

TOWN OF WELLESLEY



MASSACHUSETTS

ZONING BOARD OF APPEALS

TOWN HALL • 525 WASHINGTON STREET • WELLESLEY, MA 02482

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2021 JUN 17 P 1:24

ZBA 2021-44

Petition of Annie & Roger Ott
3 Stevens Street

Pursuant to due notice, the Special Permit Granting Authority held a Remote Public Hearing on Thursday, June 3, 2021 at 7:30 pm, on the petition of Annie & Roger Ott requesting a Special Permit/Finding pursuant to the provisions of Section 14E, Section 17 and Section 25 of the Zoning Bylaw that demolition, reconstruction and expansion of an existing nonconforming porch with less than required front yard setbacks, on an 8,997 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 3 Stevens Street, shall not be substantially more detrimental to the neighborhood than the existing nonconforming structure.

On March 23, 2021, the Petitioner filed a request for a hearing before this Authority, and thereafter, due notice of the hearing was given by mailing and publication.

Present at the public hearing were Annie and Roger Ott, the Petitioner. Ms. Ott said that the request is for relief for alteration to an existing nonconforming structure to repair and rebuild the front one story appendage with a new roof and windows within the confines of the existing foundation. She said that the project includes rebuilding the existing front porch and increasing its size by 20 square feet.

The Chairman said that the existing nonconformities are lot size at 8,997 square feet, and front yard setback at 13.5 feet, neither of which will be changed by the addition.

There was no member of the public who wished to speak to the petition.

Statement of Facts

The subject property is located at 3 Stevens Street, on an 8,997 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 13.5 feet where 30 feet is required.

The Petitioner is requesting a Special Permit/Finding pursuant to the provisions of Section 14E, Section 17 and Section 25 of the Zoning Bylaw that demolition, reconstruction and expansion of an existing nonconforming porch with less than required front yard setbacks, on an 8,997 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, shall not be substantially more detrimental to the neighborhood than the existing nonconforming structure.

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A Plot Plan, dated 3/18/21, stamped by Terrence M. Ryan, Professional Land Surveyor, Floor Plans and Elevation Drawings, dated 3/9/21, prepared by HousesTech@gmail.com, and a photograph were submitted.

On May 13, 2021, the Wetlands Protection Committee issued a Negative Determination of Applicability.

On June 2, 2021, the Planning Board reviewed the petition and recommended that a special permit be approved.

Decision

This Authority has made a careful study of the materials submitted and the information presented at the hearing.

The Board found that the Design and Operation Standards in Part F are adequately satisfied and not otherwise prohibited in Part D.1, of Section 14E of the Zoning Bylaw for Water Supply Protection Districts.

It is the opinion of this Authority that demolition, reconstruction and expansion of an existing nonconforming porch with less than required front yard setbacks will result in the intensification of existing nonconformities, will not result in additional nonconformities, and will 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 demolition, reconstruction and expansion of an existing nonconforming porch with less than required front yard setbacks, on an 8,997 square foot lot in a Single Residence District in which the minimum lot size is 10,000 square feet, in accordance with the submitted plans 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.

2021 JUN 17 P 1:24
ELECTRONIC
E-FILED
JUN 17 2021
1:24 PM
ELECTRONIC
FILED

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3 Stevens Street

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 (Chm.)
J. Randolph Becker, Chairman

