



ZONING BOARD OF APPEALS

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

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ZBA 2012-42

Petition of Thomas & Caroline Hodge

39 Bay View Road

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 2012 JUN 20 P 3:11

Pursuant to due notice, the Special Permit Granting Authority held a Public Hearing on Thursday, June 7, 2012, at 7:30 p.m. in the Juliani Meeting Room, 525 Washington Street, Wellesley, on the petition of THOMAS & CAROLINE HODGE requesting a Special Permit/Finding pursuant to the provisions of Section XIVE, Section XVII and Section XXV of the Zoning Bylaw that construction of a 6.5 foot by 10 foot one-story addition with less than required left side yard setbacks, at 38 BAY VIEW ROAD, in a 10,000 square foot Single Residence District and a Water Supply Protection District, shall not be substantially more detrimental to the neighborhood than the existing nonconforming structure.

On May 22, 2012, the Petitioner 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 Alex Knox, Architect and Thomas Hodge, (the "Petitioner").

Mr. Knox said that the request is for a Special Permit/Finding to extend the existing nonconforming garage 6 feet 6 inches closer to Bay View Road to facilitate a kitchen remodel and to move a first floor bathroom to a different location in the house.

Mr. Knox said that they will be changing the use of the garage over to habitable space. The Board asked about the use of the remaining portion of the garage. Mr. Knox said that it will be used for storage and utility.

The Board said that the neighbor to the side has a storage shed that will prevent the proposed addition from being seen.

Statement of Facts

The subject property is located at 38 Bay View Road, in a 10,000 square foot Single Residence District and a Water Supply Protection District, with a minimum left side yard setback of 7.4 feet.

The Petitioner is requesting a Special Permit/Finding that construction of a 6.5 foot by 10 foot one-story addition with less than required left side yard setbacks, in a 10,000 square foot Single Residence District and a Water Supply Protection District, shall not be substantially more detrimental to the neighborhood than the existing nonconforming structure.

A Plot Plan dated 3/30/12, revised 5/10/12, stamped by Alphonse D. Haley, Professional Land Surveyor, Proposed Partial 1st Floor Plan, dated 5/2/12, Existing and Proposed Floor Plans and Elevation Drawings, dated 5/9/12, prepared by Alex J. Knox, AIA, and photographs were submitted.

On June 5, 2012, the Planning Board reviewed the petition and recommended that the Special Permit be granted.

Decision

This Authority has made a careful study of the materials submitted and the information presented at the hearing. The subject structure does not conform to the current Zoning Bylaw, as noted in the foregoing Statement of Facts.

It is the finding of this Authority that although construction of a 6.5 foot by 10 foot one-story addition with less than required left side yard setbacks is increasing a nonconformity, such increase shall not be substantially more detrimental to the neighborhood than the existing nonconforming structure.

Therefore, a Special Permit is granted, as voted unanimously by this Authority at the Public Hearing, for construction of a 6.5 foot by 10 foot one-story addition with less than required left side yard setbacks, 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.

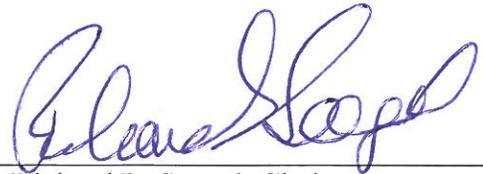
If construction has not commenced, except for good cause, this Special Permit shall expire two years after the date time stamped on this decision.

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ZBA 2010-42
Petition of Thomas & Caroline Hodge
38 Bay View Road

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2012 JUN 20 P 3 15

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.



Richard L. Seegel, Chairman



David G. Sheffield



Robert W. Levy

cc: Planning Board
Inspector of Buildings
lrm

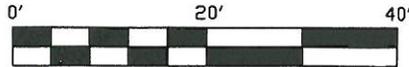
CERTIFIED PLOT PLAN

PROPOSED ADDITION

IN
WELLESLEY, MASS.

MIDDLESEX SURVEY INC. LAND SURVEYORS
131 PARK STREET NORTH READING, MA. 01864

SCALE: 1" = 20' DATE: MAR. 30, 2012



$R = 241.30'$
 $L = 45.46'$ (CALC.)

33.66'

LOT 15A
11,950±sf
(CALC.)

175.90'

139.32'

ZONE: SR10
MIN. SETBACKS
30' STREET
20' SIDE
10' REAR

LOT CREATED JUNE 1941
BOOK 2334 PAGE 541

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TOTAL COVERAGE EXISTING = 12%
TOTAL COVERAGE EXISTING = 1,454sf

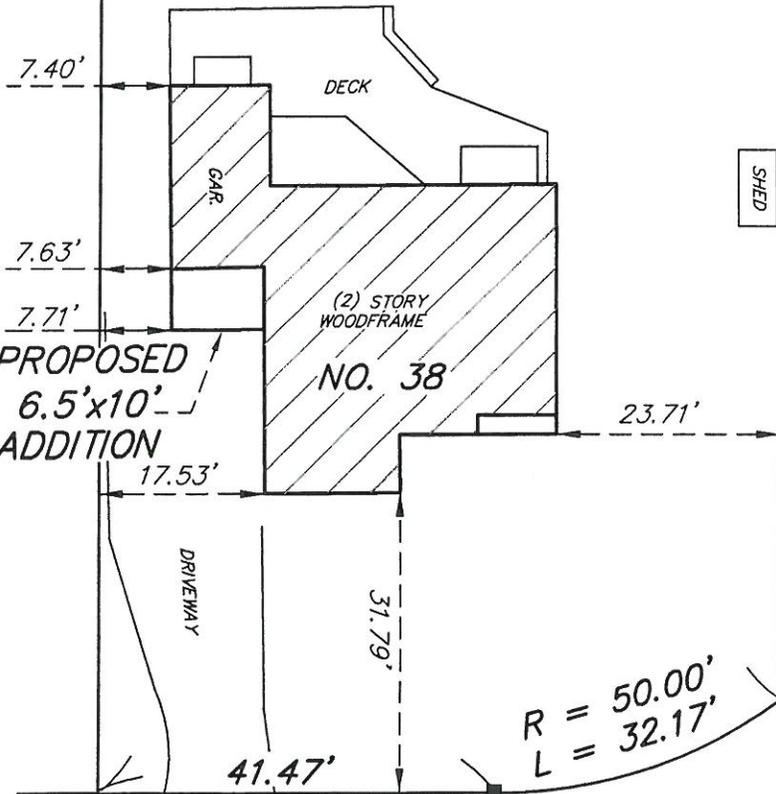
TOTAL COVERAGE PROPOSED = 1%
TOTAL COVERAGE PROPOSED = 84sf



I CERTIFY THAT THE EXISTING DWELLING IS
LOCATED AS SHOWN.
DATE: 3/30/12

Alphonse D. Haley
Registered Land Surveyor

REVISED: 5/10/12



BAY VIEW ROAD