



ZONING BOARD OF APPEALS
TOWN HALL WELLESLEY, MA 02181

JOHN A. DONOVAN, JR., Chairman
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ZBA 95-48
Petition of Hans and Rika M. Van Willigen
3 Pine Ridge Road

Pursuant to due notice, the Special Permit Granting Authority held a Public Hearing on Thursday, June 22, 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 HANS AND RIKA M. VAN WILLIGEN requesting a Special Permit/Finding pursuant to the provisions of Section XVII and Section XXV of the Zoning Bylaw that the proposed one-story addition approximately 5.5 feet by 4.4 feet at the left rear corner of their nonconforming dwelling, with less than the required left side yard and front yard setbacks, at 3 PINE RIDGE ROAD, 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 left side yard setback.

On June 5, 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 Rika Van Willigen, who said that the addition would fill in the left rear corner of their house.

No other person present had any comment on the petition.

Statement of Facts

The subject nonconforming dwelling is located on a 6,605 square foot lot at 3 Pine Ridge Road in a Single Residence District, and has a minimum front setback of 14.6 feet and a minimum left side yard clearance of 9.7 feet.

The petitioners are requesting a Special Permit/Finding to construct a one-story addition approximately 5.5 feet by 4.4 feet, which would have a minimum left side yard setback of 13.3 feet, at the left rear corner of their dwelling.

A Plot Plan dated April 19, 1995, drawn by Sidney R. Vaughan, Registered Professional Land Surveyor; Floor Plans and Elevations dated May 31, 1995, drawn by Douglas Hurt; and photographs were submitted.

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On June 20, 1995, the Planning Board reviewed the petition and voted to offer no objection to the request.

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.

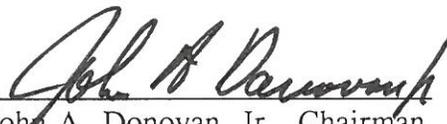
It is the finding of this Authority that the proposed 4.4 foot by 5.5 foot one-story addition will neither intensify the existing nonconformity nor will it create any new nonconformities as the addition will be less nonconforming than the existing dwelling in regard to the left side yard setback.

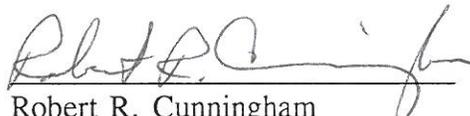
Therefore, a Special Permit is granted to construct said addition in accordance with the submitted plot plan and construction sketches.

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.

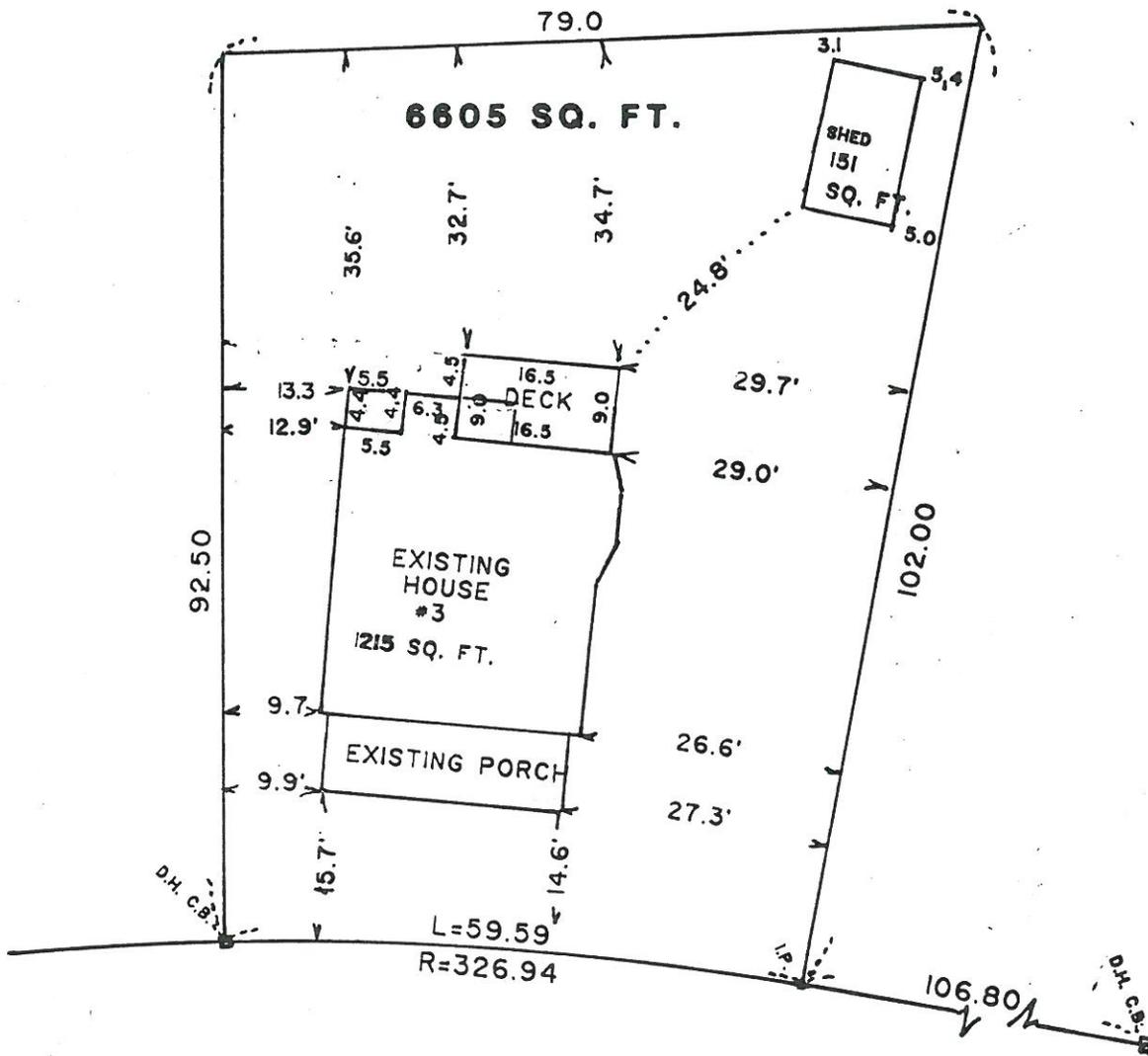
cc: Planning Board
Inspector of Buildings


John A. Donovan, Jr., Chairman


Robert R. Cunningham


William E. Polletta

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111 GUILLOT ROAD, SUITE 201



PINE RIDGE ROAD

PUBLIC, 40 FT. WIDE

PLOT PLAN

**TOWN OF WELLESLEY
ZONING BOARD OF APPEALS**

SCALE : 1 INCH = 20 FEET

CHENEY ENGINEERING CO., INC.

JUNCTION STREET, NEEDHAM, MASS.

April 19, 1995



Sidney R. Vaughan