



SEP 16 3 05 PM '96

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
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WILLIAM E. POLLETTA
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SUMNER H. BABCOCK

ZBA 96-58
Petition of David Rhodes and Deborah Harstedt
12 Avon Road

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 DAVID RHODES AND DEBORAH HARSTEDT requesting a Special Permit/Finding pursuant to the provisions of Section XVII and Section XXV of the Zoning Bylaw that the construction of a two-story addition approximately 14 feet by 30 feet, with less than the required right side yard setback, at the rear of their nonconforming dwelling with less than the required right side yard setback, at 12 AVON ROAD, in a Single Residence District, shall not be substantially more detrimental to the neighborhood than the existing nonconforming structure.

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 were David Rhodes and Deborah Harstedt. Ms. Harstedt said that the two-story addition would contain a kitchen and family room on the first floor and a bedroom and bath on the second floor. The house presently contains only two bedrooms. They have two sons and need the extra space.

Lorne Jones, 9 Avon Road, and Deborah Pannell, 10 Avon Road, expressed support for the petition.

Statement of Facts

The subject nonconforming dwelling is located at 12 Avon Road, in a Single Residence District, on an 8,000 square foot lot, and has a minimum front clearance of 20.4 feet and a minimum right side yard clearance of 10.37 feet.

The petitioners are requesting a Special Permit/Finding to construct a two-story addition approximately 30 feet by 14 feet, which would have a minimum right side yard clearance of 10.8 feet.

A Plot Plan dated July 23, 1996, revised July 29, 1996, drawn by James W. Bougloukos, Registered Land Surveyor; Demolition Plan, Floor Plans and Elevations (1-3) dated 7/26/96; and photographs were submitted.

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A letter in support of the petition was received from Phyllis M. Mays, 14 Avon Road.

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On August 20, 1996, the Planning Board reviewed the petition and voted to recommend no objection to granting 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 two story dwelling will not intensify the existing nonconformity nor will it create new nonconformities, as it will encroach no further on the right side line than the existing nonconforming dwelling.

Therefore, a Special Permit is hereby granted, as voted unanimously by this Authority at the Public Hearing, for the construction of the proposed two-story 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 construction upon 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.

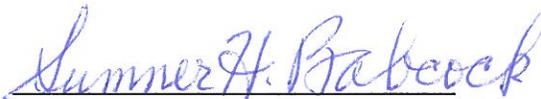
cc: Planning Board
Inspector of Buildings
edg