David G. Sheffield (Chm.)
David G. Sheffield

Walter B. Adams (Chm.)
Walter B. Adams

ZBA 2021-44
Applicant Annie & Roger Ott
Address 3 Stevens Street

2021 JUN 17 P 1:24
RECEIVED
TOWN CLERK
OFFICE

NOT VALID FOR RECORDING UNTIL CERTIFIED BY TOWN CLERK

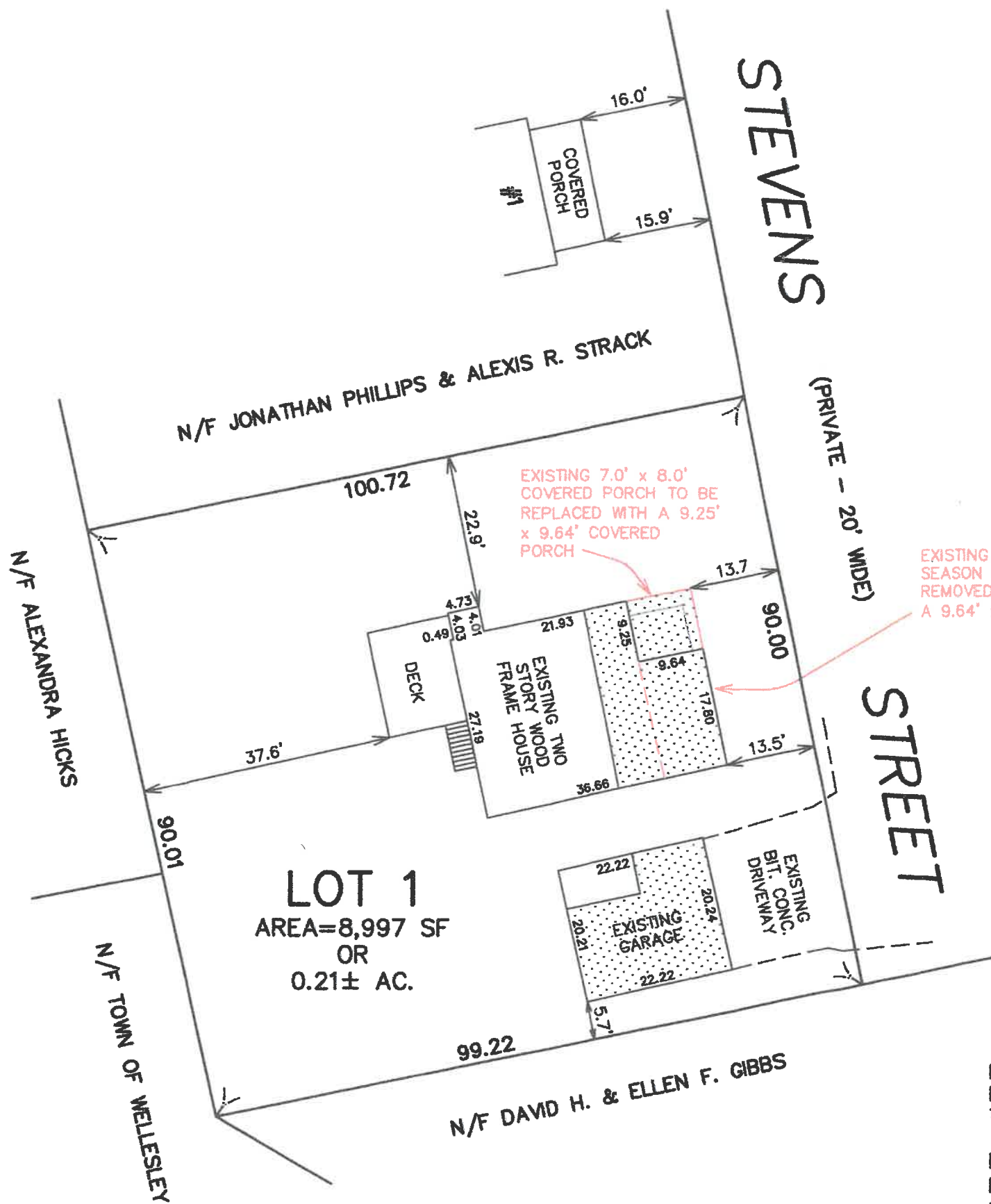
In accordance with Section 11 of Chapter 40A of the Massachusetts General Laws, I hereby certify that twenty (20) days have elapsed after the within decision was filed in the office of the Town Clerk for the Town of Wellesley, and that no appeal has been filed, or that if such appeal has been filed, that it has been dismissed or denied.

Date:

Attest:

Cathryn Jane Kato
Town Clerk

cc: Planning Board
Inspector of Buildings
lrn



PROPOSED PLOT PLAN 3 STEVENS STREET WELLESLEY, MASS.

DATE: MARCH 18, 2021

SCALE: 1" = 20'

PREPARED FOR:

ROGER A. III & ANNIE M. OTT
3 STEVENS STREET
WELLESLEY, MASS. 02482

ENGINEERS & SURVEYORS:

APPLEWOOD SURVEY CO. LLC
21 GREEN STREET
HOLLISTON, MASS. 01746
TERRENCE M. RYAN R.L.S. 37057

ZONED: SINGLE RES.
AREA: 10,000 SF
FRONTAGE: 60 FT
SETBACK: 30 FT*
SIDEYARD: 20 FT
REARYARD: 10 FT
COVERAGE: 2,500 SF

LAND COURT CERT. 204100
ASSESSORS MAP 199 LOT 16
EXISTING COVERAGE: 1,629 SF = 18.1%
PROPOSED COVERAGE: 1,662 SF = 18.5%

411 SF OF THE EXISTING HOUSE AND EXISTING COVERED PORCH ARE WITHIN THE 30' SETBACK.

444 SF OF THE EXISTING HOUSE AND PROPOSED CONSTRUCTION IS WITHIN THE 30' SETBACK.

380 SF OF THE EXISTING GARAGE IS WITHIN THE 30' SETBACK AND 20' SIDEYARD.



I CERTIFY THAT THE LOT SHOWN AND EXISTING HOUSE SHOWN THEREON PREDATE THE DIMENSIONAL AND THE DIMENSIONAL OFFSET REGULATIONS OF THE WELLESLEY ZONING BYLAWS.

I CERTIFY THAT THE LOT SHOWN AND EXISTING HOUSE SHOWN THEREON ARE LOCATED IN A FEDERAL FLOOD HAZARD ZONE "X" - SUBJECT TO MINIMAL FLOODING (SOURCE: F.I.R.M. 25021C0012E).