

TOWN OF WELLESLEY



MASSACHUSETTS

ZONING BOARD OF APPEALS

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

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2020 FEB 20

ZBA 2020-10

Petition of Joost Spits
8 Tennyson Road

Pursuant to due notice, the Special Permit Granting Authority held a Public Hearing on Thursday, February 6, 2020, at 7:30 p.m. in the Juliani Meeting Room, 525 Washington Street, Wellesley, on the petition of Joost Spits requesting amendment of a Variance pursuant to the provisions of Section 14E, Section 19 and Section 24 of the Zoning Bylaw for construction of a one story garage addition with a deck above with less than required right side yard setbacks, and construction of a new deck that will meet setback requirements, on an existing nonconforming structure with less than required right side yard setbacks, on a 14,021 square foot lot in a Single Residence District in which the minimum lot size is 15,000 square feet, in a Water Supply Protection District, at 8 Tennyson Road.

On January 8, 2020, the Petitioner filed a request for a hearing before this Authority, and thereafter, due notice of the hearing was given by mailing and publication.

Present at the public hearing was Joost Spits, the Petitioner, Eyal Leib, Land Design Build, and Ivan Hernandez, I.S. Hernandez Design Services.

Mr. Hernandez said that the proposal is to extend the two car garage at the rear of the house by 10 feet at the basement level and build a deck above the garage. He said that they will remove the pergola. He said that there is a small tight porch off of the existing family room on the first floor that has no connection to the lower yard area. He said that it is a long way to access the back yard.

Mr. Hernandez said that right side yard setback is nonconforming. The Chairman said that it is an undersized lot at 14,021 square feet in a 15,000 square foot district.

A Board member confirmed that the garage will be expanded to accommodate the deck above. Mr. Hernandez said that the paved area will be reduced.

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 8 Tennyson Road, on a 14,021 square foot lot in a Single Residence District in which the minimum lot size is 15,000 square feet, in a Water Supply Protection District, with a minimum right side yard setback of 16 feet where 20 feet is required.

The Petitioner is requesting amendment of a Variance pursuant to the provisions of Section 14E, Section 19 and Section 24 of the Zoning Bylaw for construction of a one story garage addition with a deck above with less than required right side yard setbacks, and construction of a new deck that will meet setback

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requirements, on an existing nonconforming structure with less than required right side yard setbacks, on a 14,021 square foot lot in a Single Residence District in which the minimum lot size is 15,000 square feet, in a Water Supply Protection District.

A Plot Plan, dated 12/10/19, revised 1/2/20, stamped by Frank Iebba, Professional Land Surveyor, Existing and Proposed Floor Plans and Elevation Drawings, dated 1/02/20, prepared by I.S. Hernandez Design Services, Inc., and photographs were submitted.

On February 5, 2020, the Planning Board reviewed the petition and submitted comments.

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.

The Board found that the Design and Operation Standards in Part F are adequately satisfied and not otherwise prohibited in Part D.1, of Section XIVE of the Zoning Bylaw for Water Supply Protection Districts.

The Board is of the opinion that in granting amendment of a previously granted Variance, ZBA 51-24, it was determined by a previous Board in 1988 that a hardship existed.

Therefore, in reliance on the prior findings of that Board, this Board amends the Variance to permit construction of a one story garage addition with a deck above with less than required right side yard setbacks, and construction of a new deck that will meet setback requirements, on an existing nonconforming structure with less than required right side yard setbacks, on a 14,021 square foot lot in a Single Residence District in which the minimum lot size is 15,000 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 construction plans.

If construction has not commenced, except for good cause, modification of this Variance shall expire one year after the date time stamped on this decision.

PLANNING BOARD
JUANITA K. SPITS
WELLISLEY MA 02451
2020 FEB 20 AM 11:20

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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.


Robert W. Levy, Acting Chairman


Walter B. Adams


Derek B. Redgate

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Applicant Joost Spits
Address 8 Tennyson Road

NOT VALID FOR RECORDING UNTIL CERTIFIED BY TOWN CLERK

2020 FEB 20
11:20
TOWN CLERK'S OFFICE
WELLESLEY MA 02481

In accordance with Section 11 of Chapter 40A of the Massachusetts General Laws, I hereby certify that twenty (20) days have elapsed after the within decision was filed in the office of the Town Clerk for the Town of Wellesley, and that no appeal has been filed, or that if such appeal has been filed, that it has been dismissed or denied.

