



SEP 16 3 04 PM '96

ZONING BOARD OF APPEALS  
TOWN HALL WELLESLEY, MA 02181

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KENDALL P. BATES

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Executive Secretary  
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ZBA 96-56  
Petition of Stephan G. and Nancy E. Braun  
94 Manor Avenue

Pursuant to due notice, the Special Permit Granting Authority held a Public Hearing on Thursday, August 22, 1996 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 STEPHAN G. AND NANCY E. BRAUN requesting a Special Permit/Finding pursuant to the provisions of Section XVII and Section XXV of the Zoning Bylaw that the following construction at their nonconforming dwelling with less than the required left, front and right side yard setbacks at 94 MANOR AVENUE, in a Single Residence District, shall not be substantially more detrimental to the neighborhood than the existing nonconforming structure:

1. Demolition of existing second story and construction of a new second story approximately 43 feet by 27.2 feet with less than the required left, front and right side yard setbacks. There will be no change in the footprint.
2. Construction of a one-story 11 foot by 12 foot screened porch, which will have less than the required left side yard setback.

On August 5, 1996, 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 Stephan Braun, who was accompanied by his architect, Jeanette Thomson. Mr. Braun said that their existing floor plan is about 900 square feet with one bedroom. They would like to add three bedrooms and a bath upstairs. The roof would be only 4.9 feet higher than it is at present.

Ms. Thomson said that the stairs to the second floor are presently nonconforming as there is not even six feet of headroom, which renders the second floor virtually unusable. There will be no change in the footprint, with the exception of the screened porch. The project will result in the consolidation of the several existing roof lines.

No other person present had any comment on the petition.

#### Statement of Facts

The subject nonconforming dwelling is located at 94 Manor Avenue, in a Single Residence District, on a 10,000 a square foot lot, with a minimum right side clearance of 11.5 feet, a minimum front clearance of 8.0 feet, and a minimum left side yard clearance of 9 feet.

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The petitioners are requesting a Special Permit/Finding to demolish the existing second story and construct a new second story approximately 43 feet by 27.2 feet, which would have minimum right, front and left side yard clearances as noted above. The ridge line of the new roof would be raised 4.9 feet, but there would be no change in the footprint.

A Special Permit/Finding is also requested for the construction of a 12 foot by 11 foot, one-story, screened porch which would have a minimum left side yard clearance of 9 feet.

A Plot Plan dated 4/16/96, revised 7/17/96, drawn by Joseph D. Marquedant, Registered Professional Land Surveyor; Existing and Proposed Floor Plans and Elevations (A1-A6) dated July 19, 1996, drawn by Thomson Architects; and photographs were submitted.

On August 20, 1996, the Planning Board reviewed the petition and voted to recommend no objection to the granting of the petition.

#### 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 demolition of the existing second story and construction of a new 43 foot by 27.2 foot second story will not intensify the existing nonconformance nor will it create additional nonconformities, as there will be no change in the footprint, and the height of the new second floor roof will be increased by only 4.9 feet.

It is the finding of this Authority that the proposed one-story 11 foot by 12 foot screened porch will not intensify the existing nonconformance nor will it create additional nonconformities as it will come no closer to the left side lot line than the existing nonconforming structure.

Therefore, the Special Permits are hereby granted, as voted unanimously by this Authority at the Public Hearing for the demolition of the existing second story and construction of the new second story and one-story screened porch 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 construction upon receipt and approval of a building application and detailed construction plans.

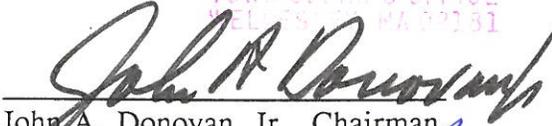
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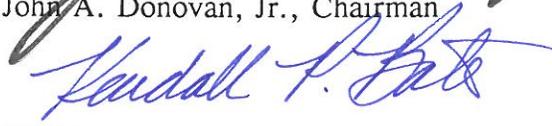
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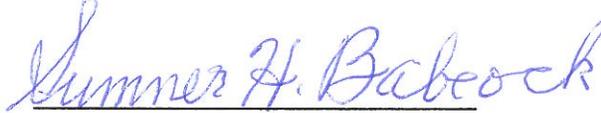
APPEALS FROM THIS DECISION,  
IF ANY, SHALL BE MADE PURSUANT  
TO GENERAL LAWS, CHAPTER 40A,  
SECTION 17, AND SHALL BE FILED  
WITHIN 20 DAYS AFTER THE DATE  
OF FILING OF THIS DECISION IN  
THE OFFICE OF THE TOWN CLERK.

cc: Planning Board  
Inspector of Buildings  
edg

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TOWN CLERK'S OFFICE  
WELLS, MA 01981

