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## ZONING BOARD OF APPEALS

TOWN HALL • 525 WASHINGTON STREET • WELLESLEY, MA 02181-5992

1998 JUL 10 A 8:26

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ROBERT A. BASTILLE  
CYNTHIA S. HIBBARDZBA 98-52  
Petition of Paul C. Shellito  
12 Orchard Street

Pursuant to due notice, the Special Permit Granting Authority held a Public Hearing on Thursday, June 25, 1998 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 PAUL C. SHELLITO requesting a Special Permit/Finding pursuant to the provisions of Section XVII and Section XXV of the Zoning Bylaw that the following additions to his nonconforming dwelling with less than the required right side yard and front yard setbacks at 12 ORCHARD STREET, in a Single Residence District, shall not be substantially more detrimental to the neighborhood than the existing nonconforming structure:

1. Raising the ridge line of the roof above the back entry 10.5 feet to accommodate a second story addition 9.3 feet by 6.7 feet with less than the required right side yard setback. There will be no change in the footprint.

2. Demolition of the existing nonconforming front landing and construction of a new 4.6 foot by 9.8 foot landing with stair, which will have less than the required right side yard setback.

On June 6, 1998, 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 was Barbara Shellito, wife of the petitioner, who said that the abutters have no problem with the additions. The addition of the second story will not change the footprint.

No other person present had any comment on the petition.

Statement of Facts

The subject dwelling is located at 12 Orchard Street, in a Single Residence District, on a 10,800 square foot lot, and has a minimum front yard setback of 29.9 feet from the dwelling foundation, and a minimum right side yard clearance of 15.3 feet.

The petitioner is requesting a Special Permit/Finding that the raising of the ridge line of the roof above the 9.3 foot by 6.7 foot back entry 10.5 feet to accommodate a second story

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addition of the same dimensions with a minimum right side yard clearance of 15.3 feet; and the demolition of an existing nonconforming front landing and replacement with a 4.6 foot by 9.8 foot front landing and stair which will have a minimum right side yard clearance of 16.8 feet, shall not be substantially more detrimental to the neighborhood than the existing nonconforming structure.

A Plot Plan dated May 18, 1998, drawn by George N. Giunta, Registered Land Surveyor; Floor Plans and Elevations dated May 21, 1998, drawn by J. Stewart Roberts Associates, Inc.; and photographs were submitted.

On June 23, 1998, the Planning Board reviewed the petition and voted to offer no objection to the request.

Decision

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

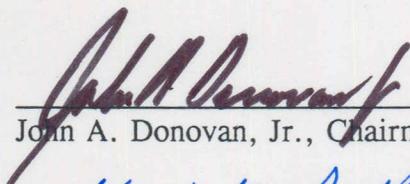
It is the finding of this Authority that neither the proposed second story addition nor the proposed front landing and stair will be substantially more detrimental to the neighborhood than the existing nonconforming structure, as neither addition will intensify the existing nonconformance or create additional nonconformance.

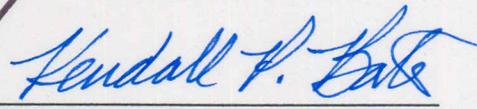
Therefore, a Special Permit is granted for construction of both the second story addition and the demolition and construction of the front landing and stair, as voted unanimously by this Authority at the Public Hearing, subject to construction in accordance with the submitted plot plan and construction drawings.

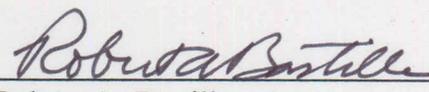
The Inspector of Buildings is hereby authorized to issue a permit for construction upon receipt and approval of a building application and detailed construction plans.

