



## ZONING BOARD OF APPEALS

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

JOHN A. DONOVAN  
KENDALL P. BATES  
WILLIAM E. POLLETTA

ELLEN D. GORDON  
EXECUTIVE SECRETARY  
TELEPHONE  
(617) 431-1019 EXT. 308

SUMNER H. BABCOCK  
ROBERT A. BASTILLE



ZBA 97-8

Petition of Jeffrey L. and Donna C. Knight  
57 Kirkland Circle

Pursuant to due notice, the Special Permit Granting Authority held a Public Hearing on January 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 JEFFREY L. AND DONNA C. KNIGHT requesting a Special Permit/Finding pursuant to the provisions of Section XVII and Section XXV of the Zoning Bylaw that the raising of the ridge line of the roof approximately 7 feet above their nonconforming garage, with less than the required right side yard setback, to accommodate a second story addition with a rear dormer, approximately 23 feet by 20.5 feet with a 16.42 foot by 2.16 foot overhang, at their nonconforming dwelling at 57 KIRKLAND CIRCLE, in a Single Residence District, shall not be substantially more detrimental to the neighborhood than the existing nonconforming structure.

On January 13, 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 Donna Knight, who said that their home is a two-bedroom cape. They are expecting their second child this summer and need more space. The addition would be for a master bedroom and bath above the garage. Mrs. Knight presented a three-dimensional model to show how the rear dormer had been designed. The Board felt that the model was a helpful aid in understanding the unusual design concept.

No other person present had any comment on the petition.

### Statement of Facts

The subject property is located at 57 Kirkland Circle, in a Single Residence District, on a 10,280 square foot lot, with a minimum right side yard clearance of 10.1 feet.

The petitioners are requesting a Special Permit/Finding to allow the ridge line of the garage roof to be raised 7 feet to accommodate a 23 foot by 20.3 second floor addition with a rear dormer, which will have a minimum right side yard clearance of 10.1 feet and a 16.42 foot by 2.16 foot second story overhang, which will have a minimum right side yard clearance of 11.6 feet.

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A Plot Plan dated January 7, 1997, drawn by Angelo P. Veneziano; Floor Plans and Elevations dated January 7, 1997, drawn by H. Paul Rovinelli, Registered Architect; and photographs were submitted.

On January 23, 1997, the Planning Board reviewed the petition and offered 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 the proposed second story addition, rear dormer and overhang will neither intensify the existing nonconformance, nor will they create new nonconformities. There will be no change in the footprint as a result of the second story addition and rear dormer, and the overhang will be less nonconforming than the existing dwelling.

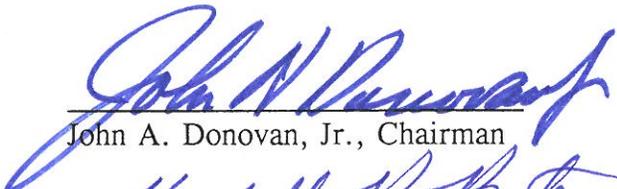
It is the finding of this Authority that the proposed construction will not be substantially more detrimental to the neighborhood than the existing nonconforming structure.

Therefore, a Special Permit is granted, as voted unanimously at the Public Hearing, for the raising of the garage roof 7 feet to accommodate the 23 foot by 20.5 foot second story addition, for the rear dormer and for the 16.42 foot by 2.16 foot overhang, subject to construction in conformance with the submitted plot plan and construction drawings.

The Inspector of Buildings is hereby authorized to issue a permit for construction upon his 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.

