



ZONING BOARD OF APPEALS
TOWN HALL WELLESLEY, MA 02181

STEPHEN S. PORTER, Chairman
JOHN A. DONOVAN, JR.
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WILLIAM E. POLLETTA
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SUMNER H. BABCOCK

85-35

Petition of Cathy Latner
71 Parker Road

Pursuant to due notice, the Permit Granting Authority held a Public Hearing on Thursday, June 20, 1985 at 8 p.m. in Room 17 of the Town Offices at the Phillips Building, 12 Seaward Road, Wellesley Hills on the petition of CATHY LATNER requesting a variance from the terms of Section XIX and pursuant to Section XXIV-D of the Zoning Bylaw which will allow the construction of a one-story addition approximately 12 feet by 19 feet at the rear of the dwelling at 71 PARKER ROAD, leaving less than the required left side yard. Said dwelling is a non-conforming structure.

On May 30, 1985, 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 Cathy Latner, who stated that she wants to expand her kitchen area leaving a side yard of 12.4 feet. The addition would not encroach any further into the side yard than the existing house. Ms. Latner stated that she may want to add a deck onto the rear and may be back with a new request in a year. She stated that the front room on the house is used as an office for her personal use.

Other than the petitioner, no one was present favoring or opposing the request.

Statement of Facts

The property in question is located at 71 Parker Road, containing 19,068 square feet of land. The existing dwelling is a non-conforming structure with a left side yard of 12.4 feet. A variance was granted on the property (ZBA Case #66-52) in 1966 to allow a bay window on the front of the house with less than the required left side yard.

The petitioner proposes a one-story addition approximately 12 feet by 19 feet at the rear of the dwelling to contain an expanded kitchen-family room. The addition would conform to the existing lines of the house and leave a left side yard of 12.4 feet.

A Plot Plan was presented, drawn by John P. Hurney, Registered Land Surveyor, of Barnes Engineering Co., Auburndale, Ma., dated April 29, 1985. Construction sketches and photos were also submitted.

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JUL 16 1985

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The Planning Board, at its regular meeting of June 4, 1985, voted to offer no comment on the petition.

Decision

This Authority has made a careful study of the evidence submitted. The particular house in question in its location on the lot does not conform to the present Zoning Bylaws. The dwelling comes to 12.4 feet from the left side lot line.

It is the opinion of this Authority that the proposed one-story addition conforms to the present lines of the house and does not alter the relationship of the house to the left side lot line.

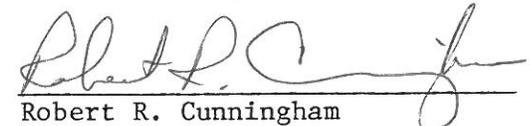
It is the opinion of this Board that, because of the shape of the lot and the location of the house on the lot, a literal enforcement of the provisions of Section XIX of the Zoning Bylaw would involve a substantial hardship to the petitioner. It is the further opinion of this Board that desirable relief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

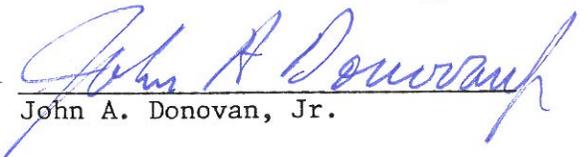
Therefore, the requested variance is granted to construct a one-story addition at 71 Parker Road, said addition approximately 12 feet by 19 feet as shown on the Plot Plan drawn by John P. Hurney, Registered Land Surveyor, dated April 29, 1985, coming no closer than 12.4 feet to the left side lot line.

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

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.


