

TOWN OF WELLESLEY



MASSACHUSETTS

ZONING BOARD OF APPEALS

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

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ZBA 2015-58
Petition of Selvaraj Nataraja
31 Charles Street

Pursuant to due notice, the Special Permit Granting Authority held a Public Hearing on Thursday, July 9, 2015, at 7:30 p.m. in the Juliani Meeting Room, 525 Washington Street, Wellesley, on the petition of SELVARAJ NATARAJA requesting a Special Permit/Finding pursuant to the provisions of Section XVII and Section XXV of the Zoning Bylaw that demolition of an existing deck and steps, construction of a two-car garage with living space above, and construction of a two-story addition with basement and attic, that will meet all setback requirements, on an existing nonconforming structure with less than required front yard and right side yard setbacks, at 31 CHARLES STREET, in a 10,000 square foot Single Residence District, shall not be substantially more detrimental to the neighborhood than the existing nonconforming structure.

On June 22, 2015, 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 Selvaraj Nataraja, the Petitioner. He said that his home is four houses from the street. He said that the proposal is for a two-car garage with living space above and a two-story addition at the back. He said that they are seeking relief for existing nonconforming setbacks. He said that the proposed construction will conform.

The Board said that the two nonconformities are the front yard and side yard setbacks.

The Board asked about the shed at the left property line. Mr. Nataraja said that the shed will be moved to be within the property line. He said that the land was surveyed after they bought the property.

A Board member said that he is familiar with the area. He said that it is the farthest property along the road and the addition will be on the far side of the home. He asked if the Petitioner had shared his plans with the neighbors. Mr. Nataraja said that he sent the plans to the neighbors, including the neighbor across the street, and there were no objections.

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 31 Charles Street, in a 10,000 square foot Single Residence District, with a minimum front yard setback of 27.5 feet and a minimum right side yard setback of 15.6 feet.

The Petitioner is requesting a Special Permit/Finding pursuant to the provisions of Section XVII and Section XXV of the Zoning Bylaw that demolition of an existing deck and steps, construction of a two-car garage with living space above, and construction of a two-story addition with basement and attic, that will meet all setback requirements, on an existing nonconforming structure with less than required front yard and right side yard setbacks, in a 10,000 square foot Single Residence District, shall not be substantially more detrimental to the neighborhood than the existing nonconforming structure.

A Plot Plan, dated 5/29/15, stamped by Christopher C. Charlton, Professional Land Surveyor, Existing and Proposed Floor Plans and Elevation Drawings, dated 5/8/15, prepared by Reboss Design, and photographs were submitted.

On July 7, 2015, 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 opinion of this Authority that demolition of an existing deck and steps, construction of a two-car garage with living space above, and construction of a two-story addition with basement and attic, that will meet all setback requirements, on an existing nonconforming structure with less than required front yard and right side yard setbacks, 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 demolition of an existing deck and steps, construction of a two-car garage with living space above, and construction of a two-story addition with basement and attic, that will meet all setback requirements, on an existing nonconforming structure with less than required front yard and right side yard setbacks, subject to the following conditions:

1. The TLAG Affidavit shall be corrected to show an increase of TLAG to 126%, not 26%.
2. The shed shall be moved or removed.

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.

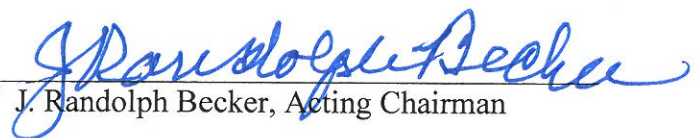
If construction has not commenced, except for good cause, this Special Permit shall expire two years after the date time stamped on this decision.

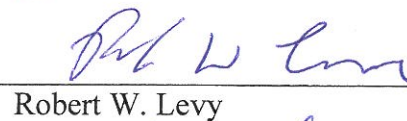
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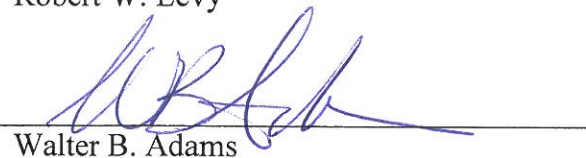
2015 JUL 23 P 3:42

RECEIVED
TOWN CLERK'S OFFICE
WILLESTON, MA 01896

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.


