



ZONING BOARD OF APPEALS

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

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 web: www.wellesleyma.gov

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ZBA 2016-53
 Petition of Mei Hui Zhang
 8 Partridge Road

Pursuant to due notice, the Special Permit Granting Authority held a Public Hearing on Thursday, July 14, 2016, at 7:30 p.m. in the Juliani Meeting Room, 525 Washington Street, Wellesley, on the petition of Mei Hui Zhang requesting a Special Permit/Finding pursuant to the provisions of Section XIVE, Section XVII and Section XXV of the Zoning Bylaw that demolition of an existing enclosed front entry porch and steps, construction of a one-story addition, a front entrance porch and steps that will meet setbacks requirements, and construction of a second story addition with less than required left side yard setbacks, on an existing nonconforming structure with less than required left side yard and right side yard setbacks, on a 7,673 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 Partridge Road, shall not be substantially more detrimental to the neighborhood than the existing nonconforming structure.

On June 28, 2016, 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 Wenjie Cheng, representing Mei Hui Zhang, the Petitioner and KT Huang, Architect.

Ms. Cheng said that the request is for a special permit/finding for a second floor addition on an existing nonconforming structure with less than required side yard setbacks. She said that they tried to make the additions as conforming as possible. She said that the first floor porch will be slightly into the setback area.

The Board said that the lot is undersized and there are existing nonconforming side yard setbacks. The Board said that the proposal is to bring the front porch closer to the property line. Mr. Huang said that setback to the corner of the porch will be 28.6 feet. The Board discussed the Zoning Bylaw exception for front porches in the setback area.

A Board member asked about excavating at the front to make it even with garage. He asked about the height of any retaining walls. Mr. Huang said that retaining walls will be less than four feet.

Katherine DeMarco, 12 Partridge Road, said that the neighbors across street and behind the property are in favor of the project. She said that the existing house is an eyesore and the neighbors really want this to be improved.

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A Board member said that it is a fairly sloping site. He asked if there have been any water issues.

Ms. DeMarco asked about plans for the back yard. She said that a small patio is shown on the plan. She asked if a retaining wall will be put in at the back.

Statement of Facts

The subject property is located at 8 Partridge Road, on a 7,673 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 left side yard setback of 12.4 feet and a minimum right side yard setback of 11.9 feet.

The Petitioner is requesting a Special Permit/Finding pursuant to the provisions of Section XIVE, Section XVII and Section XXV of the Zoning Bylaw that demolition of an existing enclosed front entry porch and steps, construction of a one-story addition, a front entrance porch and steps that will meet setbacks requirements, and construction of a second story addition with less than required left side yard setbacks, on an existing nonconforming structure with less than required left side yard and right side yard setbacks, on a 7,673 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, shall not be substantially more detrimental to the neighborhood than the existing nonconforming structure.

A Plot Plan, dated 5/17/16, stamped by Patrick Roseingrave, Professional Land Surveyor, Existing & Proposed Floor Plans and Elevation Drawings, dated 2/19/16, prepared by KTH, and photographs were submitted.

On July 11, 2016, the Planning Department Staff reviewed the petition and recommended that approval of the special permit be deferred.

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 demolition of an existing enclosed front entry porch and steps, construction of a one-story addition, a front entrance porch and steps that will meet setbacks requirements, and construction of a second story addition with less than required left side yard setbacks, on an existing nonconforming structure with less than required left side yard and right side yard setbacks, on a 7,673 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, is increasing a nonconformity, such increase shall not be substantially more detrimental to the neighborhood than the existing nonconforming structure. The Board made the finding that the encroachment of the porch is within the limits of 50 square feet.

Therefore, a Special Permit is granted, as voted unanimously by this Authority at the Public Hearing, for demolition of an existing enclosed front entry porch and steps, construction of a one-story addition, a front entrance porch and steps that will meet setbacks requirements, and construction of a second story

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addition with less than required left side yard setbacks, on an existing nonconforming structure with less than required left side yard and right side yard setbacks, on a 7,673 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, 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.

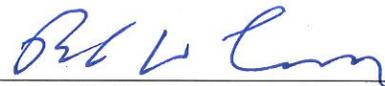
If construction has not commenced, except for good cause, this Special Permit shall expire two years after the date time stamped on this decision.

