



ZONING BOARD OF APPEALS

TOWN HALL • 525 WASHINGTON STREET • WELLESLEY, MA 02181-5992

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ZBA 97-29

Petition of Alyssa Jermyn and Bruce Clifford
31 High Ledge Avenue

Pursuant to due notice, the Special Permit Granting Authority held a Public Hearing on Thursday, April 24, 1997 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 ALYSSA JERMYN AND BRUCE CLIFFORD requesting a Special Permit/Finding pursuant to the provisions of Section XVII and Section XXV of the Zoning Bylaw that the demolition of the condemned nonconforming two-story 24 foot by 30 foot dwelling with a 7 foot by 21 foot front porch and a 4 foot by 8 foot rear landing, with less than the required right side yard and less than the required front setback; and construction of a new two-story dwelling with the same dimensions and the same minimum setbacks, at 31 HIGH LEDGE AVENUE, in a Single Residence District, shall not be substantially more detrimental to the neighborhood than the existing nonconforming dwelling. There will be no change in the footprint.

On April 7, 1997, 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 Alyssa Jermyn and Bruce Clifford. Ms. Jermyn said that the structure has been condemned. They would like to demolish it from the foundation to the roof and then build a two-story structure with the same dimensions, utilizing the existing foundation. They have had an engineer check the foundation to make sure it would be safe.

No other person present had any comment on the petition.

Statement of Facts

The subject two-story nonconforming dwelling is located at 31 High Ledge Avenue, in a Single Residence District, on a 4,800 square foot lot, and has a minimum right side yard clearance of 13.1 feet, a minimum front setback of 16 feet to the right front corner of the dwelling, and a minimum front setback of 9 feet to the right front corner of the porch. The dwelling has a footprint of 24 feet by 30 feet; a 21 foot by 7 foot front porch and a 4 foot by 8 foot rear landing. On February 19, 1997, the Inspector of Buildings issued a Condemned Order.

At the time of the Public Hearing, the property was owned by Clare Kenney. The purchase of the property by the petitioners was scheduled for April 30, 1997.

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The petitioners are requesting a Special Permit/Finding that the demolition of the existing nonconforming condemned structure and construction of a new two-story dwelling with the same dimensions and the same minimum right side yard and front setbacks will not be substantially more detrimental to the neighborhood than the existing nonconforming structure.

A Plot Plan dated 3/31/97, drawn by Philip L. Pattison, Registered Land Surveyor; Floor Plans and Elevations dated 3/31/97, drawn by Apkarian Architects; and photographs were submitted.

On April 15, 1997, 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. Neither the existing dwelling nor the proposed dwelling will conform to the Zoning Bylaw.

It is the finding of this Authority that the proposed demolition of the existing nonconforming two-story dwelling, porch and rear landing; and construction of a new two-story dwelling, porch and rear landing with the same dimensions and setbacks will not be substantially more detrimental to the neighborhood than the existing nonconforming structure, as the new construction will neither intensify the existing nonconformance, nor will it create any new nonconformity.

Therefore, a Special Permit is granted, as voted unanimously by this Authority at the Public Hearing, for the demolition of the existing structure and construction of a new structure in accordance with the submitted plot plan and construction drawings.

The Inspector of Buildings is hereby authorized to issue a demolition permit, and thereafter, 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.

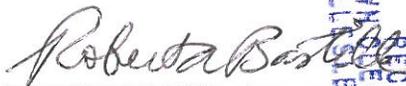
cc: Planning Board
Inspector of Buildings
edg



