



ZONING BOARD OF APPEALS

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

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ZBA 97-52

Petition of George and Mary Roberts
21 Howe Street

Pursuant to due notice, the Special Permit Granting Authority held a Public Hearing on Thursday, June 19, 1997 at 8 p.m. in the Selectmen's Meeting Room (Conference Room) at the Town Hall, 525 Washington Street, Wellesley, on the petition of GEORGE AND MARY ROBERTS requesting a Special Permit/Finding pursuant to the provisions of Section XVII and Section XXV of the Zoning Bylaw that the following alteration and additions to their nonconforming dwelling, with less than the required front setback, at 21 HOWE STREET, in a Single Residence District, shall not be substantially more detrimental to the neighborhood than the existing nonconforming structure:

1. Enclosure of a 7 foot by 7.9 foot deck, with less than the required front setback, into the internal structure of the building.
2. A 3.1 foot by 7 foot one-story addition, which will have less than the required front setback.
3. Addition of a 10.5 foot by 15 foot deck, which will have less than the required front setback.

On June 2, 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 George and Mary Roberts. Mr. Roberts said they would like to fill in the existing deck and add a new deck. Mrs. Roberts added that the new deck has been set back 2 feet from the existing front porch. She submitted a petition supporting the project which was signed by 14 neighbors.

No other person present had any comment on the petition.

Statement of Facts

The subject property is located at 21 Howe Street, in a Single Residence District, on a 12,630 square foot lot, and has a minimum front yard setback of 9.2 feet.

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ZBA 97-52
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21 Howe Street

The petitioners are requesting a Special Permit/Finding that a one-story 7 foot by 3.1 foot addition, with a minimum front setback of 24.4 feet, to an existing nonconforming 7.9 foot by 7 foot deck, with a minimum front setback of 16.5 feet, and incorporation of both the addition and deck into the internal structure of the dwelling; and construction of a 15 foot by 10.5 foot deck, with a minimum front setback of 18.5 feet, shall not be substantially more detrimental to the neighborhood than the existing nonconforming structure.

A Plot Plan dated May 27, 1997, drawn by Paul J. Sawtelle, Floor Plans and Elevations; and photographs were submitted.

On June 10, 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. 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 neither the infill addition and incorporation of the infill and the existing deck into the internal structure of the dwelling, nor the addition of a new deck, will intensify the existing nonconformance, or create additional nonconformity as all of the new construction will have a greater front yard setback than the existing nonconforming dwelling.

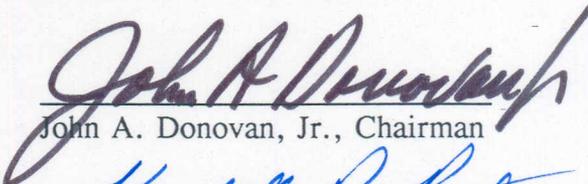
Therefore, a Special Permit is hereby granted, as voted unanimously by this Authority at the Public Hearing, to construct the infill, incorporate the infill and deck into the internal structure of the building and construct a new deck, subject to construction in accordance with the submitted plot plan 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

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John A. Donovan, Jr., Chairman

