

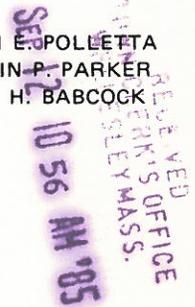


ZONING BOARD OF APPEALS  
TOWN HALL WELLESLEY, MA 02181

STEPHEN S. PORTER, Chairman  
JOHN A. DONOVAN, JR.  
ROBERT R. CUNNINGHAM

MARY ANN McDOUGALL  
Executive Secretary  
Telephone  
~~335-1664~~  
431-1019

WILLIAM E. POLLETTA  
FRANKLIN P. PARKER  
SUMNER H. BABCOCK



85-46

Petition of James W. and Nancy L. Walsh  
43 Woodlawn Avenue

Pursuant to due notice, the Permit Granting Authority held a Public Hearing on Thursday, August 15, 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 JAMES W. & NANCY L. WALSH requesting a variance from the terms of Section XIX and pursuant to Section XXIV-D of the Zoning Bylaws which will allow the construction of a two-story addition approximately 16' by 24'3" at the rear of their non-conforming dwelling at 43 WOODLAWN AVENUE, leaving less than the required left side yard, said addition to contain an expanded kitchen/family room and lavatory on the first floor, a bedroom and bath on the second floor.

On July 25, 1985, the petitioner requested a hearing before this Board and thereafter due notice of the hearing was given by mailing and publication.

Presenting the case at the hearing was James Walsh, who stated that they wish to continue the existing lines of the house and would not come closer to the lot line than the existing dwelling.

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

Statement of Facts

The property in question is located at 43 Woodlawn Avenue, containing 13,535 square feet of land. The existing dwelling is non-conforming, located 18.2 feet from the westerly side line and 16.5 feet from the easterly side line.

The petitioner proposes to construct a two-story addition approximately 24'3" by 16' to contain an expanded kitchen/family room on the first floor, a master bedroom and bath on the second floor. A deck is also proposed but meets the setback requirements. The addition would continue the existing lines of the house leaving a left side yard of 18.2 feet.

A Plot Plan was presented, drawn by Carmelo Frazetti, Registered Land Surveyor, dated July 3, 1985, revised on 8/13/85. Construction sketches and photos were also submitted.

The Planning Board, at its meeting of August 6, 1985, voted to recommend denial of the variance.

Petition of James W. and Nancy L. Walsh  
43 Woodlawn Avenue

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 dwelling comes to 18.2 feet from the left side lot line.

It is the opinion of this Authority that the proposed two-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 Authority that, because of the shape of the lot and the placement 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 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 a two-story addition at 43 Woodlawn Avenue, approximately 24'3" by 16', as shown on the Plot Plan drawn by Carmelo Frazetti, Registered Land Surveyor, dated July 3, 1985, revised on 8/13/85, coming no closer than 18.2 feet from the left side 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*

