

TOWN OF WELLESLEY



MASSACHUSETTS

ZONING BOARD OF APPEALS

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

RICHARD L. SEEGL, CHAIRMAN
CYNTHIA S. HIBBARD
DAVID G. SHEFFIELD

LENORE R. MAHONEY
EXECUTIVE SECRETARY
TELEPHONE
(781) 431-1019 EXT. 208

J. RANDOLPH BECKER, VICE CHAIRMAN
ROBERT W. LEVY
ROBERT SECHREST

ZBA 2006-71

Petition of Bernadeta D. Biela
374 Weston Road

Petition of BERNADETA D. BIELA (the "Petitioner") requesting a Special Permit/Finding pursuant to the provisions of Section XVII and Section XXV of the Zoning Bylaw that replacement of an existing 12.61 foot nonconforming foundation wall, and construction of a 12.61 foot by 16.17 foot second story over an existing four season sunroom with less than required left side yard setbacks, at 374 WESTON 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 August 25, 2006, 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 Marek Biela, who said that they are asking for a Special Permit to build a second story over an existing sunroom. He said that the property is long and narrow.

The Board asked where the existing bulkhead at the back of the house will be relocated to. Mr. Biela said that it will be relocated off of the new dining room.

The Board said that the addition is a different style from the house. Mr. Biela said that the difference will not be visible from the front.

Statement of Facts

The subject property is located at 374 Weston Road, with a minimum left side yard setback of 12.39 feet, on a 17,197 square foot lot, in a 10,000 square foot Single Residence District.

The petitioner is requesting a Special Permit/Finding that replacement of an existing 12.61 foot nonconforming foundation wall, and construction of a 12.61 foot by 16.17 foot second story over an existing four season sunroom with less than required left side yard setbacks, shall not be substantially more detrimental to the neighborhood than the existing nonconforming structure.

A Plot Plan dated 7/24/06, stamped by Patrick Roseingrave, Professional Land Surveyor, Existing and Proposed Floor Plans and Elevation Drawings, dated 7/16/06 and 7/17/06, drawn by Digital Blueprint, and photographs were submitted.

ZBA 2006-71
Petition of Bernadeta D. Biela
374 Weston Road

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 finding of this Authority that although replacement of an existing 12.61 foot nonconforming foundation wall, and construction of a 12.61 foot by 16.17 foot second story over an existing four season sunroom with less than required 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 replacement of an existing 12.61 foot nonconforming foundation wall, and construction of a 12.61 foot by 16.17 foot second story over an existing four season sunroom with less than required 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 construction plans.

ZBA 2006-71
Petition of Bernadeta D. Biela
374 Weston Road

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

Cynthia S. Hibbard

David G. Sheffield

cc: Planning Board
Inspector of Buildings

lrm