

## SECTION 5.3. YARD REGULATIONS

### A. Definitions

Frontage - A lot boundary line which abuts a public way; or

a way which the Town Clerk certifies is maintained and used as a public way; or

a way shown on a plan approved and endorsed in accordance with the Subdivision Control Law; or

a way in existence when the Subdivision Control Law became effective in the Town of Wellesley having, in the opinion of the Planning Board, sufficient width, suitable grades and adequate construction to provide for the needs of vehicular traffic in relation to the proposed use of land abutting thereon or served thereby, and for the installation of municipal services to serve the land and the buildings erected or to be erected thereon;

Certification of the adequacy of a way by the Planning Board shall be required prior to the issuance of a building permit for:

Construction of a new one or two-family dwelling;

Reconstruction of a one or two-family dwelling in conjunction with removal of 50% or more of the existing building coverage (footprint); or

Addition to a one or two-family dwelling where total building coverage (footprint) would be increased by 50% or more.

and across which line there is legal access.

### B. Requirements

There shall be provided for every building or structure hereafter erected or placed upon a lot at least the minimum frontage, minimum Front Yard width, minimum Front Yard depth (setback), minimum Side Yard width and minimum Rear Yard depth requirements hereinafter set forth; and there shall be not more than one dwelling erected on any lot. Such minimum Front Yard width shall be provided for the entire depth of the Front Yard.

Provided, however, in the 10,000 and 15,000 square foot Area Regulation Districts, when a Rear Yard of a lot abuts the Side Yard of the next lot the minimum Rear Yard depth shall be not less than the minimum Side Yard depth.

Heating, ventilation, air conditioning, swimming pool, electric generating, or other noise emitting equipment shall not be located in required setback areas except for Heat Pumps located in Side Yards or Rear Yards which are attached to and do not extend more than two feet from the wall of the building (but may not be attached to any part of bay windows) or are ground mounted and do not extend more than four feet from the foundation of the building, including any pad on which the Heat Pump is mounted. Plans

and installation of sound reduction and/or visual screening may be required if, in the opinion of the Inspector of Buildings abutters may be affected.

Where the entrance of an attached or detached garage, built in conjunction with a One-Unit Dwelling faces a property boundary line other than the street line there shall be a minimum distance of 30 feet from the garage entrance to that line. The intent of this requirement is to ensure adequate area for vehicles entering and exiting the garage.

Table 1 is applicable to lots recorded or endorsed on or before January 24, 1985 and to lots in the 10,000 square foot Area Regulation District recorded or endorsed after January 24, 1985 and prior to January 19, 1989.

Table 2 is applicable to lots recorded or endorsed after January 24, 1985 and to lots in the 10,000 square foot Area Regulation District, recorded or endorsed on or after January 19, 1989 and prior to April 9, 1997.

Table 3 is applicable to lots recorded or endorsed on or after April 8, 1997.

Lots recorded or endorsed after January 24, 1985 also shall be subject to a maximum Build Factor of 20.

TABLE 1

| District                                 | 10,000<br>sq. ft. | 15,000<br>sq. ft. | 20,000<br>sq. ft. | 30,000<br>sq. ft. | 40,000<br>sq. ft. |
|--|-------------------|-------------------|-------------------|-------------------|-------------------|
| Minimum Frontage                         | 60 ft.            | 60 ft.            | 60 ft.            | 60 ft.            | 60 ft.            |
| Minimum Front<br>Yard Width              | 60 ft.            | 60 ft.            | 60 ft.            | 60 ft.            | 60 ft.            |
| Minimum Front<br>Yard<br>Depth (Setback) | 30 ft.*           | 30 ft.*           | 30 ft.*           | 30 ft.*           | 30 ft.*           |
| Minimum Side Yard<br>Width               | 20 ft.            | 20 ft.            | 20 ft.            | 20 ft.            | 20 ft.            |
| Minimum Rear Yard<br>Depth               | 10 ft.            | 15 ft.            | 20 ft.            | 20 ft.            | 20 ft.            |

Provided however, that a lot having its only frontage on a curved street line having a sideline radius of less than 100 feet may have a reduced frontage upon the granting of a special permit in accordance with Section 6.3, and provided that:

- a. The minimum frontage shall be 50 ft.;
- b. The minimum Front Yard width is maintained at the street setback line (house line), and
- c. All other dimensional zoning requirements are satisfied.

