



ZONING BOARD OF APPEALS

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ZBA 2017-73

Petition of Daniela Hristova & William Neeley
26 Riverdale Road

Pursuant to due notice, the Special Permit Granting Authority held a Public Hearing on Thursday, August 10, 2017, at 7:30 p.m. in the Juliani Meeting Room, 525 Washington Street, Wellesley, on the petition of Daniela Hristova- & William Neeley requesting a Special Permit/Finding pursuant to the provisions of Section XVII and Section XXV of the Zoning Bylaw that construction of a deck with less than required left side yard setbacks, enclosure of an existing porch with less than required front yard setbacks, and construction of a two-story structure and deck that will meet setback requirements, on existing nonconforming structure with less than required front yard and left side yard setbacks, at 26 Riverdale Road, in a 10,000 square foot Single Residence District, shall not be substantially more detrimental to the neighborhood than the existing nonconforming structure.

On July 6, 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 Kent Duckham, Architect and William Neeley, the Petitioner.

Mr. Duckham said that 26 Riverdale is an existing Colonial bungalow that was built around 1920 in a neighborhood with mostly similar homes. He said that many of the homes in the neighborhood have been updated, similar to what is being proposed here. He said that it is a 10,390 square foot lot in a 10,000 square foot Single Residence District where the threshold for Large House Review (LHR) is 3,600 square feet. He said that the left side yard setback is nonconforming at 7.5 feet where 20 feet is required and the front yard setback is nonconforming at 27.5 feet where 30 feet is required.

Mr. Duckham said that the existing house is listed in the database as having 1,739 square feet. He said that when they adjust for the basement, it comes out to 2,180 square feet of Total Living Area plus Garage (TLAG). He said that the proposed addition of 1,156 square feet will bring the TLAG up to 3,336 square feet.

Mr. Duckham said that the bulk of what they are asking for is for a family room addition with a master suite above at the back that will fully comply. He said that they are proposing a deck on the left side that will be tucked behind the main body of the house. He said that it will be a low deck for access and a small area for tables and chairs. He said that there is an existing open porch on the right side of the house that is not used that the homeowner would like to enclose. He said that the corner of the porch is six to seven inches into the setback.

Mr. Duckham said that the proposed structure will meet lot coverage and height requirements. He said that the bulk of the addition will be at the back of the house. He said that the deck will be in the side yard setback but at the back and will be obscured from the street. He said that the front porch will be enclosed within the existing structure. He said that the proposed structure will not be more detrimental to the

neighborhood and will be similar to other projects that have been proposed nearby. He said that it is a nice way to bring the house into the next century for a young family.

The Board said that new TLAG regulations became effective on July 1, 2017 and garages are now included in the calculations. Mr. Duckham said that would add 420 square feet.

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 26 Riverdale Road, in a 10,000 square foot Single Residence District, with a minimum front yard setback of 27.5 feet and a minimum left side yard setback of 7.6 feet.

The Petitioner is requesting a Special Permit/Finding pursuant to the provisions of Section XVII and Section XXV of the Zoning Bylaw that construction of a deck with less than required left side yard setbacks, enclosure of an existing porch with less than required front yard setbacks, and construction of a two-story structure and deck that will meet setback requirements, on existing nonconforming structure with less than required front yard and left side yard setbacks, shall not be substantially more detrimental to the neighborhood than the existing nonconforming structure.

A Plot Plan, dated 7/6/17, stamped by Michael Paul Antonino, Registered Land Surveyor, Existing Floor Plans and Elevation Drawings, dated 6/15/17 and Proposed Floor Plans and Elevation Drawings, dated 6/29/17, prepared by Duckham Architecture & Interiors, and photographs were submitted.

On August 8, 2017, the Planning Board reviewed the petition and recommended that a 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 although construction of a deck with less than required left side yard setbacks, enclosure of an existing porch with less than required front yard setbacks, and construction of a two-story structure and deck that will meet setback requirements, on existing nonconforming structure with less than required front yard and left side yard setbacks is increasing a nonconformity, such increase shall not be substantially more detrimental to the neighborhood than the existing nonconforming structure.

Therefore, a Special Permit is granted, as voted unanimously by this Authority at the Public Hearing, for construction of a deck with less than required left side yard setbacks, enclosure of an existing porch with less than required front yard setbacks, and construction of a two-story structure and deck that will meet setback requirements, on existing nonconforming structure with less than required front yard and left side yard setbacks, in accordance with the submitted plot plan and construction drawings.

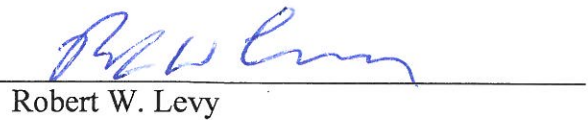
The Inspector of Buildings is hereby authorized to issue a permit for construction upon receipt and approval of a building application and detailed constructions plans.

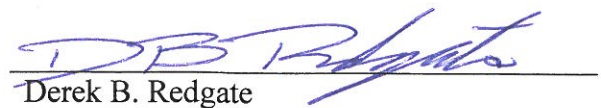
If construction has not commenced, except for good cause, this Special Permit shall expire two years after the date time stamped on this decision.