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  
edg

  
John A. Donovan, Jr., Chairman

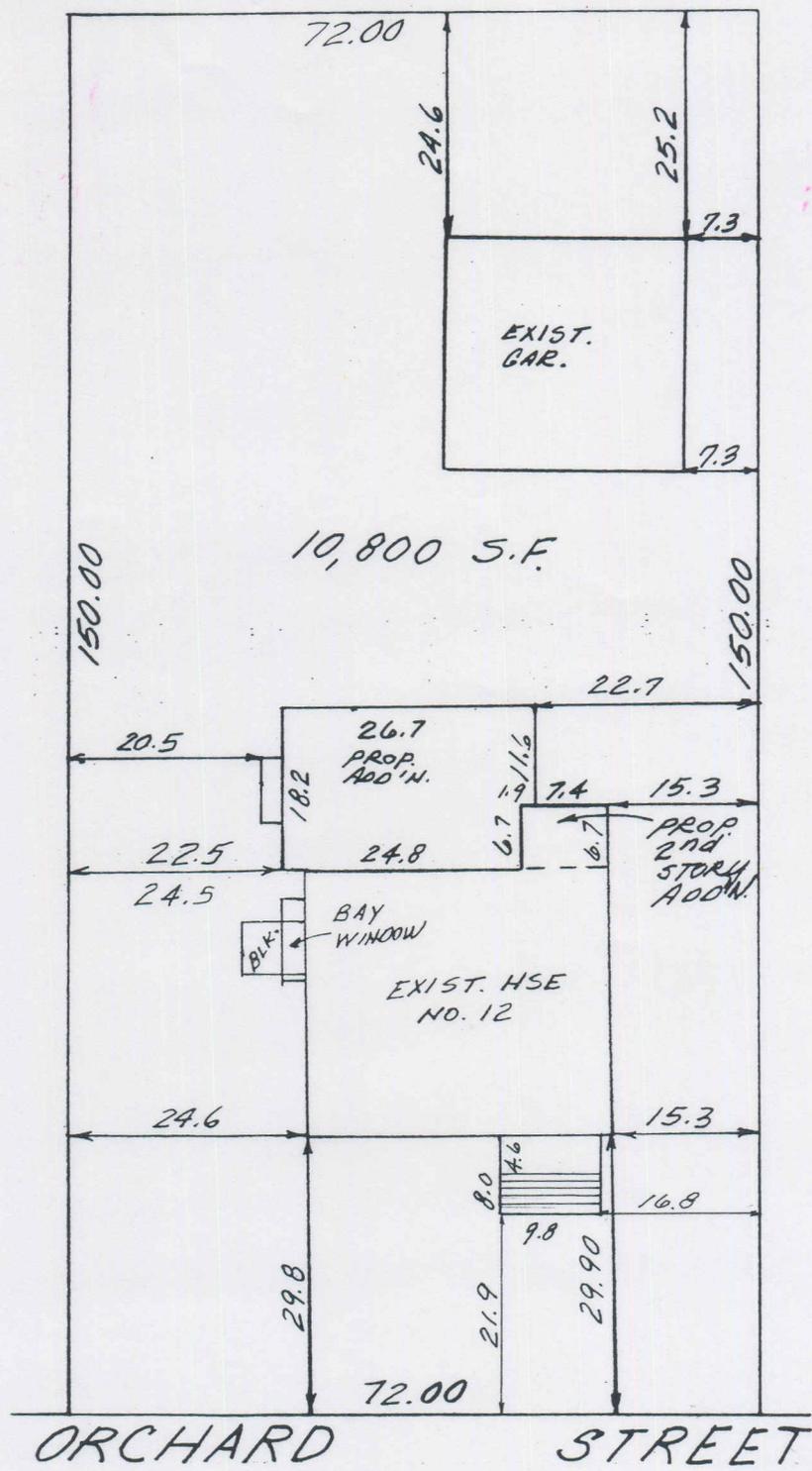
  
Kendall P. Bates

  
Robert A. Bastille

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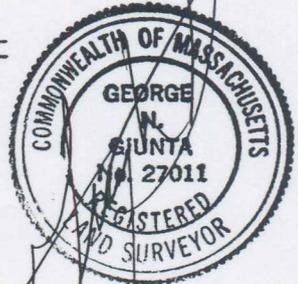
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1998 JUN -8 A 11: 37



# PLOT PLAN OF LAND WELLESLEY----MASS.

MAY. 18, 1998 SCALE 1"=20 '  
NEEDHAM SURVEY ASSOCIATES, INC.  
281 CHESTNUT STREET  
NEEDHAM, MA. 02192



Existing Lot Cov. = 15.52 %  
Proposed Lot Cov. = 19.93 %