J. Randolph Becker, Acting Chairman


Robert W. Levy


Walter B. Adams

cc: Planning Board
Inspector of Buildings
lrn

ZONING DISTRICT: SR10

REBAR SET

N51°00'32"E

118.00'

STAKE SET

64.2

S28°28'E

00'

REBAR SET

LOTS 22, 23, 28

17, 700 ^{+/-} S.F.

ZONING DISTRICT: SR10

S38°59'28"E
150.00'

N/F

TOWN OF WELLESLEY

N38°59'28"W
150.00'

The site plan for No. 21 Charles St. shows a property bounded by Cedar Street to the north and Wyman Chan to the south. The plan includes several key features and dimensions:

- Proposed Additions:** Two shaded areas labeled "PROPOSED ADDITION". One is a rectangular addition (28.0' x 24.0') with a "DOOR DOOR" and "PROPOSED DRIVEWAY EXPANSION". The other is a smaller addition (20.6' x 18.0') with a "PROPOSED DRIVEWAY EXPANSION".
- Existing Structures:** A hatched area labeled "No. 31 EXISTING 2 STORY DWELLING 1ST FL = 100.0 RIDGE = 128.6".
- Existing Paved Drive:** A hatched area labeled "EXISTING PAVED DRIVE".
- Existing Paved Drive:** A dashed line labeled "EXISTING PAVED DRIVE".
- Dimensions:** The lot width is 150.00'. The lot depth is 45.0'. The distance from the street to the existing paved drive is 118.00'. The distance from the street to the proposed addition is 27.5'. The distance from the street to the existing paved drive is 27.5'. The distance from the street to the proposed addition is 27.5'. The distance from the street to the existing paved drive is 27.5'.
- Stake Set:** Four "STAKE SET" markers are shown along the property lines.
- Rebar Set:** Two "REBAR SET" markers are shown along the property lines.
- Street Layout:** Cedar Street is to the north, and Wyman Chan is to the south. The street width is 150.00'.
- Other Labels:** "REMOVED" with an arrow pointing to a hatched area, "TO CEDAR STREET", "N/F", and "WYMAN CHAN".

HEIGHT PROFILE

NOT TO SCALE

Diagram illustrating the vertical dimensions of a roof structure:

- RIDGE = 128.6
- AVERAGE GRADE = 93.8
- Vertical distance between ridge and average grade = 34.8

500 FOOT RULE: DOES NOT APPLY SINCE THERE ARE ONLY TWO BUILDINGS ALONG A 500 FOOT FRONTAGE, INCLUDING LOT TO BE AFFECTED, BETWEEN THE TWO INTERSECTING STREETS (CHARLES STREET & CEDAR STREET).

| | |
|------------------------------|-------|
| EXISTING LOT COVERAGE % | 7.1 |
| PROPOSED LOT COVERAGE % | 12.6 |
| EXISTING LOT COVERAGE (sqft) | 1,249 |
| PROPOSED LOT COVERAGE (sqft) | 2,233 |

ZONING DISTRICT: SR10

LOCATED AT

PREPARED FOR:
SELVARAJ NATARAJA
31 CHARLES STREET
WELLESLEY, MA 02481

REFERENCES:
DEED: BOOK 28338, PAGE 210
PLAN: BOOK 19, PAGE 895
BOOK 398, PAGE 216

ASSESSORS PARCEL # 0014-0005

105 BEAVER STREET, FRANKLIN, MA

(508) 528 - 2528
SCALE: 1"=20' MAY 29, 2015

I CERTIFY THAT THIS PLAN WAS CREATED BY AN INSTRUMENT SURVEY ON THE GROUND AND THAT ALL STRUCTURES ARE LOCATED AS SHOWN HEREON.



CHRISTOPHER C. CHARLTON, PLS