ZBA 2017-73
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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.


J. Randolph Becker, Acting Chairman

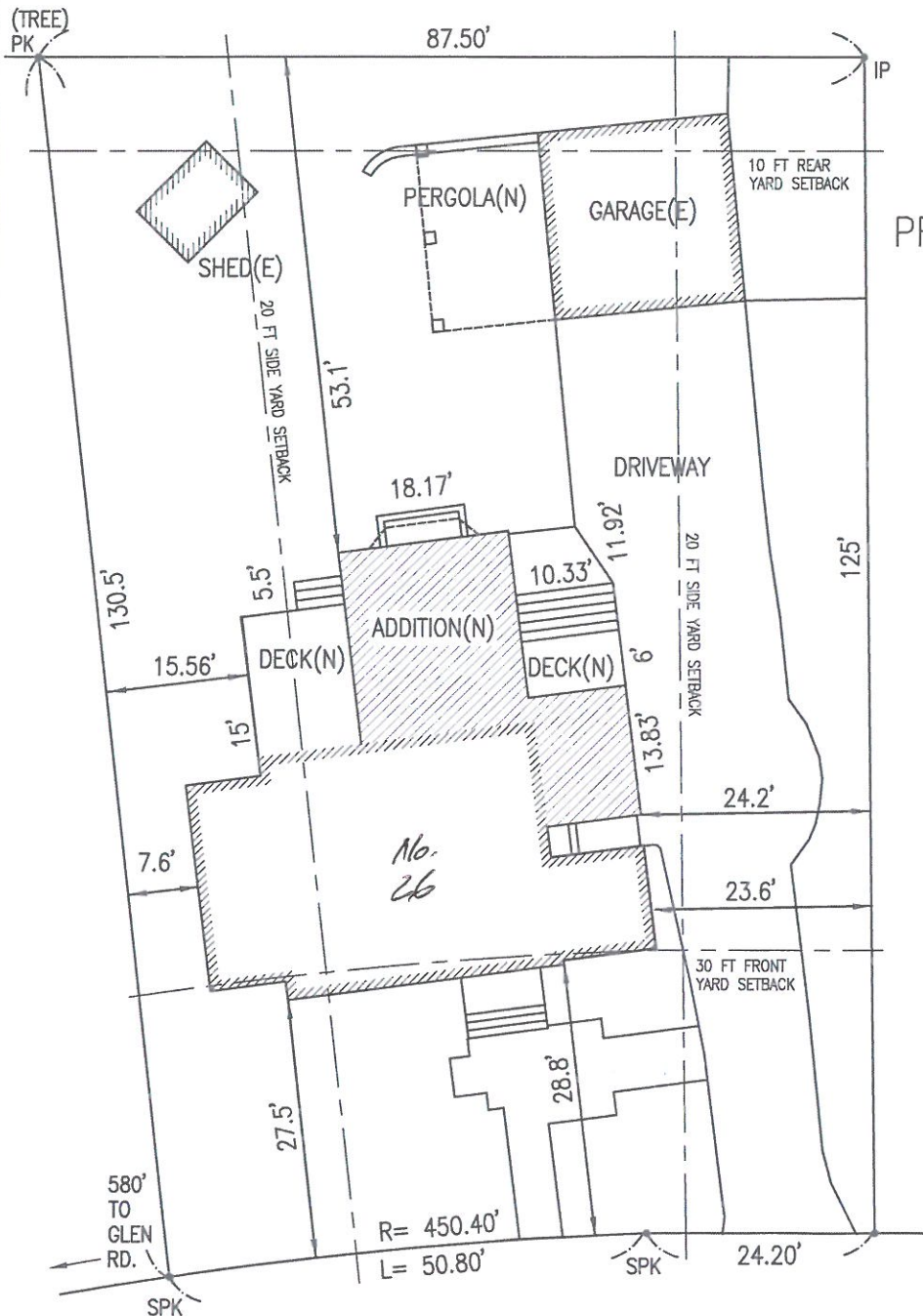

Robert W. Levy


Derek B. Redgate

cc: Planning Board
Inspector of Buildings
lrm

ANTONINO LAND SURVEYORS, INC.

31 LEDGEBROOK AVE.
STOUGHTON, MASSACHUSETTS 02072
PHONE/FAX: (781) 344-4550



PROPOSED ADDITION PLAN

NO. 26 RIVERDALE RD.
WELLESLEY, MA

SCALE: 1 INCH = 20 FT
JULY 6, 2017
REF. BK. 914, PG 321

ZONING DISTRICT:
SINGLE RESIDENCE 10

LOT 14 (10,390 SQ FT)

LOT COVERAGE

LOT SIZE : 10,390 SF -
MAX COVERING BY BUILDINGS: 2,500 SF

BUILDING (N+E)	1,789 SF
SHED:	81 SF
GARAGE:	405 SF
TOTAL:	2,275 SF (22%)

2,275 < 2,500 SF CONFORMS



RIVERDALE ROAD

