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ZONING BOARD OF APPEALS

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

NOV 19 2 03 PM '97

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ZBA 97-86

 Petition of Philip A. and Carol R. Dover
28 Avon Road

Pursuant to due notice, the Special Permit Granting Authority held a Public Hearing on Thursday, October 30, 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 PHILIP A. AND CAROL R. DOVER requesting a Special Permit/Finding pursuant to the provisions of Section XVII and Section XXV of the Zoning Bylaw that the following addition to their nonconforming dwelling with less than the required right side yard setback, at 28 AVON ROAD, in a Single Residence District, shall not be substantially more detrimental to the neighborhood than the existing nonconforming structure:

1. A 17.67 foot by 12 foot one-story addition with less than the required right side yard setback.

On October 14, 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 was Philip Dover, who was accompanied by his builder, Steve Gagosian. Mr. Gagosian said that the house is a 50 year old small colonial on a small lot with a tight right side yard setback. They would like to extend the kitchen and add a half bath. The corner of the addition has been stepped in 6 inches, and then another 4 to 5 feet in order to relieve the situation, rather than building straight back from the house.

No other person had any comment on the petition.

Statement of Facts

The subject property is located at 28 Avon Road, in a Single Residence District, on a 5,615 square foot lot, and has a minimum left side yard clearance of 11.53 feet and a minimum right side yard clearance of 4.73 feet.

The petitioners are requesting a Special Permit/Finding that the construction of a 17.67 foot by 12 foot one-story addition with a minimum right side yard clearance of 5.14 feet. An 11 foot by 11 foot deck with a conforming right side yard clearance of 22.48 feet will also be constructed.

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A Plot Plan dated September 16, 1997 drawn by Robert E. Bissonnette, Registered Professional Land Surveyor; Floor Plans and Elevations dated 9/1/97 and photographs were submitted.

On October 14, 1997, the Planning Board reviewed the petition and had no object to the granting of 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.

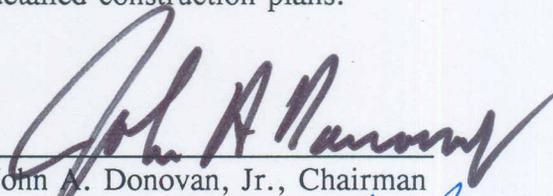
It is the finding of this Authority that construction of the one-story 17.67 foot by 12 foot one-story addition will not be substantially more detrimental to the neighborhood than the existing nonconforming dwelling as the addition will not intensify the existing nonconformance nor will it create additional nonconformance.

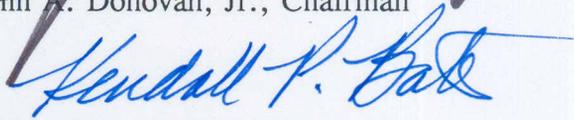
Therefore, a Special Permit is hereby granted for said construction, as voted unanimously by this Authority at the Public Hearing, subject to construction in accordance with the submitted plot plan and construction drawings.

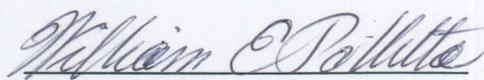
The Inspector of Buildings is hereby authorized to issue a permit for construction upon receipt and approval of a building application and detailed construction plans.

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.

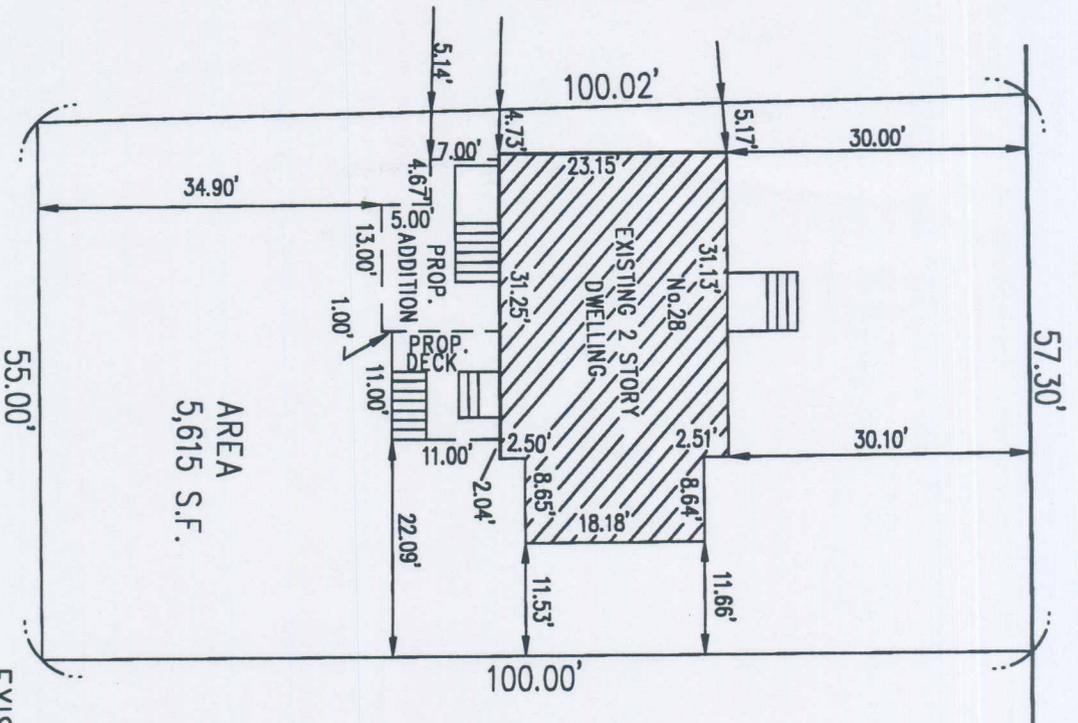
cc: Planning Board
Inspector of Buildings
edg


John A. Donovan, Jr., Chairman

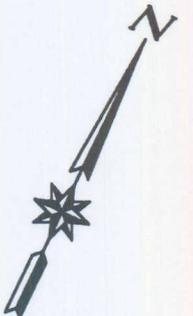

Kendall P. Bates


William E. Polletta

AVON ROAD



AREA
5,615 S.F.



FLOOR TO AREA RATIO

EXIST. DWELLING = .156
 EXIST. GARAGE = .037
 PROP. ADDITION = .034
 PROP. DECK = .021
0.249 TOTAL

I CERTIFY THAT THIS PLAN IS THE RESULT OF A SURVEY DONE ON THE GROUND AUGUST 14, 1997 AND THAT THE DIMENSIONS SHOWN HEREON ARE CORRECT TO THE BEST OF MY KNOWLEDGE.

COMMONWEALTH OF MASSACHUSETTS
 ROBERT EDWARD BISSONNETTE
 No. 97300
 REGISTERED PROFESSIONAL LAND SURVEYOR

Robert Edmondson

SITE PLAN OF LAND
 IN
 WELLESLEY
 MASSACHUSETTS

SCALE: 1" = 20'
 PREPARED FOR: V. ROBERT GAGOSIAN CO. INC.
 115 WASHINGTON ST.
 WELLESLEY, MA. 02181

JOB NUMBER: 100644 ACAD FILE: 100644BP

DES LAURIERS & ASSOCIATES, INC.
 130 WEST STREET
 WALPOLE, MA 02081
 (508) 668-5010

153 US ROUTE 1
 SCARBOROUGH, ME 04074
 (207) 883-1000

