



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

ZBA 95-5  
Petition of Donald Feddersen  
22 Leighton Road

Pursuant to due notice, the Permit Granting Authority held a Public Hearing on Thursday, January 19, 1995 at 8:10 p.m. in the Selectmen's Meeting Room (Conference Room B) at the Town Hall, 525 Washington Street, Wellesley, on the petition of DONALD FEDDERSEN requesting a variance from the terms of Section XIX and pursuant to the provisions of Section XXIV-D of the Zoning Bylaw to allow construction of a bay window approximately 8 1/2 feet by 7 1/2 feet with a depth of 2 feet on the left side of his nonconforming dwelling with less than the required left side yard setback, at 22 LEIGHTON ROAD, in a Single Residence District. Said bay window would also have less than the required left side yard setback.

On January 3, 1995, 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 Donald Feddersen, who was accompanied by his architect, Anthony Butler. Mr. Feddersen said that he had purchased the home last May, and has been doing extensive remodeling, including the construction of a 15 foot by 15 foot family room, which is conforming. New landscaping will be added after the construction is completed.

Mr. Butler said that he had thought that the bay window would be treated in the same manner as a roof overhang and would not require a variance, until the Building Department informed him that a variance would be required. He stated that the family room addition is conforming, but the window will not conform. The existing house is nonconforming as it is 14.94 feet from the left side line; the bay window will be less nonconforming than the house. Extensive landscaping will be added along the left side lot line.

The Board asked why the bay window had not been located on another elevation which would not require a variance. Mr. Butler said that the purpose of the window was to allow a window seat in the family room adjacent to the kitchen.

No other person present had any comment on the petition.

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22 Leighton Road

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PLANNING BOARD

Statement of Facts

The subject nonconforming dwelling is located at 22 Leighton Road, in a Single Residence District, on a 9,975 square foot lot, and has a minimum left side clearance of 14.94 feet.

The petitioner is requesting a variance to allow construction of a bay window, approximately 8 1/2 feet by 7 1/2 feet at a depth of 2 feet, which would have a minimum left side yard clearance of 18.17 feet.

A Plot Plan dated September 12, 1994, revised 1/23/95, drawn by Robert C. Salvetti, Registered Professional Architect; and photographs were submitted. The following architectural drawings rendered by Anthony Butler & Associates, were also submitted: Elevations (A2.1) undated; Plans (A1.2) dated 9/24/94, revised 11/1/94, revised 12/12/94; Elevations (A2.2) dated 9/24/94; undated Elevations (A2.3).

On January 10, 1995, the Planning Board reviewed the petition and expressed the opinion that the request should be for a Finding, and voted to recommend that the petition be approved.

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 opinion of this Authority that the proposed bay window conforms to the existing lines of the house and does not alter the relationship of the house to the left side lot line as the bay window will encroach 3.23 feet less than the existing house.

It is the opinion of this Authority that because of the shape of the lot and the location of the house on the lot, a literal enforcement of the provisions of Section XIX of the Zoning Bylaw would involve a substantial hardship to the petitioner, and that desirable relief may be granted without substantially derogating from the intent or purpose of the Zoning Bylaw.

Therefore, the requested variance is granted subject to construction in conformance 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.

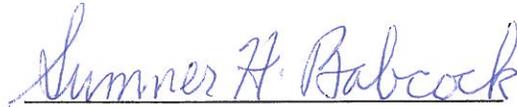
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22 Leighton Road

If the rights authorized by a variance are not exercised within one year of the date of grant of said variance, they shall lapse and may be re-established only after notice and a new hearing pursuant to Section XXIV-D of the Zoning Bylaw.

