



ZONING BOARD OF APPEALS
TOWN HALL WELLESLEY, MA 02181

JOHN A. DONOVAN, JR., Chairman
ROBERT R. CUNNINGHAM
KENDALL P. BATES

ELLEN D. GORDON
Executive Secretary
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WILLIAM E. POLLETTA
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ZBA 93-60

Petition of Andrew B. and Paulette A. Cobin
170 Benvenue Street

Pursuant to due notice, the Special Permit Granting Authority held a Public Hearing on Thursday, July 15, 1993 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 ANDREW B. AND PAULETTE A. COBIN requesting a Special Permit/Finding pursuant to the provisions of Section XVII and Section XXV of the Zoning Bylaw to allow construction of a second story dormer addition approximately 19 feet 10 inches by 8 feet 6 inches above an existing nonconforming porch of the same dimensions with less than the required left side yard setback at 170 BENVENUE STREET, in a Single Residence District. Said addition will also have less than the required left side yard setback.

On June 28, 1993, the petitioners requested 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 Andrew and Paulette Cobin, who were accompanied by their architect, John Staniunas. Mr. Staniunas said that when the house was built in 1936, it was constructed with a left side setback of 14 feet. The Cobins are starting a family and need another bedroom and bath on the second floor. The addition of a shed dormer is the easiest way to add the required space. The addition will not extend any closer to the left side line than the existing porch.

No other person present had any comment on the petition.

Statement of Facts

The subject nonconforming dwelling is located at 170 Benvenue Street, in a Single Residence District, on a 19,213 square foot lot, with a minimum left side yard clearance of 13.84 feet.

The petitioners are requesting a Special Permit/Finding to construct a second story shed dormer addition, approximately 19 feet 10 inches by 9 feet 8 inches above a nonconforming porch with the same dimensions, with a minimum left side yard clearance of 13.84 feet. The proposed addition would also have a minimum left side yard clearance of 13.84 feet.

A Plot Plan dated May 27, 1993, drawn by U.M. Schiavone, Registered Professional Land Surveyor; floor plans and elevations dated June 6, 1993, drawn by John Staniunas, Architect; and photographs were submitted.

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On July 13, 1993, the Planning Board reviewed the petition and voted to recommend that the Special Permit/Finding be granted.

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.

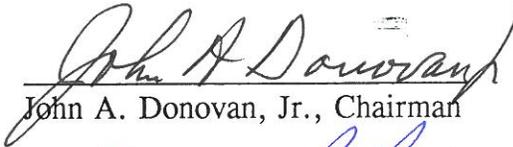
It is the opinion of this Authority that proposed second story shed dormer, as it will be constructed with the same dimensions and the same setback from the left side lot line as the existing nonconforming porch, will not intensify the existing nonconformity or create additional nonconformities.

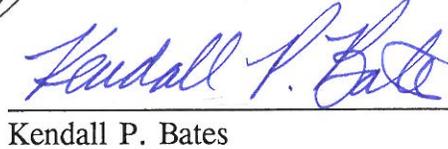
Therefore, pursuant to Section XVII of the Zoning Bylaw, a Special Permit is granted to construct the requested second-story shed dormer addition subject to construction in accordance with the Plot Plan and construction sketches as submitted and noted in the foregoing Statement of Facts.

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

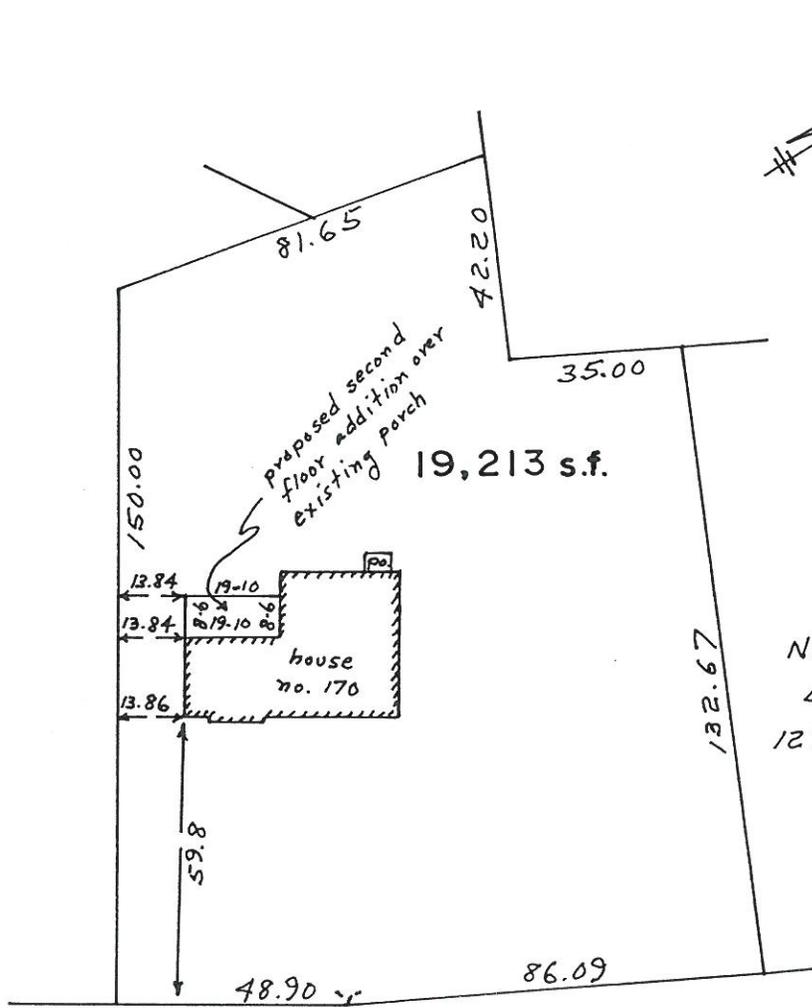

John A. Donovan, Jr., Chairman


Kendall P. Bates


Franklin P. Parker

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Note:
Lot coverage is
1298[±] s.f. or 6.8%

BENVENUE STREET

PLAN OF LAND
IN
WELLESLEY MASS.

TO ACCOMPANY THE PETITION OF
ANDREW B. & PAULETTE A. COBIN
170 BENVENUE STREET
WELLESLEY



U.M. Schiavone

SCALE 1 IN = 40 FT
U.M. SCHIAVONE
NEWTON LOWER FALLS

MAY 27, 1993
LAND SURVEYOR
MASS.