Stephen S. Porter, Chairman

*Franklin P. Parker*

Franklin P. Parker

*William E. Polletta*

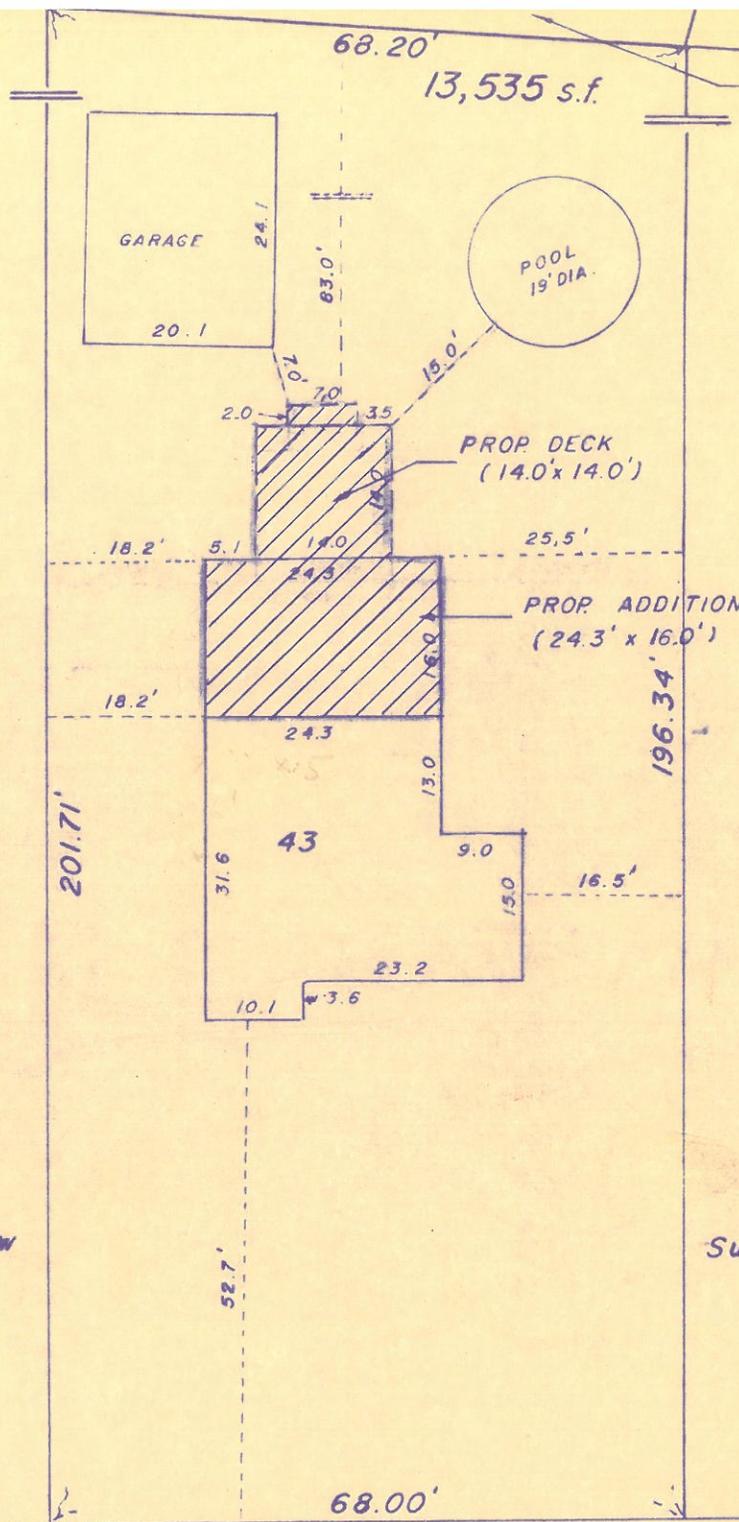
William E. Polletta

CC: Planning Board  
 Building Inspector

mam



No. 18 Elm Street  
Richard C. & Josephine F.  
Clark



RECEIVED  
TOWN CLERK'S OFFICE  
WELLESLEY MASS.  
JUL 25 1 32 PM '85

Walter J. & Helen W. Charow

Susan S. & Michael L. Prakken

No. 45

68.00'

No. 41

WOODLAWN

AVENUE

PLAN OF LAND  
in  
WELLESLEY, MASSACHUSETTS  
at  
No. 43 WOODLAWN AVE.

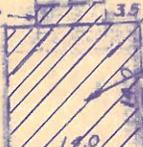
Owned by  
James W. & Nancy L. Walsh  
July 3, 1985  
Carmelo Frazetti



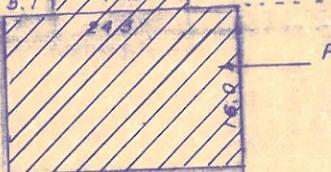
Proposed Addition & Deck  
Scale: 1" = 20'  
Land Surveyor

No. 18 Elm Street  
Richard C. & Josephine F.  
Clark

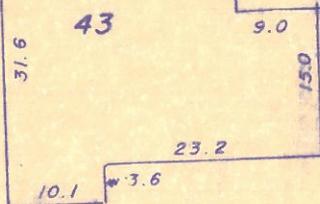
68.20'  
13,535 s.f.



PROP. DECK  
(14.0' x 14.0')



PROP. ADDITION  
(24.3' x 16.0')



43

201.71'

196.34'

Walter J. & Helen W. Charow

Susan S. & Michael L. Prakken

No. 45

68.00'

No. 41

WOODLAWN

AVENUE

PLAN OF LAND  
in  
WELLESLEY, MASSACHUSETTS  
at  
No. 43 WOODLAWN AVE.

Revised -  
Rec'd  
8/13/85

Owned by  
James W. & Nancy L. Walsh  
July 3, 1985  
Carmelo Frazetti



Proposed Addition & Deck  
Scale: 1" = 20'  
Land Surveyor