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  
Kendall P. Bates, Acting Chairman

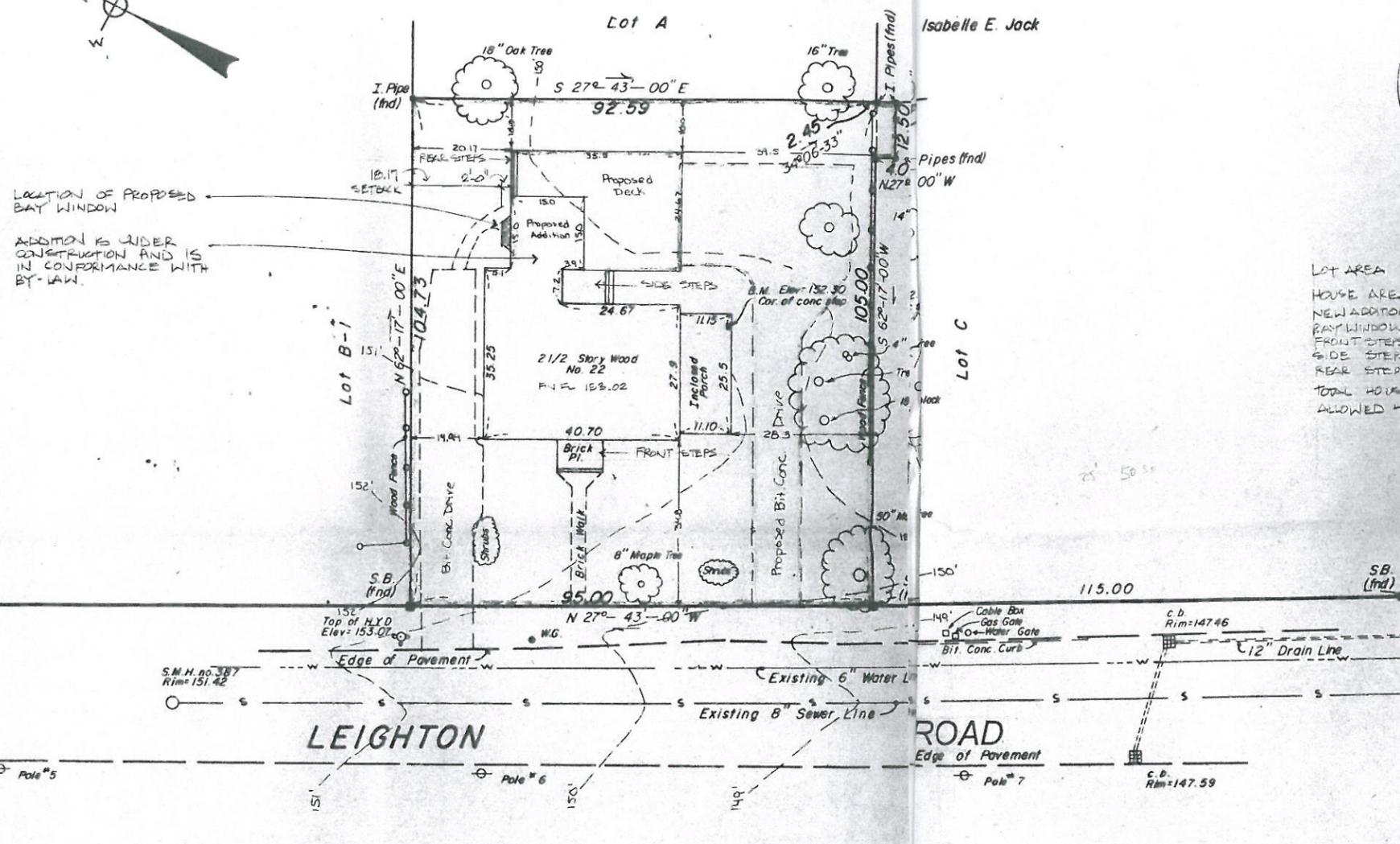
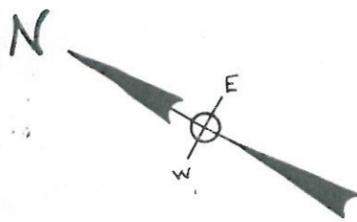
  
