

TOWN OF WELLESLEY



MASSACHUSETTS

ZONING BOARD OF APPEALS

TOWN HALL • 525 WASHINGTON STREET • WELLESLEY, MA 02482-5992

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1998 SEP -8 A 8:48

ZBA 98-66

Petition of Charles M. and Wendy S. Beck Von Peccoz
26 Oakland Circle

Pursuant to due notice, the Special Permit Granting Authority held a Public Hearing on Thursday, August 20, 1998, at 8 p.m. in the Great Hall at the Town Hall, 525 Washington Street, Wellesley, on the petition of CHARLES M. AND WENDY S. BECK VON PECCOZ requesting a Special Permit/Finding pursuant to the provisions of Section XVII and Section XXV of the Zoning Bylaw that the demolition of an existing nonconforming porch and construction of an 18 foot by 17.5 foot two-story addition, which will have less than the required left side and front yard setbacks, at their nonconforming dwelling with less than the required front and left side yard setbacks, at 26 OAKLAND CIRCLE, in a Single Residence District, shall not be substantially more detrimental to the neighborhood than the existing nonconforming structure.

On August 3, 1998, 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 Charles and Wendy Beck Von Peccoz. Mr. Beck Von Peccoz said that they propose to remove an old porch and build a two-story addition with the first floor used as a living room area and the second floor for a bathroom and closet. The front of the house faces the back yard. The road was originally intended to run as a cul-de-sac from Oakland Street. The configuration was changed to a horseshoe shape, so instead of running in front of all the homes, the road went around the back of some of the homes. Of the 11 houses on the circle, 9 of them are closer than 30 feet.

The Board noted that the site was very tight on the front and left sides.

Using the elevation plans, Mrs. Beck Von Peccoz showed the area of the addition. She said that neither the basement nor the attic have sufficient headroom to add living space. The addition has been scaled back a foot from the left side, and the second story is smaller to prevent a box-like look. There is a hemlock edge across the left side of the property which will screen the addition.

No other person present had any comment on the petition.

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Statement of Facts

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The subject property is located at 26 Oakland Circle, in a Single Residence District, on a 14,065 square foot lot, and has a minimum front yard clearance of 8.4 feet and a minimum left side yard clearance of 5.5 feet.

The petitioners are requesting a Special Permit/Finding that the demolition of an existing porch and construction of an 18 foot by 17.5 foot two-story addition, with a minimum left side yard clearance of 5.6 feet and a minimum front yard clearance of 25.8 feet, shall not be substantially more detrimental to the neighborhood than the existing nonconforming structure.

A Plot Plan dated July 9, 1998, drawn by Paul J. Sawtelle, Registered Land Surveyor; Floor Plans and Elevations drawn by D. Michael Collins; and photographs were submitted.

Decision

This Authority has made a careful study of the material 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 18 foot by 17.5 two-story addition will not be substantially more detrimental to the neighborhood as the addition will not intensify the existing nonconformance, nor will it create new nonconformity.

Therefore, a Special Permit is granted, as voted unanimously by this Authority at the Public Hearing, to construct the two-story addition, subject to construction in accordance with the submitted plot plan and construction drawings.

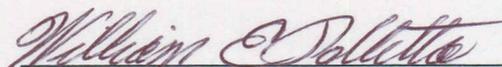
The Inspector of Buildings is hereby authorized to issue a permit for construction upon receipt and approval of a building application and detailed construction plans.