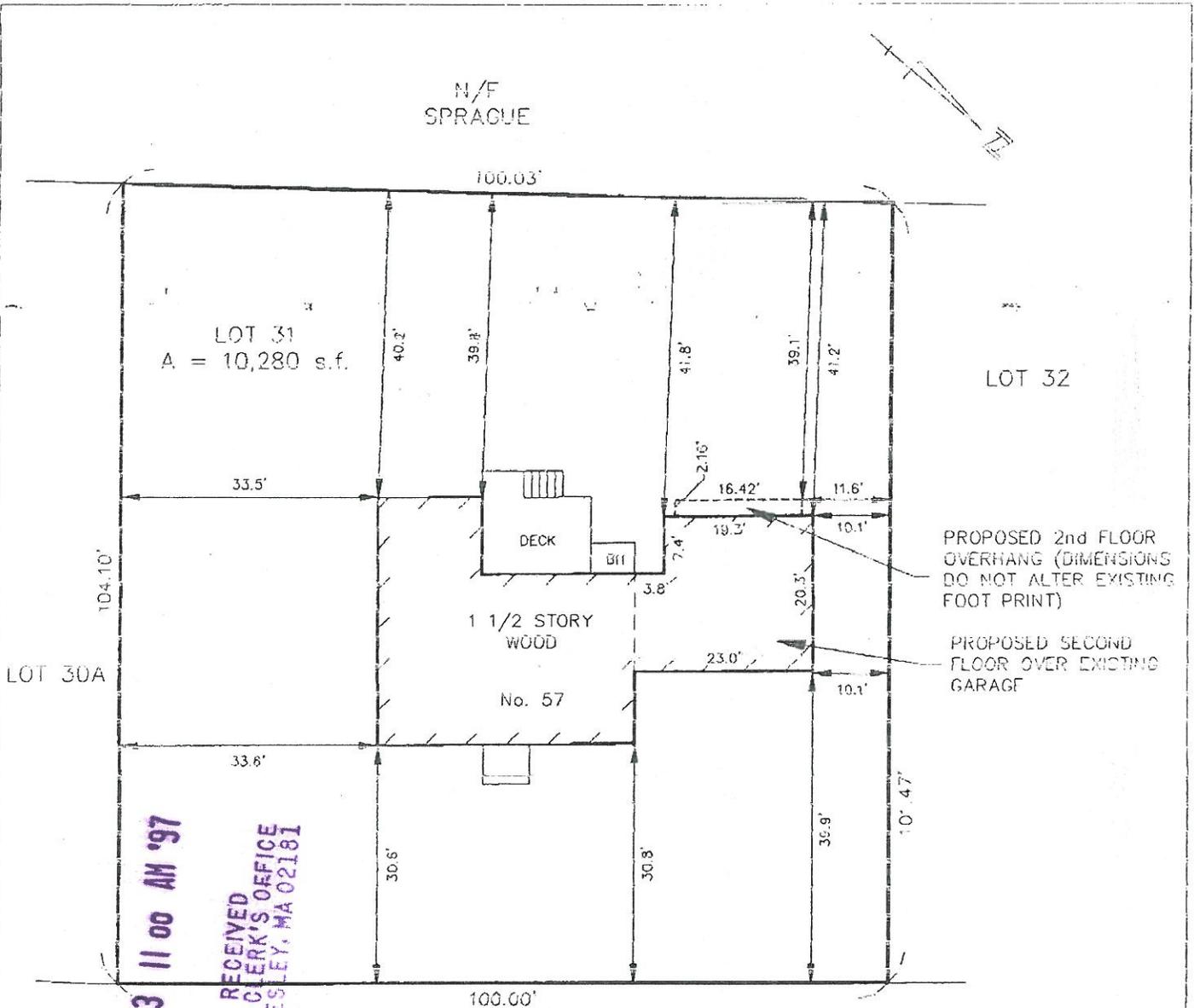
cc: Planning Board  
Inspector of Buildings  
edg

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

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

  
\_\_\_\_\_  
Robert A. Bastille

RECEIVED OFFICE OF THE TOWN CLERK, MAZETTE WELLSVILLE, MA 02158  
FEB 11 8 23 AM '97



JAN 13 11 00 AM '97  
 RECEIVED  
 TOWN CLERK'S OFFICE  
 WELLESLEY, MA 02181

**KIRKLAND CIRCLE**  
 (FORMERLY LIVERMORE GARDENS WEST)

EXISTING LOT COVERAGE = 14.8%  
 PROPOSED LOT COVERAGE = 14.8%

PLOT PLAN OF LAND  
 IN  
 WELLESLEY, MASS.

I HEREBY CERTIFY THAT THIS PLAN WAS PREPARED FROM AN INSTRUMENT SURVEY AND THAT THE BUILDING IS LOCATED ON THE GROUND AS SHOWN.

ANGELO B. VENEZIANO, P.E. — P.L.S. date 1/7/96



**ARV SURVEY**  
 15 HALL STREET, MEDFORD, MASS. 02155  
 617-396-4466 FAX: 617-396-8052

SCALE: 1" = 20'  
 TITLE REF: BK. 10850, PG. 492  
 DATE: JANUARY 7, 1997  
 FILE No. 12272