



ZONING BOARD OF APPEALS
TOWN HALL WELLESLEY, MA 02181

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JUL 11 9 38 AM '86
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WELLESLEY MASS.

ZBA 86-31

Petition of Joseph D. and Virginia C. Emerson
15 College Road

Pursuant to due notice, the Permit Granting Authority held a Public Hearing in Room 17 of the Town Offices at the Phillips Building, 12 Seaward Road, Wellesley Hills, on Thursday, June 12, 1986 at 8 p.m. on the petition of JOSEPH D. and VIRGINIA C. EMERSON requesting a variance from the terms of Section XIX and pursuant to Section XXIV-D of the Zoning Bylaw to allow the construction of an addition to their dwelling at 15 COLLEGE ROAD to include an attached one-car garage approximately 13.4 feet by 22 feet leaving less than the required left side yard.

On May 19, 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 Joseph Emerson, who stated that they purchased the house in 1982 and have been improving it with the intent of having it as a retirement home. The absence of a garage is a hardship. Every other house on College Road has a garage. Because of the shape of the lot, a steep bank in the backyard, and a power line easement, there is no other space in which to put a garage.

No others were present favoring or opposing the request.

Statement of Facts

The property in question is located at 15 College Road containing 15,055 square feet of land. A ten foot right of way exists at the northerly and easterly borders of the property for the Town of Wellesley Electric Division.

The petitioner proposed to construct an attached one-car garage approximately 13.4 feet by 22 feet at the front of the dwelling, leaving a left (northerly) side yard of 17.3 feet. The petitioner claims the factors causing hardship are the shape of the lot which has a very narrow front yard, the existence of the 10 foot right of way, the location of a cellar window and front entry steps.

A Plot Plan was presented, drawn by Carmelo Frazetti, Registered Land Surveyor, dated March 28, 1986. Construction drawings were presented as were photos.

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The Planning Board, at its regular meeting of June 3, 1986 and stated in a letter of June 9, 1986, voted to oppose the granting of the variance.

Decision

This Authority has made a careful study of the evidence presented.

It is the opinion of this Authority that a hardship exists on this property due to the narrow shape of the lot in the front yard, the placement of the house on the lot, topographical factors in the rear yard, and the existence of the right of way. Furthermore, every house on College Road has a garage except 15 College Road.

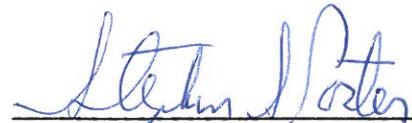
It is the opinion of this Authority that, because of the factors mentioned, a literal enforcement of the provisions of Section XIX of the Zoning Bylaw would involve a substantial hardship to the petitioner. It is the further opinion of this Authority that desirable relief may be granted without substantially derogating from the intent or purpose of the Zoning Bylaw.

Therefore, the requested variance is granted to construct a one-car garage approximately 13.4 feet by 22 feet as shown on the Plot Plan drawn by Carmelo Frazetti, Registered Land Surveyor, dated March 28, 1986, coming no closer than 17.3 feet from the left side lot line.

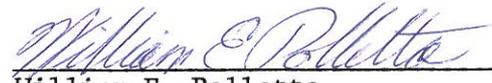
The Inspector of Buildings is hereby authorized to issue a permit for the construction upon his receipt and approval of a building application and construction plans.

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.

cc: Planning Board
Inspector of Buildings


Stephen S. Porter, Chairman


Robert R. Cunningham


William E. Polletta

JUL 16 9 39 AM '86
RECORDING OFFICE
TOWN OF WESTFIELD
MASS.

Enis E. Shaldone
No. 17 Bacon Street

S 13°-41'-30" W

85.15'

15,055 s.f.

S 67°-58'-00" E

187.76'

21.6'

10.0'

17.4'

17.8'

22.0'

13.4'

71.2'

10' RIGHT OF WAY

17.4'

4.0'

10.0'

4.0'

17.4'

17.8'

13.4'

22.0'

13.4'

17.8'

17.4'

10.0'

4.0'

10.0'

4.0'

17.4'

17.8'

13.4'

22.0'

13.4'

wooden platform - 8 steps

15.0
18.0
18.0

BULKHEAD

35.9

26.0

15

26.0

35.9

27.8'

35.9

17.71'

17.71'

36.6'

13.4'

17.71'

17.71'

36.6'

13.4'

17.71'

17.71'

36.6'

13.4'

17.71'

17.71'

36.6'

13.4'

17.71'

17.71'

36.6'

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17.71'

36.6'

13.4'

17.71'

17.71'

36.6'

13.4'

PROP ADDITION
22.0' x 13.4'

conc. steps

N 67°-58'-00" W

122.12'

N 05°-39'-50" E

N 67°-58'-00" W

73.00'

N 22°-02'-00" E

67.25'

No. 19

No. 11

COLLEGE

(public)

ROAD

PLAN OF LAND
in
WELLESLEY, MASSACHUSETTS
of
No. 15 COLLEGE ROAD

Owned
Joseph D. & Virginia Emerson
March 28, 1986
Carmelo Frazetti

Proposed Addition
Scale 1" = 30'
Land Surveyor



RECEIVED OFFICE
JOHN O'BRIEN, MASS.
WELLESLEY, MASS.
MAR 19 11 43 AM '86