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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

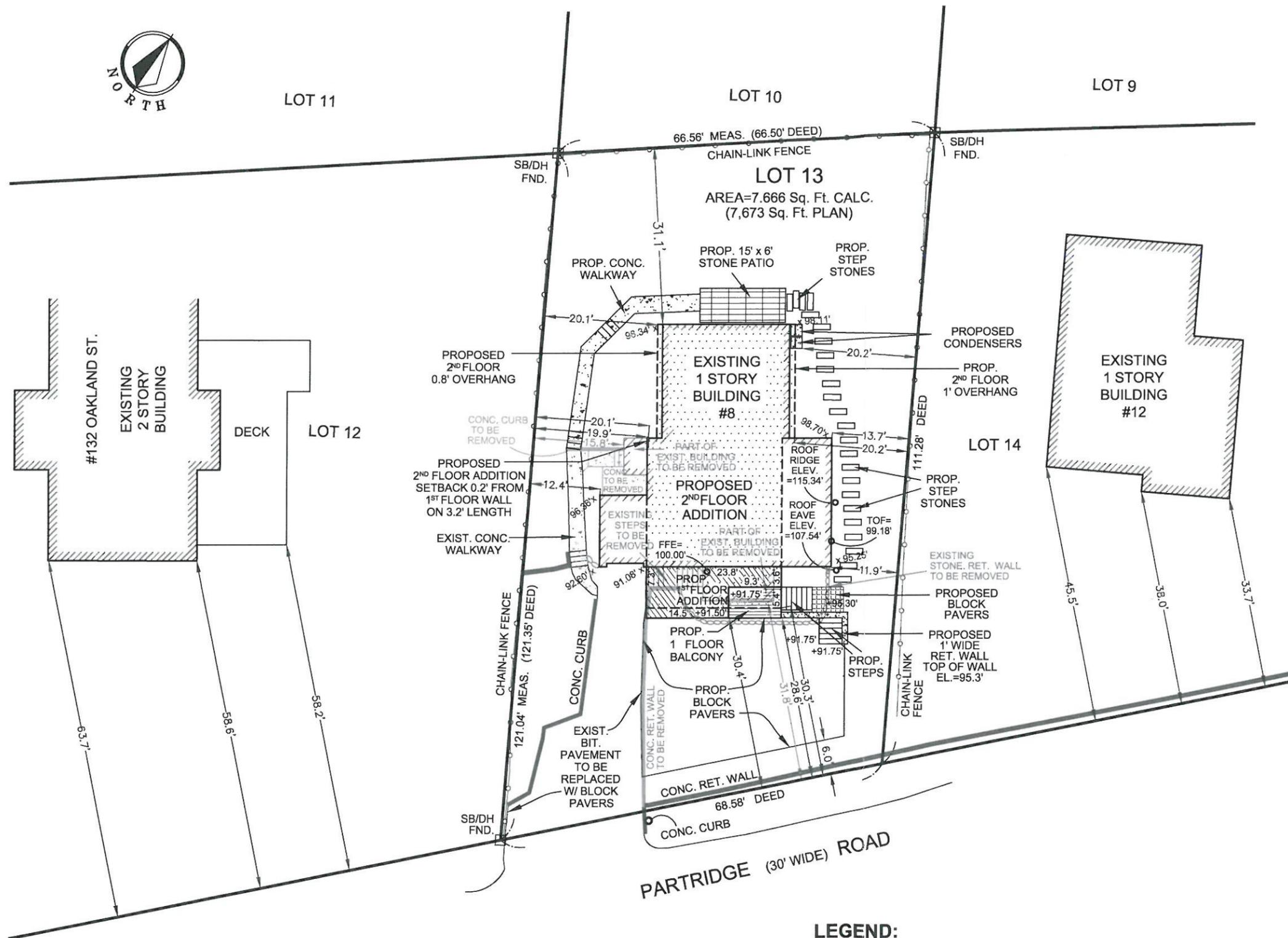


Walter B. Adams



Derek B. Redgate

cc: Planning Board
Inspector of Buildings
lrm



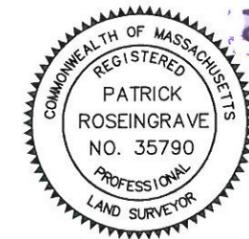
LEGEND:

- x 95.25' EXISTING SPOT GRADE
- +95.30' PROPOSED SPOT GRADE

NOTES:

- * Scale 1 inch = 20 ft.
- * Assessors Ref.: 38-13
- * Deed Ref.: Book 33298, Page 4
- * Plan Ref.: Book 1094, Page 244
- * Zone: SR15 - Single Residence
- * Existing Lot Coverage= 1,385 Sq.Ft. (18.1%)
- * Proposed Lot Coverage= 1,535 Sq.Ft. (20.0%)
- * Average Grade: 97.07'
- * Building Height: 18.27'
- * Dimensions shown were measured to the building clapboard.

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Patrick Roseingrave

Patrick J. Roseingrave
Professional Land Surveyor

Proposed Plot Plan

8 Partridge Road
Wellesley, MA 02481



10 Andrew Square, Suite 201B
South Boston, MA 02127
Tel. 857-544-3061
www.land-mapping.com

Date: May 17, 2016