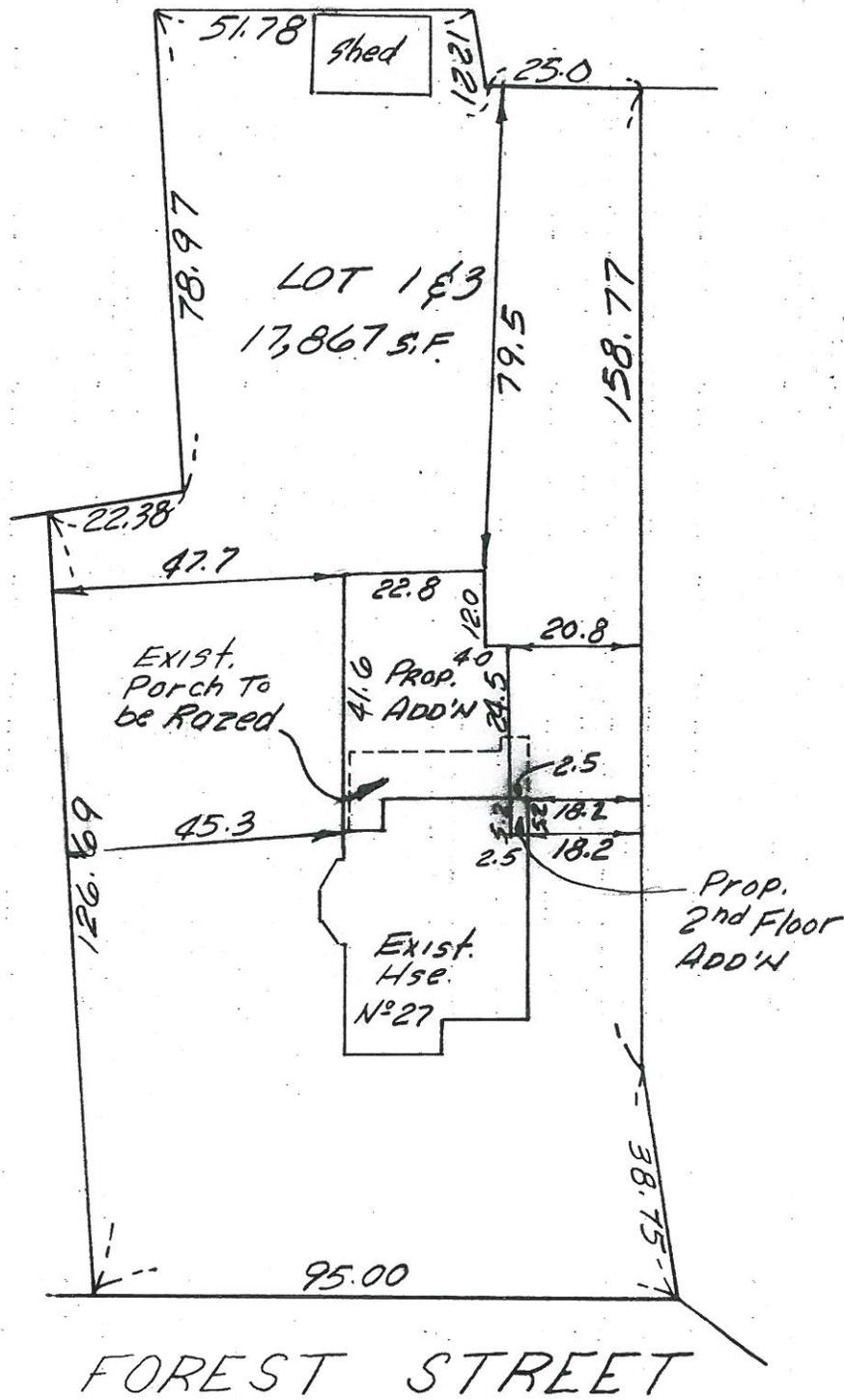
APPEALS FROM THIS DECISION,
IF ANY, SHALL BE MADE PURSUANT
TO GENERAL LAWS, CHAPTER 40A,
SECTION 17, AND SHALL BE FILED
WITHIN 20 DAYS AFTER THE DATE
OF FILING OF THIS DECISION IN
THE OFFICE OF THE TOWN CLERK.


John A. Donovan, Jr., Chairman


Kendall P. Bates


Robert R. Cunningham

cc: Planning Board
Inspector of Buildings
edg



PLOT PLAN OF LAND
IN
WELLESLEY — MASS.

APR. 25, 1995 SCALE 1" = 30'
 NEEDHAM SURVEY ASSOCIATES, INC.
 281 CHESTNUT ST
 NEEDHAM, MASS.