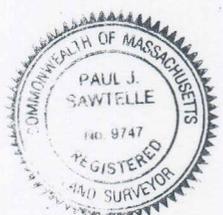
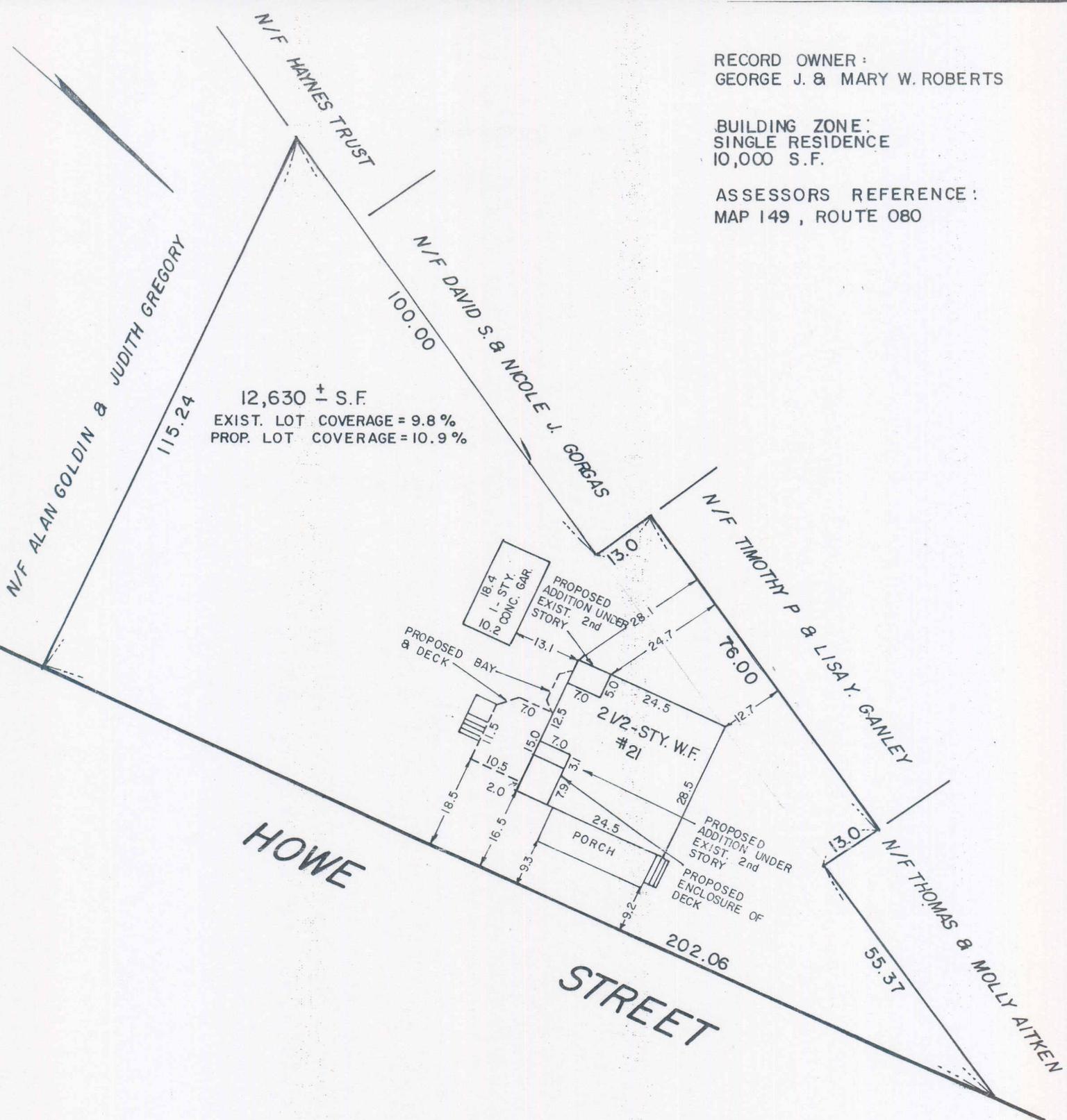

Kendall P. Bates


William E. Polletta

RECORD OWNER :
GEORGE J. & MARY W. ROBERTS

BUILDING ZONE :
SINGLE RESIDENCE
10,000 S.F.

ASSESSORS REFERENCE :
MAP 149 , ROUTE 080



Paul Sawtelle

PLAN OF LAND
IN
WELLESLEY, MASS

SCALE : 1" = 20'
MASS BAY SURVEY, INC.

MAY 27, 1997
NEWTON, MASS.

TOWN RECORDS
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