



ZONING BOARD OF APPEALS
TOWN HALL WELLESLEY, MA 02181

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84-16

Petition of George H. and Barbara A. Howland

Pursuant to due notice, the Permit Granting Authority held a Public Hearing in the Upper Town Hall Main Hearing Room on Thursday, March 22, 1984 at 8 p.m. on the petition of GEORGE H. & BARBARA A. HOWLAND, requesting a variance from the terms of Section XIX of the Zoning Bylaw which will allow the construction of an addition to their dwelling at 57 WHITTIER ROAD, consisting of a toolshed approximately 6 feet by 18.5 feet at the rear of their garage, leaving less than the required right side yard. Said request is pursuant to Section XXIV-D of the Zoning Bylaw.

On March 2, 1984, the petitioner requested 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 George Howland, who displayed photographs of the locus. He stated that the house and garage were built in 1933, with a right side yard of 10.3 feet. The garage is too small and a storage area is needed, so he wishes to build a toolshed, maintaining the existing lines of the garage.

Other than the petitioners, no one was present favoring or opposing the petition.

Statement of Facts

The property in question is located at 57 Whittier Road, containing 16,011 square feet of land, in a Single Residence District.

The existing dwelling is a legal non-conforming dwelling, constructed in 1933 with a right side yard of 10.3 feet. The proposed addition, a tool shed 6 feet by 18.5 feet at the rear of the garage, would extend the existing lines of the garage and not encroach any further than the existing garage to the right side line. The shed would be used for storage.

A Plot Plan was submitted, drawn by Philip R. Brown, Registered Land Surveyor, of MacCarthy and Sullivan Engineering, Inc., Natick, Ma., dated 3/1/84. Construction sketches were submitted, drawn by Dana T. Lowell, Designer and Builder, dated 3/1/84.

The Planning Board, in a letter of March 8, 1984, stated it had no objection to the request.

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Decision

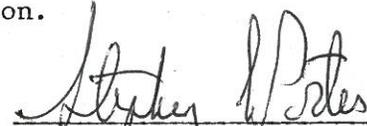
This Authority has made a careful study of the evidence presented. The particular house in question in its location on the lot does not conform to the present Zoning Bylaws. The structure comes to 10.3 feet from the right side lot line.

It is the opinion of this Authority that the proposed tool shed conforms to the existing lines of the structure and does not alter the relationship of the structure to the right side lot line.

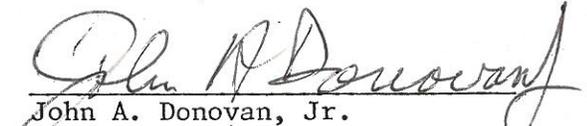
It is the unanimous opinion of this Authority that because of the shape of the lot and the location of the dwelling on it, a literal enforcement of the provisions of Section XIX of the Zoning Bylaw would involve a substantial hardship to the petitioner. It is the further opinion of this Authority that desirable relief may be granted without substantially derogating from the intent or purpose of the Zoning Bylaw.

Therefore, the requested variance is granted to construct an addition of a tool shed approximately 6 feet by 18.5 feet at the rear of the garage as shown on the Plot Plan drawn by Philip R. Brown, Registered Land Surveyor, of MacCarthy and Sullivan Engineering Inc., Natick, Ma. dated 3/1/84, coming no closer than 10.3 feet from the right side lot line.

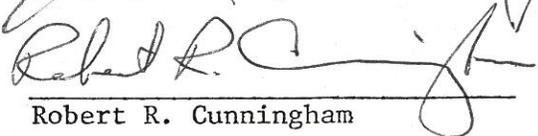
The Inspector of Buildings is hereby authorized to issue a permit for the construction upon his receipt and approval of a building application.



