77-62

TOWN OF WELLESLEY MASSACHUSETTS

ZONING BOARD OF APPEALS

FRANCIS L. SWIFT, Chairman
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WILLIAM E. POLLETTA
WILLIAM F. CULLINANE
FRANKLIN P. PARKER

KATHARINE E. TOY
Administrative Secretary
Telephone
235-1664

Petition of John A. and Ellen P. DeManbro

Pursuant to due notice the Permit Granting Authority held a public hearing in the hearing room on the second floor of the Town Hall at 8:20 p.m. on December 15, 1977, on the petition of John A. and Ellen P. DeMambro, requesting a variance from the terms of Section XIX of the Zoning By-law which will allow the construction of an addition on the side of the dwelling at 8 Nobscot Road with a side yard less than the required twenty feet. Said request was made under the provisions of Section XXIV-D of the Zoning By-law.

On November 30, 1977, the petitioners filed their request for a hearing before this Board and thereafter due notice of the hearing was given by mailing and publication.

The petitioners spoke in support of the request at the hearing.

Statement of Facts

The property involved is located within a Single Residence District requiring a minimum lot area of 10,000 square feet. The house involved was built in 1936, on a lot containing 7,710 square feet.

The petitioners seek permission to construct an addition 10.2' x 18.0', one story in height, on the southeasterly corner of their dwelling. If built, the addition will provide an eating area in the kitchen as well as counter space and cabinets, which are greatly needed at this time. It was explained that the addition has been designed with the privacy of the neighbors in mind, and it will have no windows in the wall but will have skylights in the roof. The addition, if built, will continue the existing line of the attached garage and will be 10.64' from the side lot line rather than the required twenty feet. The petitioners who have one child, feel that the proposed addition is needed for their growing family and that, if allowed, will be an improvement to the house and to the neighborhood. A plot plan was submitted, drawn by John J. Regan, Land Surveyor, dated November 10, 1977.

Decision

The Board has made a careful study of the evidence submitted and has taken a view of the locus.

It is the opinion of the Board that there is a real need for the extra space which the proposed addition will provide and that the proposed location appears to be the most practical and feasible place for it to be constructed.

The lot, which contains only 7,710 square feet, is narrow and is a corner lot which has greater restrictions imposed than would be otherwise. Due to the shape of the lot and the remaining space available to construct an addition, it appears there is a very limited amount of land upon which to build.

Therefore, it is the unanimous opinion of this Board that owing to circumstances relating to the shape of the lot, a literal enforcement of the provisions of Section XIX of the Zoning By-law would involve substantial hardship to the petitioners. It is the further opinion of this Board that desirable relief may be granted without substantial detriment to the public good and without nullifying or substantially derogating from the intent or purpose of the Zoning By-law.

Accordingly, the requested variance is granted and the Building Inspector is authorized to issue a permit for the proposed addition as shown on the plan submitted and on file with this Board, subject to the following condition:

1. That no part of the structure when completed, is to extend more than two feet above the roof line of the addition.

Francis L. Swift

William O. Hewett

William F. Cullinane

Filed with the Town Clerk _____

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Copies of the decision and all plans referred to in the decision have been filed with the Planning Board and with the Town Clerk.

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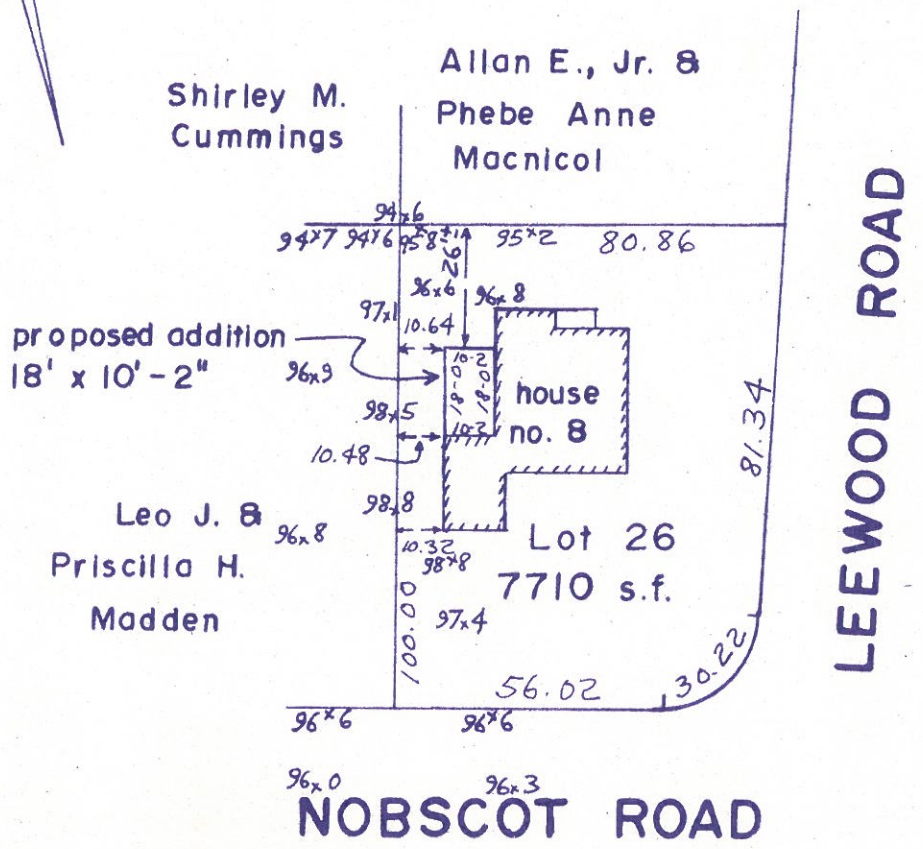

PLAN OF LAND IN WELLESLEY MASS.

TO ACCOMPANY THE PETITION OF
JOHN A. & ELLEN P. DEMAMBRO
8 NOBSCOT ROAD
WELLESLEY

SCALE 1 IN = 40 FT
APEX ASSOCIATES
NEWTON HIGHLANDS

NOV. 10, 1977
LAND SURVEYORS
MASS.

3757