



ZONING BOARD OF APPEALS
TOWN HALL WELLESLEY, MA 02181

MAY 4 10 20 AM '94

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

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Executive Secretary
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WILLIAM E. POLLETTA
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ZBA 94-24

Petition of K. Frank and Joycelyn C. Austen
34 Bradford Road

Pursuant to due notice, the Special Permit Granting Authority held a Public Hearing on Thursday, April 21, 1994 at 8 p.m. in the Selectmen's Meeting Room (Conference Room B) at the Town Hall, 525 Washington Street on the petition of K. FRANK AND JOYCELYN C. AUSTEN requesting a Special Permit/Finding pursuant to the provisions of Section XVII and Section XXV of the Zoning Bylaw that the enclosure of an existing porch approximately 7.2 feet by 7.5 feet with less than the required right side setback, at their nonconforming dwelling with less than the required right side setback at 34 BRADFORD ROAD, in a Single Residence District, shall not be substantially more detrimental to the neighborhood than the existing nonconforming dwelling.

On April 4, 1994, 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 was Paul Fallon, architect for the Austens, both of whom were present. Mr. Fallon said that the house originally was built as a second dwelling on an abutting property. At some time, the property was subdivided, leaving the house at 34 Bradford Road with a 10 foot setback on the right side. The Austens would like to enclose the existing porch and use the enclosed space to enlarge their kitchen. Neither the footprint nor the roof line of the dwelling will be changed.

No other person present had any comment on the petition.

Statement of Facts

The subject nonconforming dwelling is located at 34 Bradford Road, in a Single Residence District, on a 27,792 square foot lot, with a minimum right side yard clearance of 10 feet.

The petitioners are requesting a Special Permit/Finding to enclose an existing nonconforming porch approximately 7.5 feet by 7.2 feet, which has a minimum right side yard clearance of 11.2 feet, for incorporation into the interior kitchen expansion. There will be no change in footprint or roof line due to the enclosure.

A Plot Plan dated March 29, 1994, drawn by George N. Giunta, Registered Land Surveyor; Floor Plans and Elevations drawn by Fallon Associates; and photographs were submitted.

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The Planning Board reviewed the petition and expressed their belief that the proposed addition would not be substantially more detrimental to the neighborhood, will not intensify any existing nonconformity nor result in additional nonconformity.

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.

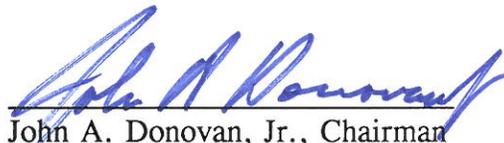
It is the finding of this Authority that the proposed enclosure of the nonconforming porch for inclusion in the interior expansion of the kitchen will not intensify the existing nonconformity or result in additional nonconformity.

Therefore, a Special Permit is hereby granted for the enclosure of said porch subject to construction in accordance with the plot plan and construction drawings as submitted.

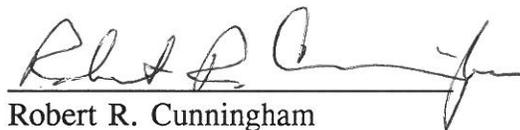
The Inspector of Buildings is hereby authorized to issue a permit for the construction upon his receipt and approval of a building application and detailed construction plans.

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

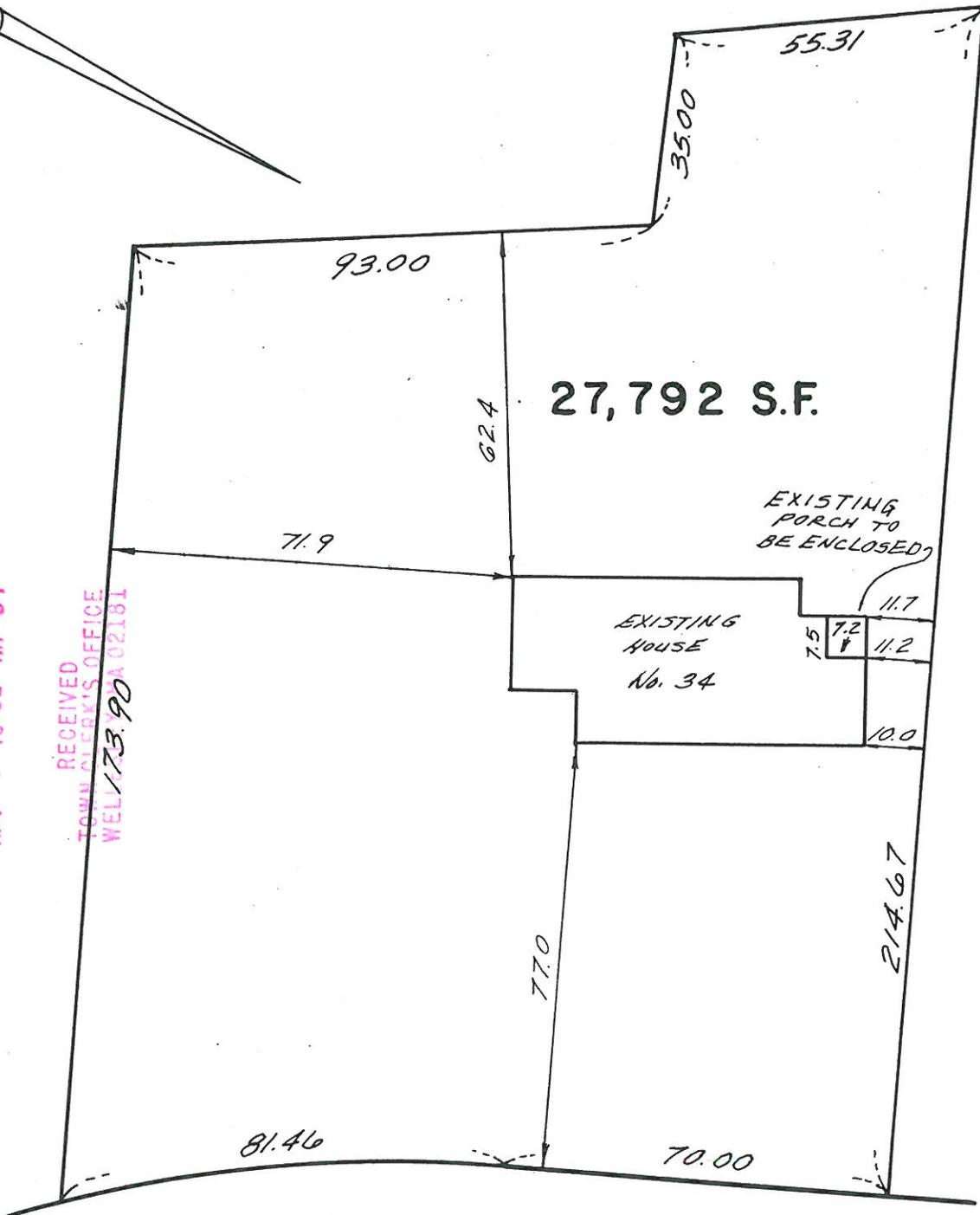

Kendall P. Bates


Robert R. Cunningham

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BRADFORD ROAD

PLOT PLAN OF LAND
IN

WELLESLEY — MASS.

MAR. 29, 1994 SCALE 1" = 30'

NEEDHAM SURVEY ASSOCIATES, INC.
281 CHESTNUT ST
NEEDHAM, MASS.

