



ZONING BOARD OF APPEALS  
TOWN HALL WELLESLEY, MA 02181

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86-27

Petition of Robert J. & Anne M. Adams  
10 Laurel Terrace

Pursuant to due notice, the Permit Granting Authority held a Public Hearing on Thursday, May 15, 1986 at 8 p.m. on the petition of ROBERT J. & ANNE M. ADAMS requesting a variance from the terms of Section XXIV-D of the Zoning Bylaw to allow the construction of an addition of a deck approximately 26.5 feet by 28 feet to their non-conforming dwelling at 10 LAUREL TERRACE leaving less than the required left side yard. The Public Hearing was held in Room 17 of the Town Offices at the Phillips Building, 12 Seaward Road, Wellesley Hills, Ma.

On April 22, 1986 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 Robert Adams, who stated that they do not want the deck to be as large as indicated on the plot plan. They wish a deck four feet shorter than indicated.

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

Statement of Facts

The property in question is located at 10 Laurel Terrace, containing 6,500 square feet of land. A non-conforming dwelling exists on the lot with a left side yard of 12 feet.

The petitioner proposes to construct a deck approximately 26.5 feet by 24 feet at the rear of the house. The original plans submitted showed a deck 26.5 feet by 28 feet but the petitioner stated at the hearing that he proposes a deck 4 feet shorter. The deck would leave a left side yard of 12 feet, coming no closer than the existing dwelling to the left side line.

A Plot Plan was presented, drawn by Carmelo Frazetti, Registered Land Surveyor, dated February 25, 1986. Construction sketches and photos were also presented.

The Planning Board, in a letter of May 15, 1986, stated that it had reviewed the petition at its regular meeting of May 13, 1986 and voted to offer no comment on the petition based on there being no further encroachment on the inadequate side yard.

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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 dwelling comes to 12 feet from the left side lot line.

It is the opinion of this Authority that the proposed deck 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 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 deck at 10 Laurel Terrace, said deck to be 4 feet shorter than shown on the Plot Plan dated February 25, 1986 by Carmelo Frazetti, Registered Land Surveyor, coming no closer than 12 feet from the left side lot line.

The petitioner must submit a Zoning Certification Form (as built) to the Building Department with a copy to this Board showing the deck to be 4 feet less than shown on the Plot Plan dated February 25, 1986 by Carmelo Frazetti.

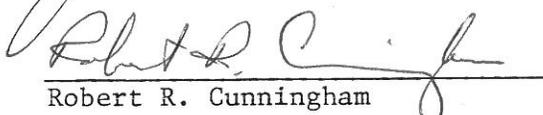
The Inspector of Buildings is then hereby authorized to issue a permit for the construction upon his receipt and approval of a building application and construction plans.

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  
 Inspector of Buildings

mam

  
 John A. Donovan, Jr.,

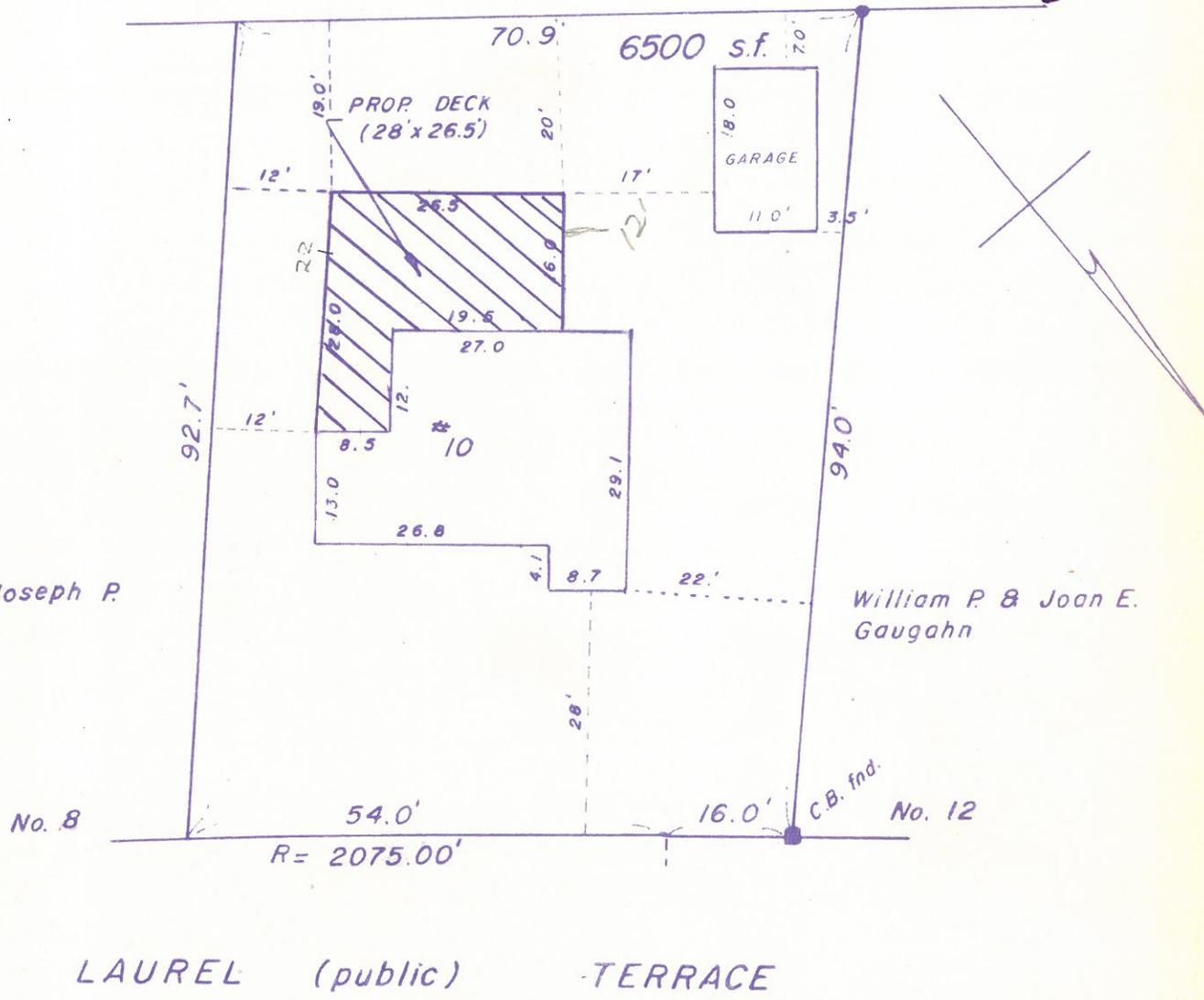
  
 Robert R. Cunningham

  
 William E. Polletta

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24 Forest Street  
 James R. & Charlotte C. Lyman



PLAN OF LAND  
 in  
 WELLESLEY MASSACHUSETTS  
 at  
 No. 10 LAUREL TERRACE

Owned by  
 Robert J. & Anne M. Adams  
 February 25, 1986  
 Carmelo Frazetti



Proposed Deck  
 Scale: 1" = 20'  
 Land Surveyor

19.5  
 8.5  
 28.0

