



ZONING BOARD OF APPEALS  
TOWN HALL WELLESLEY, MA 02181

JOHN A. DONOVAN, JR., Chairman  
ROBERT R. CUNNINGHAM  
KENDALL P. BATES

ELLEN D. GORDON  
Executive Secretary  
Telephone  
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Aug 5 9 08 AM '93  
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WILLIAM E. POLLETTA  
FRANKLIN P. PARKER  
SUMNER H. BABCOCK

ZBA 93-58

Petition of Theodore L. and Lucinda H. Stebbins  
18 Whiting Road

Pursuant to due notice, the Permit Granting Authority held a Public Hearing on Thursday, July 15, 1993 at 8 p.m. in the Selectmen's Meeting Room (Conference Room B) at the Town Hall, 525 Washington Street, Wellesley, on the petition of THEODORE L. AND LUCINDA H. STEBBINS requesting a variance from the terms of Section XIX and pursuant to the provisions of Section XXIV-D of the Zoning Bylaw to allow construction of a one-story addition approximately 38.9 feet by 27.3 feet connecting an existing nonconforming detached garage with the existing dwelling at 18 WHITING ROAD, in a Single Residence District. Said addition will have less than the required right side yard setback.

On June 28, 1993, the petitioners requested a hearing before this Authority, and thereafter due notice of the hearing was given by mailing and publication.

Presenting the case at the hearing were Cindy and T.L. Stebbins. Mrs. Stebbins said that they were requesting to build a one-story addition at the rear of their house. The addition would be too close to the right side lot line, but not as close as the existing garage. The addition will consist of a handicap accessible first-floor bedroom, bath and hall for their son, who is confined to a wheelchair. The existing house does not meet his needs. The addition will provide him with direct entrance into the house from the garage, and will allow him both accessibility and privacy.

No other person present had any comment on the petition.

#### Statement of Facts

The subject property is located at 18 Whiting Road, in a Single Residence District, on a 23,086 square foot lot, and contains an existing conforming two and one-half story dwelling and a one-story nonconforming garage with a minimum right side yard clearance of 6.2 feet.

The petitioners are requesting a variance to allow construction of a one-story addition approximately 38.9 feet by 27.3 feet connecting the existing dwelling with the existing nonconforming detached garage. The addition will have a minimum right side yard clearance of 9.7 feet.

A Plot Plan dated June 16, 1993, drawn by Paul J. Sawtelle, Registered Land Surveyor; floor plans and elevations drawn by ABA Architects; and photographs were submitted.

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On July 13, 1993, the Planning Board reviewed the petition and commented that they would like to see a design that retained a greater side yard setback, as the Board was concerned with the creation of living space into the required side yard setback.

Decision

This Authority has made a careful study of the materials submitted and the information presented at the hearing. The subject garage to which the addition will be connected does not conform to the current Zoning Bylaw as noted in the foregoing Statement of Facts.

It is the opinion of this Authority that the proposed one-story addition conforms to the lines of the existing garage and does not alter the relationship of the garage to the right side lot line.

It is the further opinion of this Authority that because of the shape of the lot and the location of the garage and house on the lot between which the addition will be constructed, a literal enforcement of the provisions of Section XIX of the Zoning Bylaw would involve a substantial hardship to the petitioners, and that desirable relief may be granted without substantially derogating from the intent or purpose of the Zoning Bylaw.

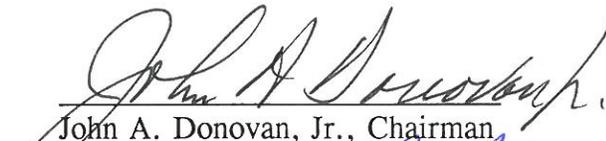
Therefore, the requested variance is granted to construct the one-story addition subject to construction in conformance with the Plot Plan and construction sketches submitted.

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

cc: Planning Board  
Inspector of Buildings  
edg

  
John A. Donovan, Jr., Chairman

  
Kendall P. Bates

  
Franklin P. Parker

# WHITING ROAD

R=1235.00

L=22.00

R=267.00

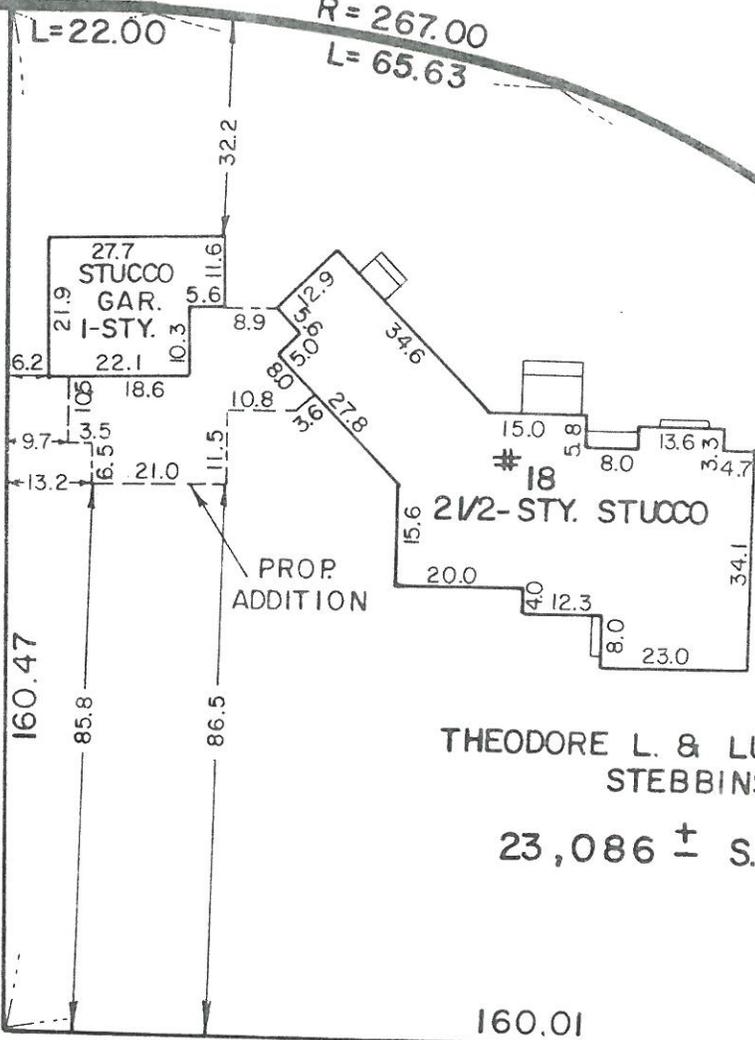
L=65.63

R=112.51  
L=148.29

ALLEN ROAD

JUN 28 11 41 AM '93  
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WELLESLEY, MA 02181

N/F FREDERICK W. & PAULA H. KNIER

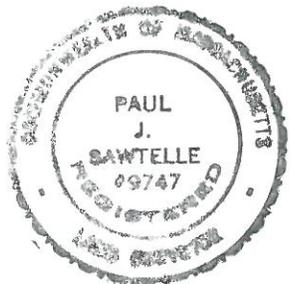


THEODORE L. & LUCINDA STEBBINS  
23,086 ± S.F.

L=39.08  
R=388.00

N/F JOHN L. & DONALD M. PATTILLO

ASSESSORS MAP 066, ROUTE 015  
BUILDING ZONE 20,000 S.F.  
LOT COVERAGE = 15%



*Paul J. Sawtelle*

PLAN OF LAND  
IN

WELLESLEY, MASS.

SCALE: 1" = 30'  
MASS BAY SURVEY, INC.

JUNE 16, 1993  
NEWTON, MASS.