Sumner H. Babcock  
Sumner H. Babcock

  
William E. Polletta  
William E. Polletta

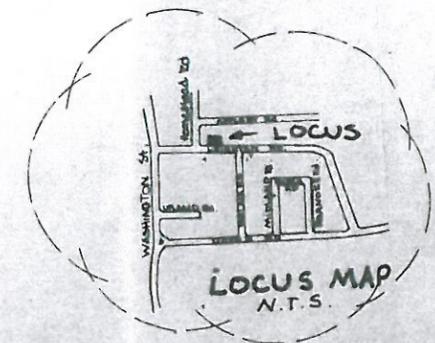
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WELLINGTON, N.Y. 02158

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 Donalds Fefferman  
 20 Leighton Road



LOCATION OF PROPOSED BAY WINDOW  
 ADDITION IS UNDER CONSTRUCTION AND IS IN CONFORMANCE WITH BY-LAW.



LOT AREA	10,000	S.F.
HOUSE AREA - EXISTING	1541	S.F.
NEW ADDITION & DECK	850	S.F.
BAY WINDOW - ACTUAL AREA	10	S.F.
FRONT STEPS [25 S.F. EXEMPT]	49	S.F.
SIDE STEPS [25 S.F. EXEMPT]	2	S.F.
REAR STEPS [25 S.F. EXEMPT]	2	S.F.
TOTAL HOUSE AREA	2462	S.F.
ALLOWED HOUSE AREA	2300	S.F.

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Note:  
 See Plan by Mass Bay Survey, Inc. dated  
 May 3, 1993, Pl. Bk. Pl. no.  
 B.M. taken from Town Bench Mark.



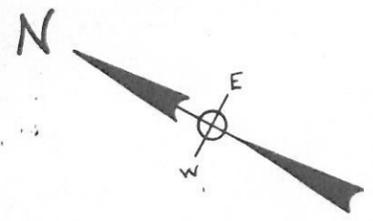
Robert C. Salvetti  
 Robert C. Salvetti, P.L.S.

SITE  
 PLAN OF LAND  
 IN  
**WELLESLEY MASS.**

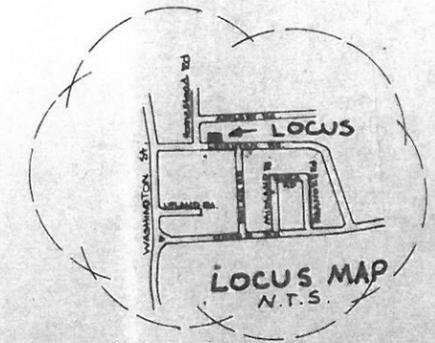
Norfolk County  
 Scale 1" = 20'  
 SALVETTI, Surveying & Engineering Assoc.  
 10 Emmons St.  
 Franklin, Mass.

REVISED 1/23/95 FOR SUBMITTAL TO WELLESLEY BOARD OF APPEALS  
 & WELLESLEY BUILDING DEPARTMENT.