Kendall P. Bates, Acting Chairman

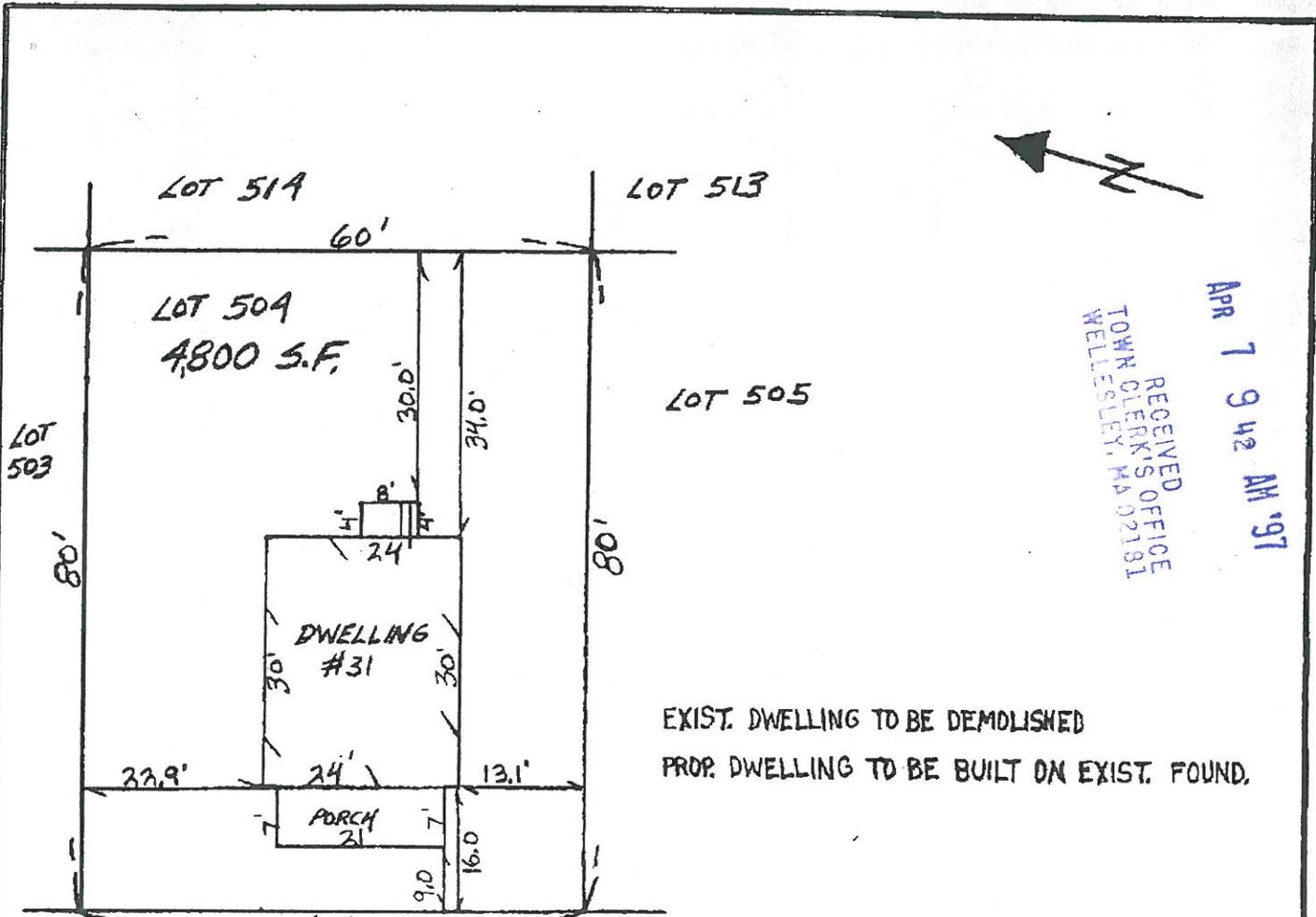


William E. Polletta



Robert A. Bastille

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EXIST. DWELLING TO BE DEMOLISHED
PROP. DWELLING TO BE BUILT ON EXIST. FOUND.



[Handwritten Signature]

Building setbacks (if any) shown on this plan are measured from building siding unless otherwise noted.	
This plan is to be used only by the owner listed below, and contains only as much accuracy as is required to obtain a permit for the proposed improvements shown hereon (if any). Setbacks (distances shown from proposed or existing improvements to property lines) cannot be used to establish property lines or to locate fences, landscaping, or any other improvements not shown on this plan.	
Professional Survey is not responsible for takings, easements or conveyances not contained in deed provided (or referenced) by client or by assessor.	
Address: 31 HIGH LEDGE AVENUE WELLESLEY	Deed Book: 397 Page: 75
Date: 3/31/97 Scale: 1" = 20'	County: NORFOLK
PROFESSIONAL SURVEY Arlington, MA (617) 646-1839	