



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

ZBA 86-56
Petition of Richard and Marcia Weaver
36 Linden Street

Pursuant to due notice, the Permit Granting Authority held a Public Hearing on Thursday, September 18, 1986 at 8 p.m. in the Great Hall of the Town Hall at 525 Washington Street, Wellesley on the petition of RICHARD & MARCIA WEAVER 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 to their non-conforming dwelling at 36 Linden Street, said addition to include a family room approximately 24 by 14 feet, leaving less than the required left (westerly) side yard.

On August 26, 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 was Marcia Weaver, who stated that the addition could not be moved over because it would be too close to the garage. The lot is very narrow and the addition would not come as close to the lot line as the existing house does.

No others were present expressing favor or opposition to the request.

Statement of Facts

The property in question is located at 36 Linden Street, in a General Residence District, containing 6,000 square feet of land. A non-conforming dwelling exists on the property with a left (westerly) side yard of 10 feet and a right (easterly) side yard of 19.8 feet.

The petitioner proposes a one-story addition at the rear of the building approximately 14 feet by 24 feet for a family room and bath, leaving a left side yard of 13.2 feet.

A Plot Plan was presented, drawn by James C. Vafiades, Registered Land Surveyor, Waltham, Ma., dated August 18, 1986. Construction drawings were presented, drawn by Ed Holohan, Holohan Construction Co., dated 7/23/86.

The Planning Board, at its regular meeting of September 9, as stated in a letter of September 15, 1986, voted to offer no objection to the request.

RECEIVED
 ZONING BOARD OFFICE
 WELLESLEY, MASS.
 OCT 16 9 18 AM '86

Petition of Richard and Marcia Weaver
36 Linden Street

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 10 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 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 one-story addition at 36 Linden Street, said addition approximately 14 feet by 24 feet, as shown on the Plot Plan by James C. Vafiades, Registered Land Surveyor, dated August 18, 1986, coming no closer than 13.2 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.

If the rights authorized by a variance are not exercised within one year of the date of grant of such variance, they shall lapse, and may be re-established only after notice and a new hearing pursuant to Section XXIV-D of the Zoning Bylaw.

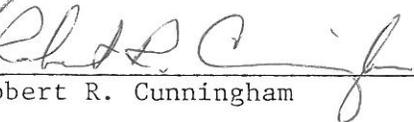
APPEALS FROM THIS DECISION,
IF ANY, SHALL BE MADE PURSUANT
TO GENERAL LAWS, CHAPTER 40A,
SECTION 17, AND SHALL BE FILED
WITHIN 20 DAYS AFTER THE DATE
OF FILING OF THIS DECISION IN
THE OFFICE OF THE TOWN CLERK.



Stephen S. Porter, Chairman



John A. Donovan, Jr.



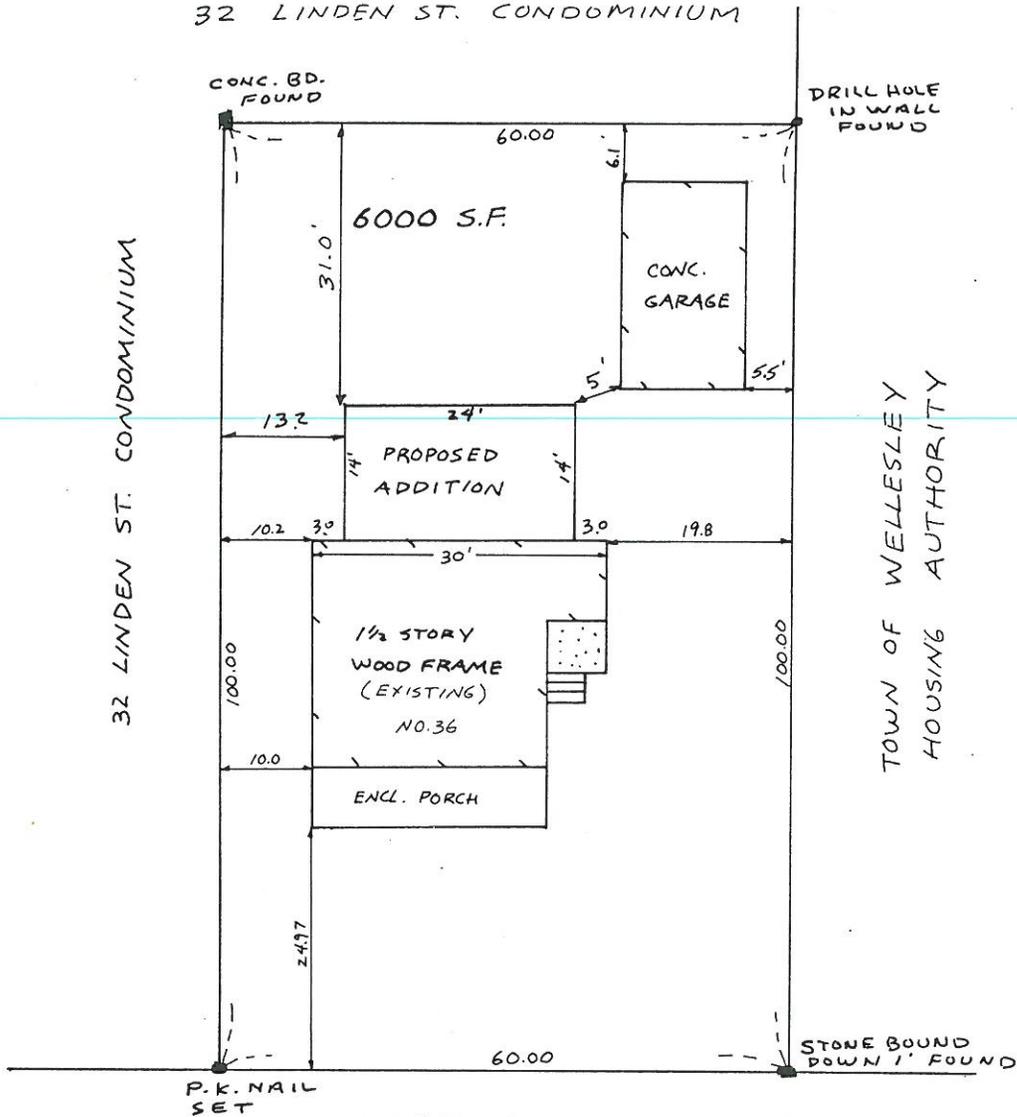
Robert R. Cunningham

cc: Planning Board
Inspector of Buildings
mam

OCT 16 9 18 AM '86
TOWN CLERK'S OFFICE
TOWN OF MASS.

32 LINDEN ST. CONDOMINIUM

32 LINDEN ST. CONDOMINIUM



LINDEN STREET

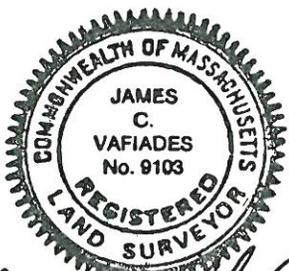


TOWN OF WELLESLEY HOUSING AUTHORITY

RECORDED
 AUG 26 11 50 AM '86
 REGISTERED OFFICE
 WELLESLEY, MASS.

PLAN OF LAND
 IN
 WELLESLEY, MASS.

SCALE: 1" = 20' AUGUST 18, 1986
 JAMES C. VAFIADES - REG. LAND SURVEYOR
 256 WORCESTER LANE, WALTHAM, MASS.



James C. Vafiades