



ZONING BOARD OF APPEALS

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

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ZBA 2017-54

Petition of Katya Shutts
19 Columbia Street

Pursuant to due notice, the Special Permit Granting Authority held a Public Hearing on Thursday, June 1, at 7:30 p.m. in the Juliani Meeting Room, 525 Washington Street, Wellesley, on the petition of Katya Shutts requesting a Special Permit/Finding pursuant to the provisions of Section XVII and Section XXV of the Zoning Bylaw that construction of a second story addition on an existing nonconforming structure with less than required left side yard, and front yard setbacks, on a 9,216 square foot lot in a Single Residence District in which the minimum lot size is 10,000 square feet, at 19 Columbia Street, shall not be substantially more detrimental to the neighborhood than the existing nonconforming structure.

On March 28, 2017, 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 Adam Kersnowski and Terrance Shutts, homeowner, representing Katya Shutts, the Petitioner. Mr. Kersnowski said that the proposal is to enlarge an existing dormer for a master bedroom and a master bathroom. He said that the project was approved by the Wetlands Protection Committee.

A Board member said that the plot plan does not clearly identify where the second story addition is. He said that usually the plot plan will point out what parts of the house are already two stories and where a single story will be added. He said that it is easier to understand if it is shown on the plot plan. Mr. Kersnowski said that there will be no footprint change to the house.

A Board member said that there is a large multi-family structure, the Charles River and State land around the property.

The Board asked about the chimney. Mr. Kersnowski said that it will be in the same place and enclosed. He said that it is a zero clearance vent from the fireplace that is on the first floor.

There was no one present at the public hearing who wished to speak to the petition.

Statement of Facts

The subject property is located at 19 Columbia Street, on a 9,216 square foot lot in a Single Residence District in which the minimum lot size is 10,000 square feet, with a minimum front yard setback of 26.4 feet and a minimum left side yard setback of 11 feet.

The Petitioner is requesting a Special Permit/Finding pursuant to the provisions of Section XVII and Section XXV of the Zoning Bylaw that construction of a second story addition on an existing nonconforming structure with less than required left side yard, and front yard setbacks, on a 9,216 square foot lot in a Single Residence District in which the minimum lot size is 10,000 square feet, shall not be substantially more detrimental to the neighborhood than the existing nonconforming structure.

A Plot Plan, dated 10/11/16, stamped by Wayne Jalbert, Professional Land Surveyor, Proposed Floor Plans and Elevation Drawings, dated 5/20/16, prepared by Edward S. Porzio, Architect, and photographs were submitted.

On February 17, 2017, the Wetlands Protection Committee issued a Negative Determination of Applicability.

On May 16, 2017, the Planning Board reviewed the petition and recommended that 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 opinion of this Authority that construction of a second story addition on an existing nonconforming structure with less than required left side yard, and front yard setbacks, on a 9,216 square foot lot in a Single Residence District in which the minimum lot size is 10,000 square feet, shall not be substantially more detrimental to the neighborhood than the existing nonconforming structure, as it shall neither increase an existing nonconformity nor create a new nonconformity.

Therefore, a Special Permit is granted, as voted unanimously by this Authority at the Public Hearing, for construction of a second story addition on an existing nonconforming structure with less than required left side yard, and front yard setbacks, on a 9,216 square foot lot in a Single Residence District in which the minimum lot size is 10,000 square feet, in accordance with the submitted plot plan and construction drawings.

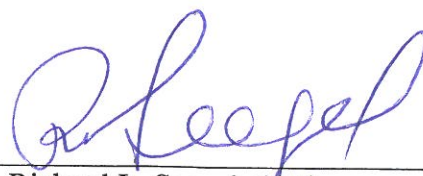
The Inspector of Buildings is hereby authorized to issue a permit for construction upon receipt and approval of a building application and detailed constructions plans.

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

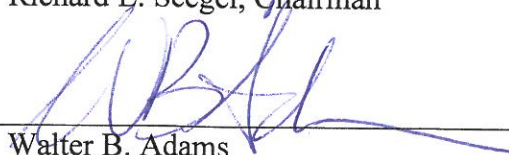
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2017 JUN 15 P 12 29
TOWN OF COLUMBIA
BUILDING DEPARTMENT

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



Walter B. Adams



Derek B. Redgate

cc: Planning Board
Inspector of Buildings
lrm

5.1 Certified Plot Plan

DHSB(FD)

23-27 WASHINGTON STREET PRIMARY CONDOMINIUM

47.72'(M)

47.00'(R/H)

DHCB(FD)
HELD

LAND COURT CASE #4-2996

CONCRETE
GARAGE
AREA=443±S.F.

LOT AREA =
9,211±S.F.(C)
9216±S.F.(R)

WOOD DECK
& STEPS

BULKHEAD

WOOD STEPS

1 STORY WOOD

WOOD DECK

23.7'

2 STORY
WOOD
DWELLING

AREA=1,266±S.F.

1 STORY
WOOD

BRICK
STEPS

WOOD DECK

BRICK
STEPS

87.0'(R)
92.95'(M)

122.25'(R)
121.78'(M)

STEPHEN FRANCIS NUZZI

*NO CHANGE IN FOOTPRINT PROPOSED.

COMMONWEALTH OF MASSACHUSETTS

AREA OF DEED
DISCREPANCY

SB(FD)
HELD

COLUMBIA (PRIVATE ROAD 7' WIDE) STREET DHCB(FD)
HELD

NOTE: By sealing/stamping this plot plan, the Registered Land Surveyor certifies that the proposed construction is in accordance with the Town of Wellesley Zoning By-Laws.

Land Surveyor Signature: _____

Date: 10/11/2016

Address Hancock Associates, 185 Centre St., Danvers, MA 01923

Telephone: 978-777-3050



**RESIDENTIAL
BUILDING PERMIT**

Application # _____

Property Address:

19 Columbia Street

Date Permit Granted: _____

Reviewed By: _____

FOR ALL BUILDINGS ON THE PROPERTY

5.2 Lot Area / Coverage

Lot Area (SF) 9,211±S.F.

Proposed Lot Coverage (SF) 1,709±S.F.*

Proposed Lot Coverage (%) 18%*

FOR THE BUILDING TO BE CONSTRUCTED OR
ALTERED UNDER THIS PERMIT

5.3 Building Height & Area

Footprint New Construction (SF) 0 S.F.*

Proposed Total Footprint (SF) 1,266± S.F.*

Height of Building (FT) 24.3 FT.

5.4 Living Area

Gross SF Finished

Unfinished

5.5 Rooms

Total # Rooms 7

Bedrooms 4

Full Bathrooms 2

Half Bathrooms 1

Fees Collected:

Permit

Microfilming

Advertising

Cert. of Occ.

TOTAL \$