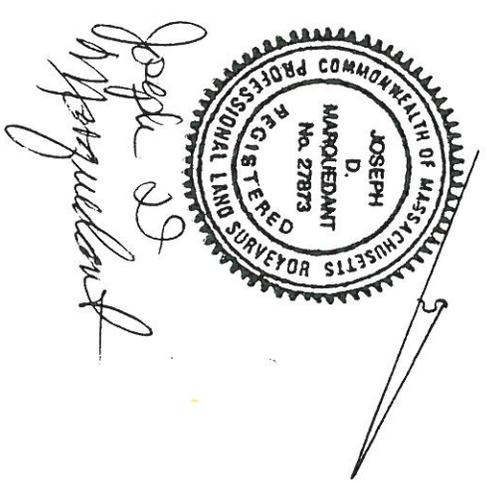
  
\_\_\_\_\_  
John A. Donovan, Jr., Chairman

  
\_\_\_\_\_  
Kendall P. Bates

  
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Sumner H. Babcock

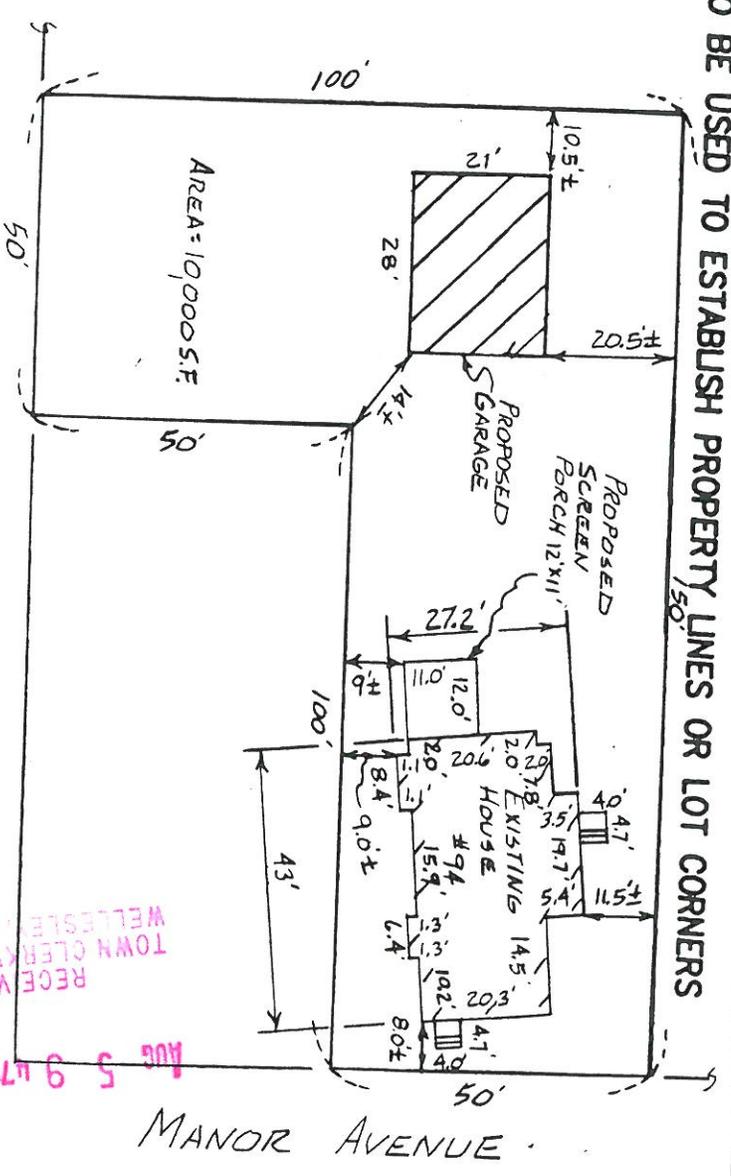
OFFSETS FROM BUILDING NOT TO BE USED TO ESTABLISH PROPERTY LINES OR LOT CORNERS

- NOTES:
- 1) SEE DEED BK-3920 PG 180,
  - 2) SEE PLAN BK. 69 PLAN #3324,
  - 3) SEE LAND COURT PLAN DATED AUG. 6, 1940,
  - 4) PLAN REFERS TO LOTS 196, 197, 200 & 201 ON PLAN # 3324,
  - 5) SEE ASSESSORS MAP 198 PAR 49.



I CERTIFY THAT THIS BUILDING IS LOCATED ON THE LOT AS SHOWN AND THAT IT CONFORMED TO THE ZONING REGULATIONS OF THE TOWN OF WELLESLEY, MA. \* ALSO THAT IT DOES NOT FALL WITHIN A FEDERALLY DESIGNATED FLOOD HAZARD AREA. MAP No. 250255 00513

\* AT THE TIME OF CONSTRUCTION



<b>PLOT PLAN</b>	
IN <b>WELLESLEY, MA</b>	
SCALE: 1"=30'	APPROVED BY:
DATE: 4/10/96	DRAWN BY:
PREP. BY: J.D. MARQUEDANT & ASSOCIATES INC.	REVISIONS: 4/11/96
6 WALCOTT STREET HOPKINTON MA	7/17/96
PREP. FOR: STEPHAN BRAUN	DRAWING NUMBER:
94 MANOR AVE. WELLESLEY MA	3517