Stephen S. Porter, Chairman



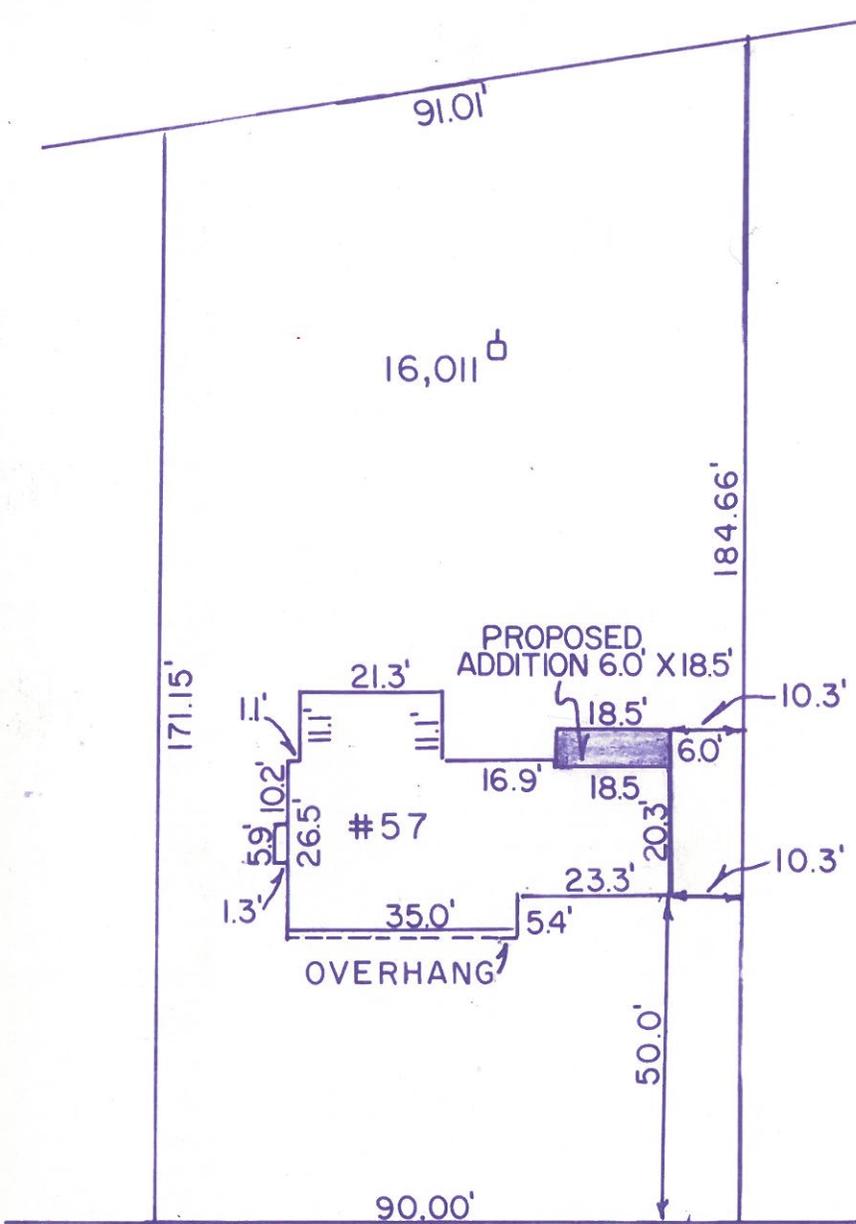
John A. Donovan, Jr.



Robert R. Cunningham

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WELLESLEY
BOARD OF APPEALS:

DATE: _____



Phillip R. Brown

PHILLIP R. BROWN
REGISTERED LAND SURVEYOR

WHITTIER

ROAD

PLAN OF LAND IN WELLESLEY, MASS.

OWNED BY:

GEORGE H. &
BARBARA A. HOWLAND

SCALE: 1" = 30'

MARCH 1, 1984

PLAN BY: MACCARTHY & SULLIVAN ENGINEERING INC.
81 SPEEN ST. NATICK MASS.

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