



ZONING BOARD OF APPEALS
TOWN HALL WELLESLEY, MA 02181

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81.46

Petition of Thomas and Stacy Miller

Pursuant to due notice, the Permit Granting Authority held a Public Hearing in the second floor hearing room of the Town Hall at 8 p.m. on Thursday, September 17, 1981 on the Petition of Thomas and Stacy Miller, 5 Lawrence Road, requesting a Variance from the terms of Section XIX of the Zoning Bylaw which will allow construction to their dwelling at 5 Lawrence Road including expansion of the existing dormer on the second floor from 7 feet to 14 feet, with a side yard less than the required twenty(20) feet.

On August 13, 1981, the petitioners filed their request for a hearing before this Board and thereafter due notice of the hearing was given by mailing and publication.

Present at the hearing and speaking on behalf of this request was Stacy Miller, who explained that the expansion would not extend beyond the existing dwelling in any way.

There was nobody else present at the Public Hearing speaking in favor or against this request.

Statement of Facts

The property involved is located within a Single Residence District. The locus, 5 Lawrence Road, is comprised of 6,783 square feet of land.

The petitioners seek permission to expand an existing dormer on the second floor from 7 feet to 14 feet, to provide an additional bathroom to the dwelling. The existing dwelling has a side yard (right) of less than the required twenty (20) feet, the present dwelling extending to 15.8 feet from the lot line at the proposed dormer. The proposed expansion does not require any changes in the present foundation of the dwelling and would not extend beyond the existing dwelling in any way.

A Plot Plan was submitted, drawn by Carmelo Frazetti, Registered Land Surveyor, dated June 23, 1981, showing the existing house on the lot and indicating the location of the proposed dormer.

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The Petitioner seeks a Variance to allow the extension of an existing dormer on the second floor of the dwelling located at 5 Lawrence Road, as shown on the Plot Plan dated June 23, 1981, submitted with this petition.

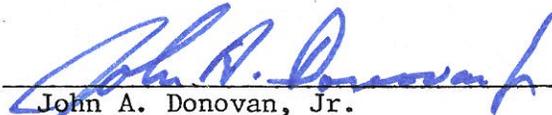
This Authority has made a careful study of the evidence submitted and at least one member has taken a view of the locus.

This Authority notes that the requested extension to the existing dormer will not be any closer to the side lot line than the existing dwelling is now. It is therefore, the unanimous opinion of this Authority that because of the shape of the lot and the house's placement on it, a literal enforcement of the provisions of the Zoning Bylaw would involve a substantial hardship to the petitioner. It is the further opinion of this Authority that desirable relief may be granted without substantially derogating from the intent or purpose of the Zoning Bylaw.

Accordingly, the requested Variance is granted and the Inspector of Buildings is authorized to issue a permit for the dormer extension as shown on the Plot Plan dated June 23, 1981, and filed with this Authority.



Stephen S. Porter, Chairman



John A. Donovan, Jr.

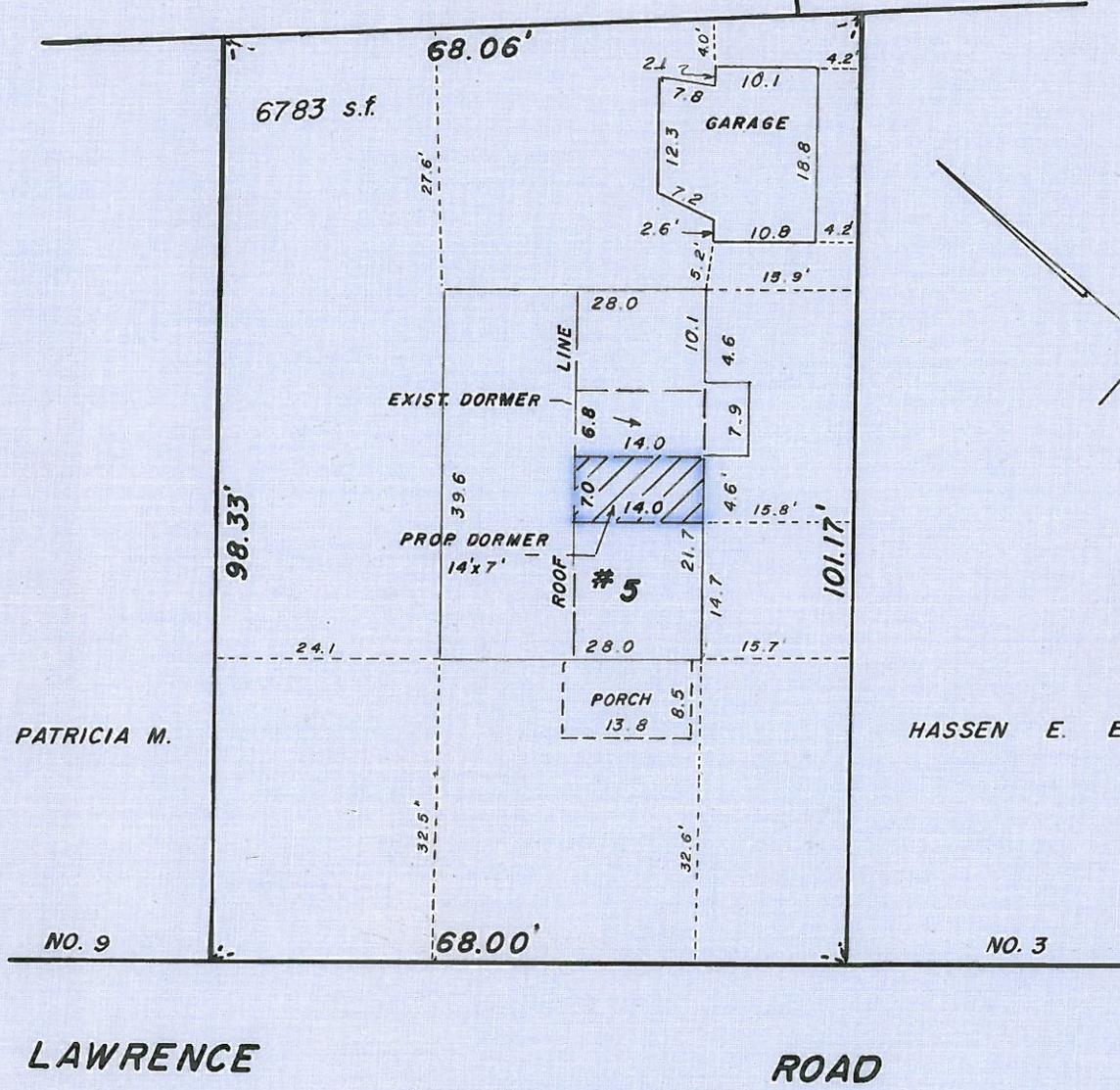


Robert R. Cunningham

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NO. 39 WILLOW ROAD
 NARGES & MOHAMM BAGHAEI-RAD
 ASHAYERI

NO. 41 WILLOW ROAD
 PAULINE ROSEN



NORMAN A. & PATRICIA M.
 WELCH

HASSEN E. EAGHAI

PLAN OF LAND
 in
 WELLESLEY, MASSACHUSETTS
 at
 No. 5 LAWRENCE ROAD

Owned by
 Thomas R. & Stacy B. Miller
 June 23, 1981
 Carmelo Frazetti



Proposed Addition
 Scale: 1"=20'
 Land Surveyor