ZBA 95-5  
 Donald Feddersen  
 22 Leighton Road

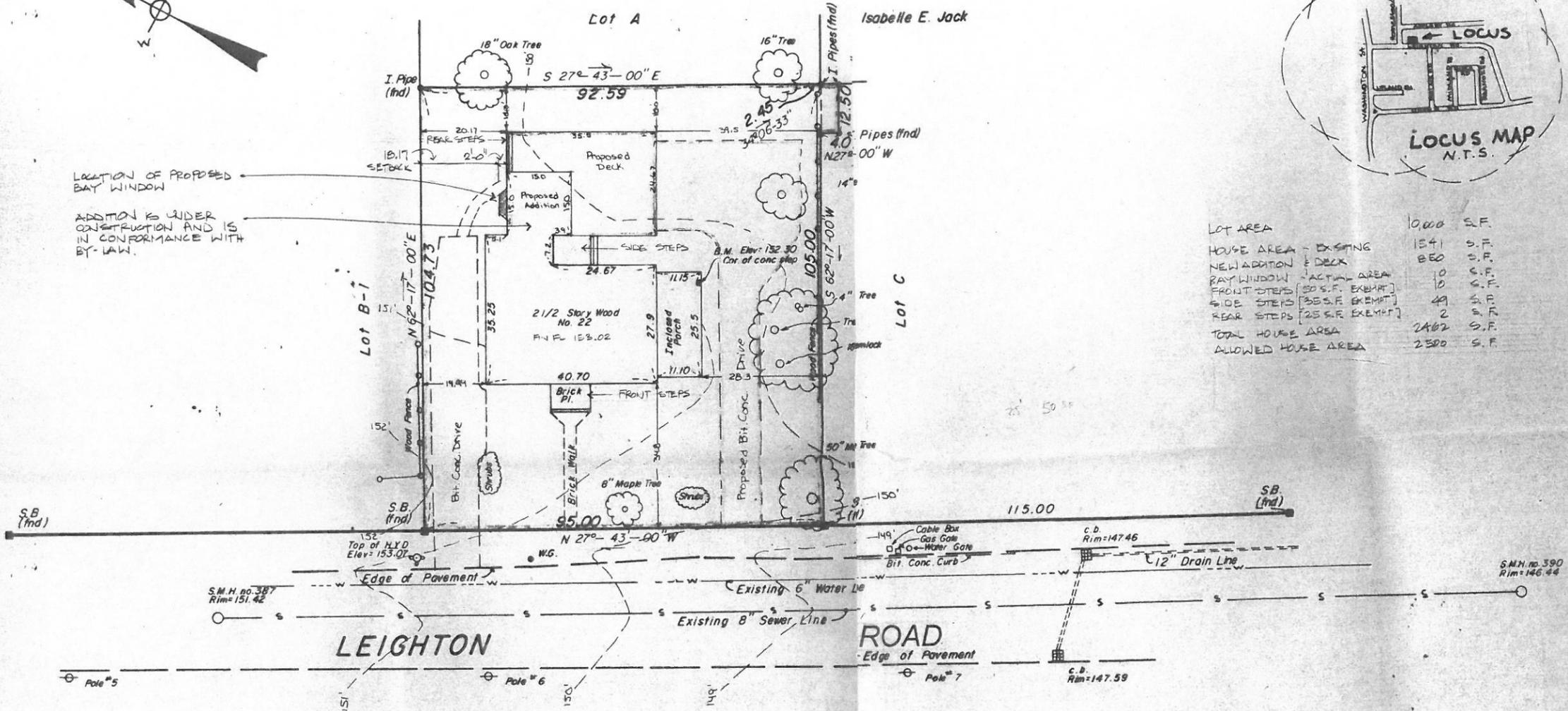


LOCATION OF PROPOSED BAY WINDOW  
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LOT AREA	1000	S.F.
HOUSE AREA - EXISTING	1541	S.F.
NEW ADDITION & DECK	800	S.F.
FRONT WINDOW	10	S.F.
FRONT STEPS [20 S.F. EXEMPT]	49	S.F.
SIDE STEPS [35 S.F. EXEMPT]	2	S.F.
REAR STEPS [25 S.F. EXEMPT]	2462	S.F.
TOTAL HOUSE AREA	2500	S.F.
ALLOWED HOUSE AREA	2500	S.F.



Note:  
 See Plan by Mass Bay Survey, Inc. dated May 3, 1993, Pl. Bk. Pl. no.  
 B.M. taken from Town Bench Mark.



Robert C. Salvetti  
 Robert C. Salvetti, P.L.S.

SITE PLAN OF LAND IN WELLESLEY MASS.

Norfolk County  
 Scale 1" = 20'  
 SALVETTI, Surveying & Engineering Assoc.  
 10 Emmens St. Franklin, Mass.

REVISED 12.9.95 FOR SUBMITTAL TO WELLESLEY BOARD OF APPEALS & WELLESLEY BUILDING DEPARTMENT.