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
edg Inspector of Buildings



Kendall P. Bates, Acting Chairman



William E. Polletta

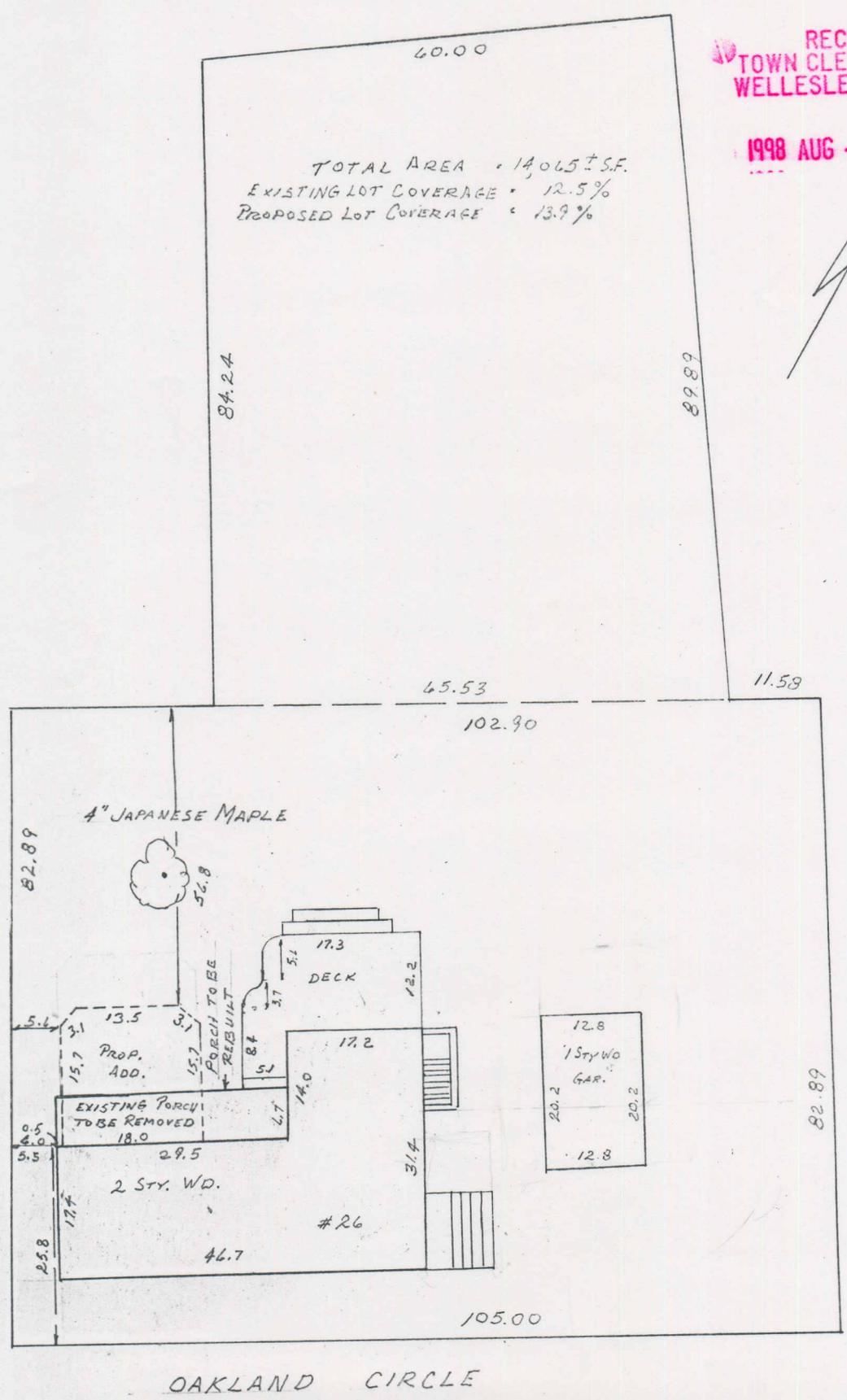


Robert A. Bastille

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TOTAL AREA = 14,065 ± S.F.
EXISTING LOT COVERAGE = 12.5%
PROPOSED LOT COVERAGE = 13.9%



OAKLAND CIRCLE

PLAN OF LAND
IN
WELLESLEY, MASS.



Paul Sawtelle

SCALE 1"=20'
MASS BAY SURVEY INC. JULY 9, 1998
NEWTON, MASS.