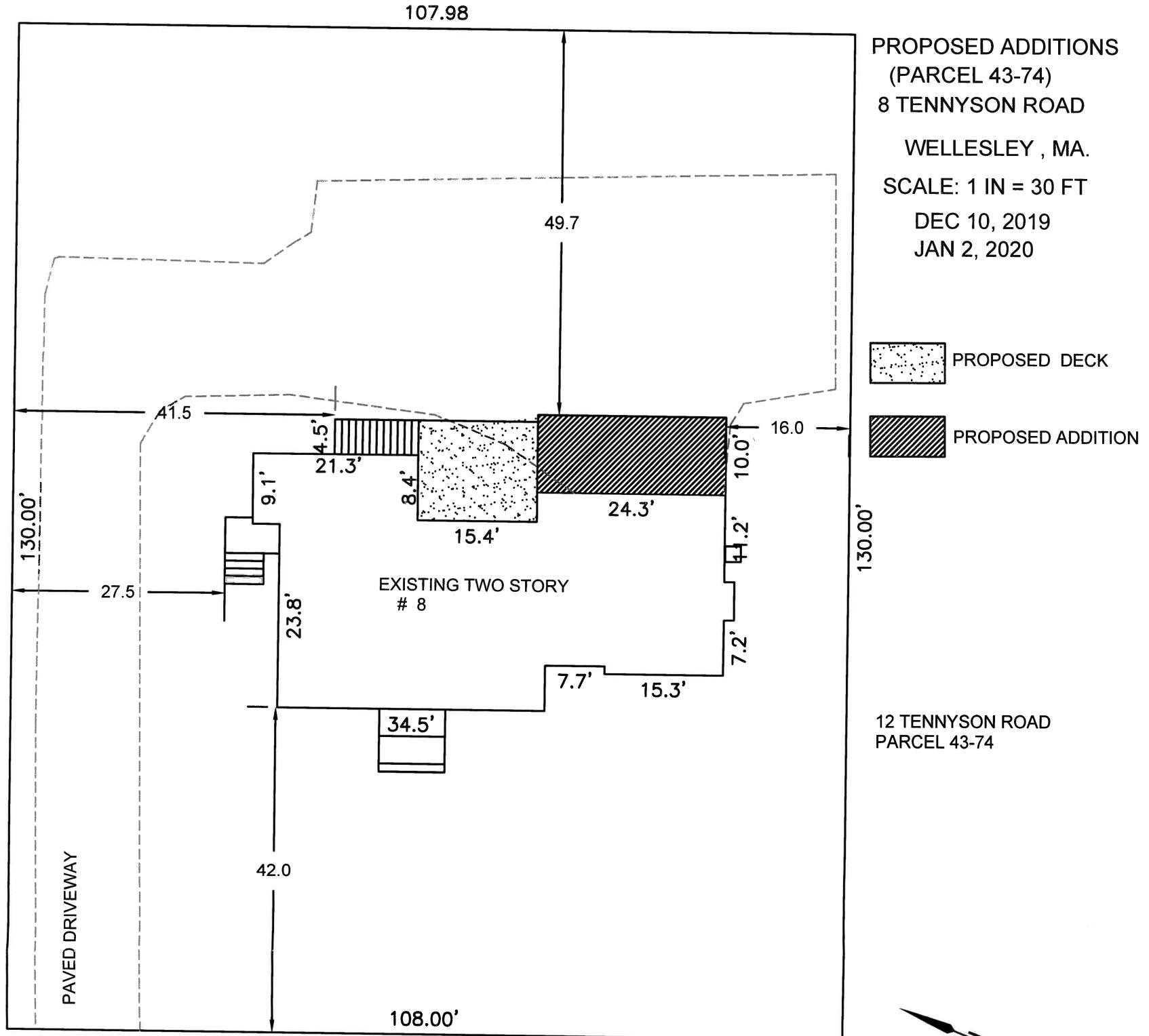
Date:

Attest:

Cathryn Jane Kato
Town Clerk

cc: Planning Board
Inspector of Buildings
lrm

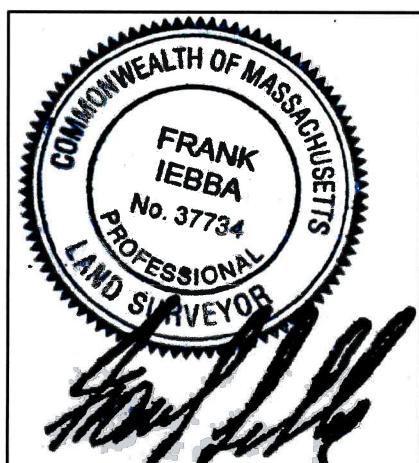
320 WALNUT PARCEL43-73



TENNYSON ROAD

LOT AREA 14021 SF +/-

EXISTING LOT COVER 11.2 %
(1569 SF EXISTING HOUSE)
PROPOSED LOT COVER 1434 %
(2011 SF WITH PROPOSED ADDITIONS)



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