John A. Donovan, Jr., Chairman



Kendall P. Bates



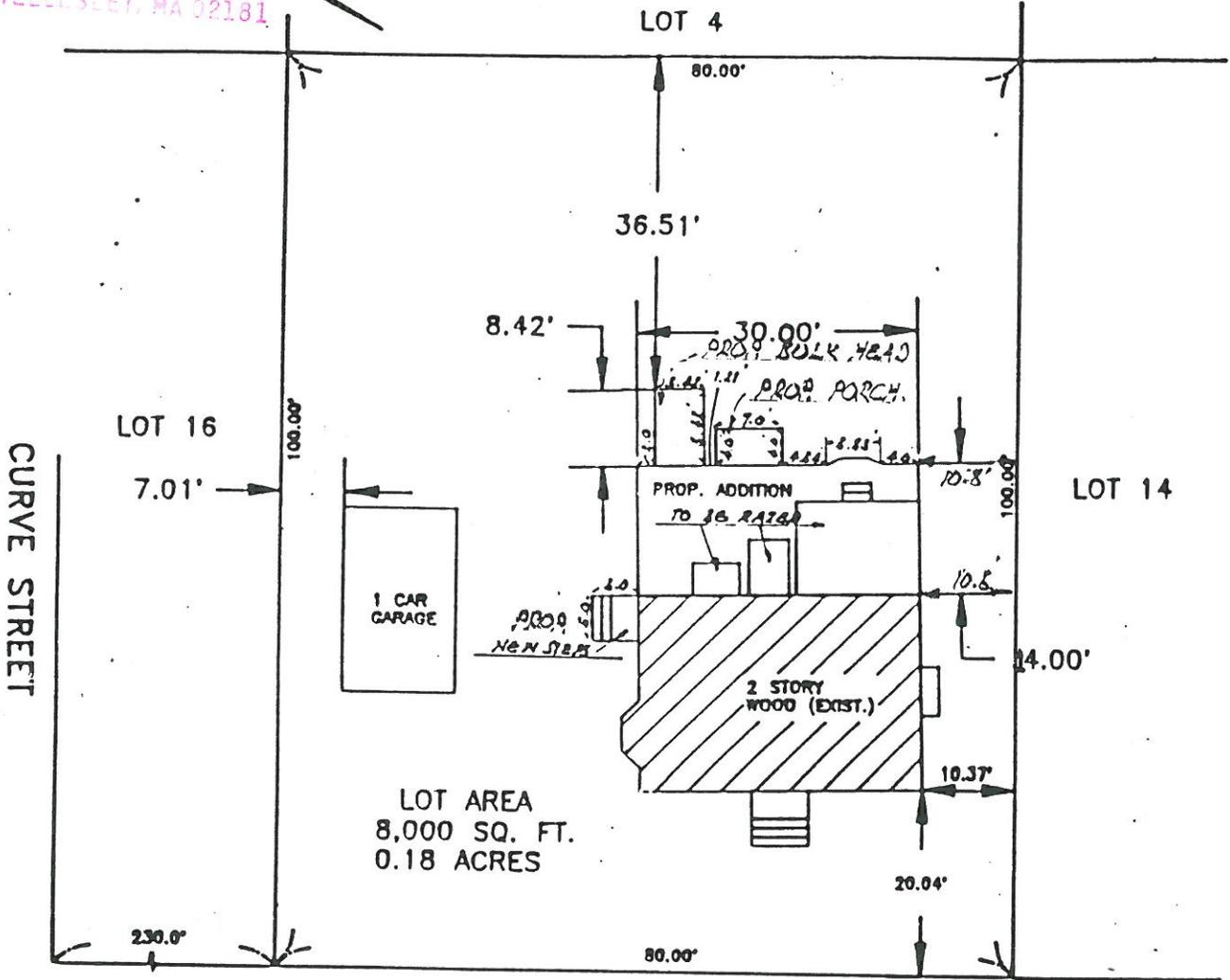
Sumner H. Babcock

ZONING CLASSIFICATION: SINGLE FAMILY
 FLOOD ZONE: C
 FIRM 250255-00050 9/5/1979

Aug 5 9 51 AM '96

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LOT COVERAGE BY BUILDINGS			
LOT AREA	8,000 SQ. FT.	0.18 ACRES	100%
EXIST. HOUSE/GARAGE	982 SQ. FT.	0.02 ACRES	12%
PROP. ADDITION	483 SQ. FT.	0.01 ACRES	6%
OPEN SPACE	6,535 SQ. FT.	0.14 ACRES	82%



LOT AREA
 8,000 SQ. FT.
 0.18 ACRES

PLAN OF LAND AVON ROAD
 12 AVON ROAD
 WELLESLEY, MASS.

DEED BOOK 8013 PAGE 888
 CITY OF WELLESLEY, NORFOLK COUNTY, MASS.
 OWNED BY:
 DEBORAH HARSTEDT & DAVID RHODES
 FOR SPECIAL PERMIT



BY:
 BRADFORD ENGINEERING COMPANY
 3 WASHINGTON SQUARE
 HAVENHILL, MASSACHUSETTS 01831
 PHONE: (508)373-2398

REV. 7-29-96

APPROVED BY WELLESLEY BOARD OF APPEAL

James W. Bougloukos
 James W. Bougloukos R.L.S. #9520 Date

SCALE: 1" = 20' JULY 23, 1996