Stephen S. Porter, Chairman


Robert R. Cunningham


John A. Donovan, Jr.

cc: Planning Board
Building Inspector

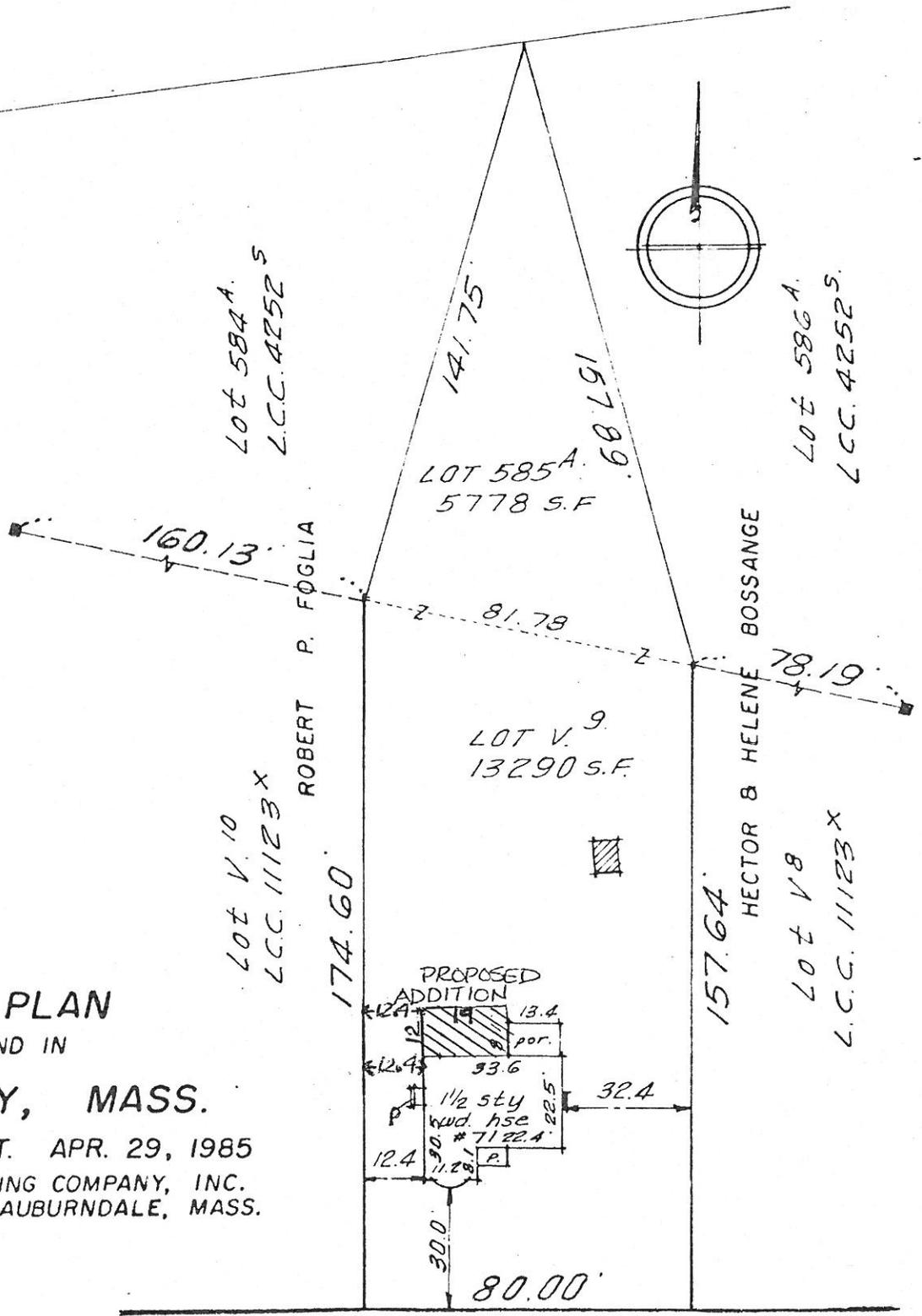
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OWNER:
 Cathy Lalner
 DEED REF.
 L.C. Cert. No. 111891
 ZONE DISTRICT
 Single Residence (10)

PLOT PLAN
 OF LAND IN

WELLESLEY, MASS.

SCALE 1 IN. = 40 FT. APR. 29, 1985
 BARNES ENGINEERING COMPANY, INC.
 411 LEXINGTON ST. AUBURNDALE, MASS.



PARKER RD.

I certify that this building is located as shown.

John P. Hurney

