



ZONING BOARD OF APPEALS
TOWN HALL WELLESLEY, MA 02181

STEPHEN S. PORTER, Chairman
JOHN A. DONOVAN, JR.
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Executive Secretary
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85-49

Petition of Carl R. and Janet I. Croce
12 Montvale Road

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 CARL R. & JANET I. CROCE 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 18 feet by 23'5" in the area of an existing one-story sun room at their non-conforming dwelling at 12 MONTVALE ROAD, leaving less than the required setback from Montvale Road.

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 was Carl Croce, who stated that they need a fourth bedroom, that the existing dwelling is non-conforming.

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

Statement of Facts

The property in question is located at 12 Montvale Road, containing 11,016 square feet of land. The existing non-conforming dwelling has a setback of 25.39 feet from Montvale Road.

The petitioner proposes to construct a two-story addition approximately 23'5" by 18' in the area of an existing one-story sun room (approximately 8 feet by 23'5") ,said addition to contain a family room on the first floor and a bedroom and bath on the second floor, leaving a street setback of 27.20'. The addition would not come any closer than the existing sun room to the street.

A Plot Plan was presented, drawn by Edmund C. Sheahan, Registered Land Surveyor. Construction drawings were also presented, drawn by J. Francis Dooley, Architectural Designer, Needham, Ma. Photos were also submitted.

The Planning Board, at its regular meeting on August 6, 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 has a front yard setback of 25.39 feet from Montvale Road.

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 street line.

It is the opinion of this Authority 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 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 12 Montvale Road, said addition approximately 23'5" by 18', as shown in the Plot Plan drawn by Edward C. Sheahan, Registered Land Surveyor and submitted to this Authority, coming no closer than 27.20' from Montvale Road.

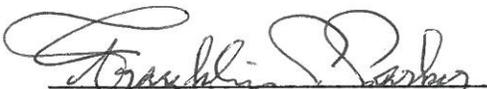
The Inspector of Buildings is hereby authorized to issue a permit for the construction upon his receipt and approval of a building application and construction plans.

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.

cc: Planning Board
Building Inspector

mam

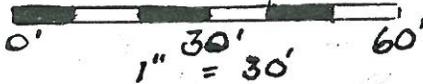
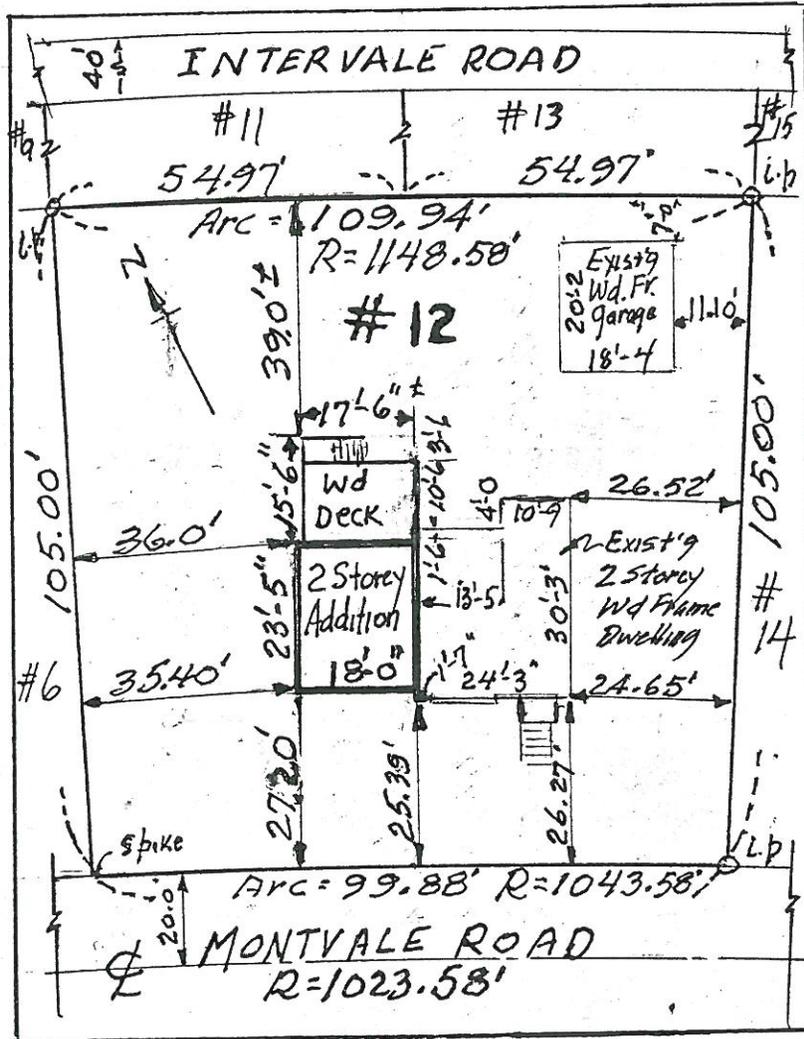

Stephen S. Porter, Chairman


Franklin P. Parker

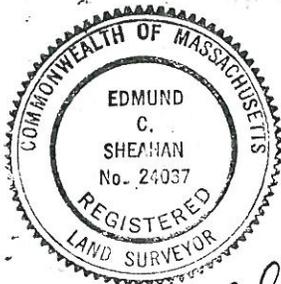

William E. Polletta

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CERTIFIED PLOT PLAN



Note: Dimensions to Bldg. are to end of concrete foundation - except Wd. Deck.



Edmund Sheahan

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