

**ZONING BOARD OF APPEALS**

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

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1999 FEB -3

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ZBA 98-3

Petition of Peter W. and Laura R. VanZandt
19 Curve Street

Pursuant to due notice, the Special Permit Granting Authority held a Public Hearing on Thursday, January 28, 1999 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 PETER W. AND LAURA R. VANZANDT requesting a Special Permit/Finding pursuant to the provisions of Section XVII and Section XXV of the Zoning Bylaw that the demolition of the existing kitchen area and construction of a one-story 20.8 foot by 17.9 foot addition, with less than the required right side yard setback, at their nonconforming dwelling with less than the required right side yard setback, at 19 CURVE STREET, in a Single Residence District, shall not be substantially more detrimental to the neighborhood than the existing nonconforming structure.

On January 11, 1999, 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 Peter and Laura VanZandt. Mrs. VanZandt said that they have worked with an architect to design a kitchen which will provide more depth on the lot, but will not encroach any further on the nonconforming setback.

The Board commented that the Planning Board had no objection to the request.

No other person present had any comment on the petition.

Statement of Facts

The subject property is located at 19 Curve Street, on a 6,875 square foot lot, in a Single Residence District, and has a minimum right side yard clearance of 8 feet and a minimum left side yard clearance of 12.8 feet.

The petitioners are requesting a Special Permit/Finding that the demolition of the existing kitchen area and construction of a one-story 20.8 foot by 17.9 foot addition, with a minimum right side clearance of 9 feet shall not be substantially more detrimental to the neighborhood than the existing nonconforming structure.

On January 19, 1999, the Planning Board reviewed the petition and had no objection 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 property 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 demolition of the existing kitchen area and construction of the one-story addition shall not be substantially more detrimental to the neighborhood than the existing nonconforming structure, as it will neither intensify the existing nonconformance, nor create additional nonconformity, as it has been set back an additional foot from the right side lot line.

Therefore, a Special Permit is granted for the addition, 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.

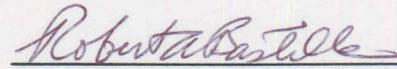
cc: Planning Board
Inspector of Buildings
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Kendall P. Bates, Acting Chairman



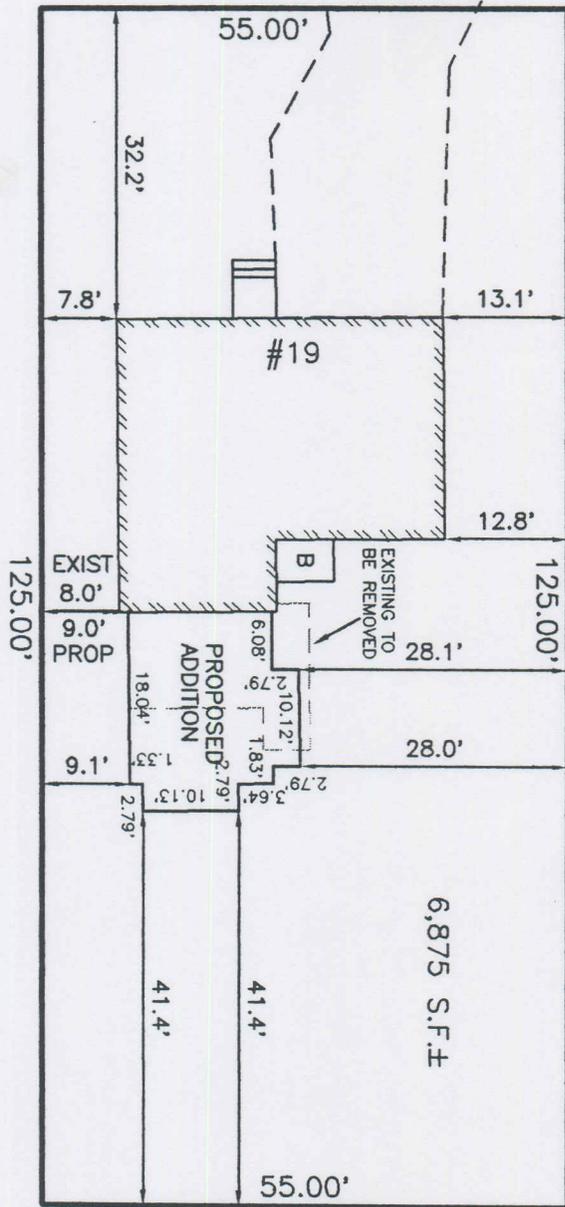
William E. Polletta



Robert A. Bastille

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CURVE STREET



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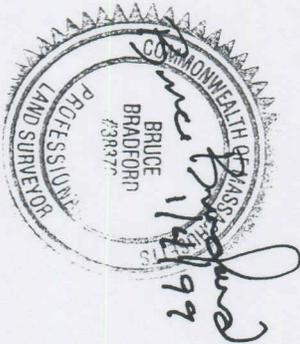
PLAN OF LAND IN
 WELLESLEY, MA.

19 CURVE STREET
 PROPOSED ADDITION

SCALE 1 IN. = 20 FT
 JANUARY 4, 1999

LOT COVERAGE
 16.4% EXISTING
 18.1% PROPOSED

STRUCTURES
 1130 S.F. EXISTING
 1243 S.F. PROPOSED



PREPARED BY:
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 PROJECT NO. 19567