TABLE 2

| Area Regulation District                    | 10,000 sq. ft. | 15,000 sq. ft. | 20,000 sq. ft. | 30,000 sq. ft. | 40,000 sq. ft. |
|---|----------------|----------------|----------------|----------------|----------------|
| Minimum Frontage                            | 75 ft.         | 80 ft.         | 100 ft.        | 120 ft.        | 140 ft.        |
| Minimum Front Yard Width                    | 75 ft.         | 80 ft.         | 100 ft.        | 120 ft.        | 140 ft.        |
| Minimum Front Yard Depth (Street Setback)   | 30 ft.*        | 30 ft.*        | 30 ft.*        | 40 ft.*        | 40 ft.*        |
| Minimum Side Yard Width (Side Line Setback) | 20 ft.         | 20 ft.         | 20 ft.         | 20 ft.         | 20 ft.         |
| Minimum Rear Yard Depth (Rear Line Setback) | 10 ft.         | 15 ft.         | 20 ft.         | 20 ft.         | 20 ft.         |

TABLE 3

| Area Regulation District                    | 10,000 sq. ft. | 15,000 sq. ft. | 20,000 sq. ft. | 30,000 sq. ft. | 40,000 sq. ft. |
|---|----------------|----------------|----------------|----------------|----------------|
| Minimum Frontage                            | 90 ft.         | 100 ft.        | 110 ft.        | 175 ft.        | 200 ft.        |
| Minimum Front Yard Width                    | 90 ft.         | 100 ft.        | 110 ft.        | 175 ft.        | 200 ft.        |
| Minimum Front Yard Depth (Street Setback)   | 30 ft.*        | 30 ft.*        | 35 ft.*        | 40 ft.*        | 40 ft.*        |
| Minimum Side Yard Width (Side Line Setback) | 20 ft.         | 20 ft.         | 20 ft.         | 30 ft.         | 40 ft.         |

|   |        |        |        |        |        |
|---|--------|--------|--------|--------|--------|
|   |        |        |        |        |        |
| Minimum Rear Yard Depth (Rear Line Setback) | 18 ft. | 20 ft. | 20 ft. | 30 ft. | 40 ft. |

Provided however, that a lot having its only frontage on the curved sideline of a cul-de-sac bulb having a sideline radius of less than 100 feet may have a reduced frontage provided that:

- a. The minimum frontage shall be 50 feet;
- b. The minimum Front Yard width is maintained at the street setback line (house line);
- c. The maximum number of lots with frontage exclusively on the bulb of any cul-de-sac shall be three;
- d. All other dimensional zoning requirements are satisfied.

\*Where, on a frontage of 500 feet including the lot to be affected, or on a frontage between two intersecting or entering streets if such frontage is less than 500 feet, all existing buildings (if they are not less than three in number) have Front Yards of a depth greater than 30 feet, the minimum depth thereof shall be the depth required.

This Section shall not apply to lots in districts zoned as Lower Falls Village Commercial, Wellesley Square Commercial District, Business, Business A, Industrial, or Industrial A, except for the requirements for Front Yards. In the Lower Falls Village Commercial District and Wellesley Square Commercial District there shall be a minimum Front Yard depth of 5 feet. The frontage requirements of this Section shall not apply to lots located in a Residential Incentive Overlay District, regardless of whether or not the lot is developed under the provisions of Section 3.2. There shall be no front yard depth requirement for property included in a Business District on April 1, 1939, and fronting on Washington Street, Church Street, Central Street, Grove Street, Spring Street, Cross Street, or that part of Weston Road between Central Street and Cross Street.

The requirements for Side and Rear Yards shall apply to all accessory buildings over one hundred square feet in area. For purposes of this Section, an accessory building shall mean a detached subordinate building located on the same lot with the main building, the use of which is customarily incidental to that of the main building or to the use of the land. The requirements for front, side and Rear Yards shall not apply to the construction or enlargement of dormers on pre-existing non-conforming dwellings provided that the highest point of the existing roof is not exceeded and there is no further encroachment on the lot lines.

For exemptions for pre-existing non-conforming lots refer to Section 5.1 of this Zoning Bylaw.

C. General

No building or lot shall be so altered as to reduce the size of the then existing yard unless the resulting yard complies with the requirements of this Section, except by taking by eminent domain or by a conveyance for a public purpose.

No yard or other open space shall at any time be considered as appurtenant to more than one building in computing the requirement for yards under this Bylaw.

No building or structure shall hereafter be erected or placed nearer than ten (10) feet to any public land held or in use for a park, playground or recreational purpose and no existing building or structure shall be so altered as to result in the said building or structure being nearer than ten (10) feet to such public land.

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