



ZONING BOARD OF APPEALS

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

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ZBA 2018-02
Petition of Juann Khoory
18 Kendall Road

Pursuant to due notice, the Special Permit Granting Authority held a Public Hearing on Thursday, February 1, 2018, at 7:30 p.m. in the Juliani Meeting Room, 525 Washington Street, Wellesley, on the petition of Juann Khoory requesting a Variance pursuant to the provisions of Section XIX and Section XXIV-D of the Zoning Bylaw to allow an overhang that projects more than two feet on an existing nonconforming structure with less than required front and side yard setbacks to remain. The property is located on an 8,390 square foot lot in a Single Residence District in which the minimum lot size is 10,000 square feet, in a Water Supply Protection District, at 18 Kendall Road.

On December 29, 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 was Juann Khoory, the Petitioner, who said that the issue before the Board is due to an oversight concerning a canopy over the main entrance. She said that it was drawn bigger than the two feet that is allowed by Zoning. She said that the canopy got permitted, was built and finished in March of 2017. She said that they are painting the house, are about to finish the interior work and move in.

The Chairman said that he visited the property and it does not appear that Ms. Khoory is close to living there. He said that he understands what happened. He said that he has repeatedly told people who come before the Board that they have to build the house the way that this Board approved it. He said that they cannot make changes to plans when they are submitted to the Building Inspector. He said that he did not see any reason why the Board should change its decision. He said that the overhang will have to be taken down and rebuilt as previously approved by this Board.

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 18 Kendall Road, on an 8,390 square foot lot in a Single Residence District in which the minimum lot size is 10,000 square feet, in a Water Supply Protection District, with a minimum front yard setback of 29.7 feet, a minimum left side yard setback of 14 feet and a minimum right side yard setback of 17.9 feet.

The Petitioner is requesting a Variance pursuant to the provisions of Section XIX and Section XXIV-D of the Zoning Bylaw to allow an overhang that projects more than two feet on an existing nonconforming

structure with less than required front and side yard setbacks to remain. The property is located on an 8,390 square foot lot in a Single Residence District in which the minimum lot size is 10,000 square feet, in a Water Supply Protection District.

Letter to Zoning Board of Appeals, dated 11/27/17, from Juann Khoory, re: 18 Kendall Rd. Front Entrance Overhang, Floor Plans and Elevation Drawings, dated 9/21/17, stamped by Ronald L. Bourque, Registered Architect, and photographs were submitted.

On January 25, 2018, the Planning Board reviewed the petition and recommended that the variance be denied.

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.

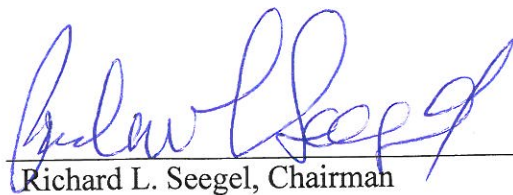
The Board voted unanimously to deny the variance. The overhang must be taken down and rebuilt as previously approved by this Board.

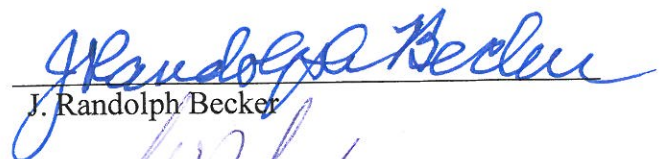
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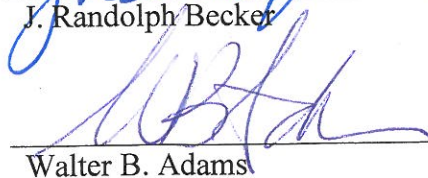
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APPEALS FROM THIS DECISION,
IF ANY, SHALL BE MADE PURSUANT
TO GENERAL LAWS, CHAPTER 40A,
SECTION 17, AND SHALL BE FILED
WITHIN 20 DAYS AFTER THE DATE
OF FILING OF THIS DECISION IN THE
OFFICE OF THE TOWN CLERK.


Richard L. Seegel, Chairman


J. Randolph Becker


Walter B. Adams

cc: Planning Board
Inspector of Buildings
lrn