



FRANCIS L. SWIFT, Chairman
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 WILLIAM E. POLLETTA
 WILLIAM F. CULLINANE
 FRANKLIN P. PARKER
 JOHN A. DONOVAN, Jr.

ZONING BOARD OF APPEALS

KATHARINE E. TOY
 Administrative Secretary
 Telephone
 235-1664

Petition of Ota and Jarmila Richter

Pursuant to due notice the Permit Granting Authority held a public hearing in the hearing room on the second floor of the Town Hall at 8:05 p.m. on August 16, 1979, on the petition of Ota and Jarmila Richter, requesting a variance from the terms of Section XIX of the Zoning By-law which will allow them to construct a garage on the easterly side of their dwelling and to enlarge their porch on the westerly side of their dwelling at 101 Mayo Road; both additions to have side yards less than the required twenty feet. Said request was made under the provisions of Section XXIV-D of the Zoning By-law.

On August 14, 1979, the petitioners filed their request for a hearing before this Authority and thereafter due notice of the hearing was given by mailing and publication.

Ota Richter, spoke in support of the request at the hearing.

The following persons appeared and spoke in support of the request: Dr. Gayn B. Winters, 14 Oakdale Avenue, Evelyn L. Dugan, 103 Mayo Road, and Sheila Poras, 91 Mayo Road.

A petition signed by seven persons favoring the request was also submitted.

A letter favoring the request was received from Malcolm and Jacqueline Greene, 21 Sunnyside Avenue.

Statement of Facts

The property involved is located within a Single Residence District requiring a minimum lot area of 10,000 square feet. The house involved was built in 1949, on a lot containing 14,242 square feet.

The petitioners seek a variance which will allow them to construct a garage 18' x 22' on the northeasterly side of their dwelling, and to extend the existing porch on the northwesterly corner four feet and convert it into a family room. They also requested permission to construct a bay window on the westerly wall of the proposed family room.

A plot plan was submitted which showed the existing house on the lot as well as the proposed additions. Said plan was drawn by Carmelo Frazetti, Land Surveyor, dated May 30, 1979, and showed the proposed garage to be located 9.3' from the side lot line at the nearest point and the extension of the existing porch to be 19.3' from the side lot line at the nearest point.

It was explained at the hearing that the house involved is the only house on Mayo Road without a garage and the petitioners' cars are

suffering damage in the winter from exposure to the weather and pine acid. The petitioners believe that the proposed additions not only will add aesthetically to the appearance of the house and the neighborhood, but but will prove most beneficial to them.

Decision

This Authority has made a careful study of the evidence submitted and has taken a view of the locus.

In its opinion, there is a real need for the extension of the existing porch which will provide a family room, and the bay window, and the proposed addition appears to be the most practical way to gain the space needed for a family room. It is the further opinion of this Authority that due to the location of the house on the lot, the shape of the remaining lot is such that little space remains available to construct a family room which will conform to the setback requirements of the Zoning By-law.

However, it is the opinion of this Authority that a garage the size proposed, can be constructed at the rear of the house which will conform with the side yard requirement of the Zoning By-law, and no evidence was submitted relative to soil conditions or topography of the land which would prevent the construction of a detached garage in the rear of the property.

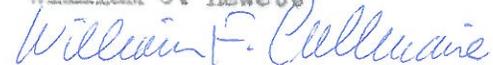
The Authority, therefore, finds that owing to circumstances relating to the shape of the remaining lot, a literal enforcement of the provisions of Section XIX of the Zoning By-law would involve substantial hardship to the petitioners if a variance were not granted for the extension of the existing porch and bay window. It is the further opinion of this Authority that desirable relief may be granted without substantial detriment to the public good and without nullifying or substantially derogating from the intent or purpose of the Zoning By-law.

Accordingly, the requested variance for the extension of the existing porch and bay window is granted and the Building Inspector is authorized to issue a permit for the proposed extension and bay window as shown on the plan submitted and on file with this Authority.

The requested variance for the proposed garage is denied.

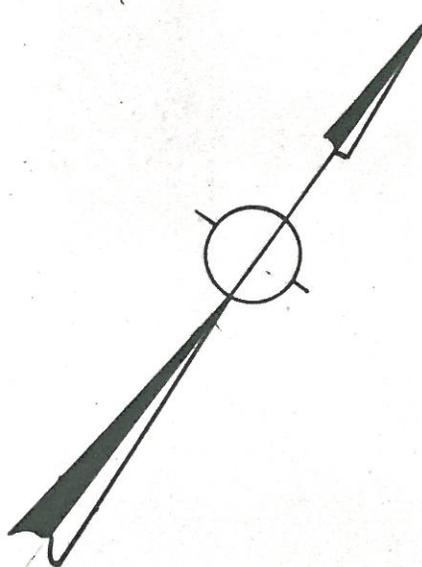

Francis L. Swift


William O. Hewett


William F. Cullinane

Filed with Town Clerk _____

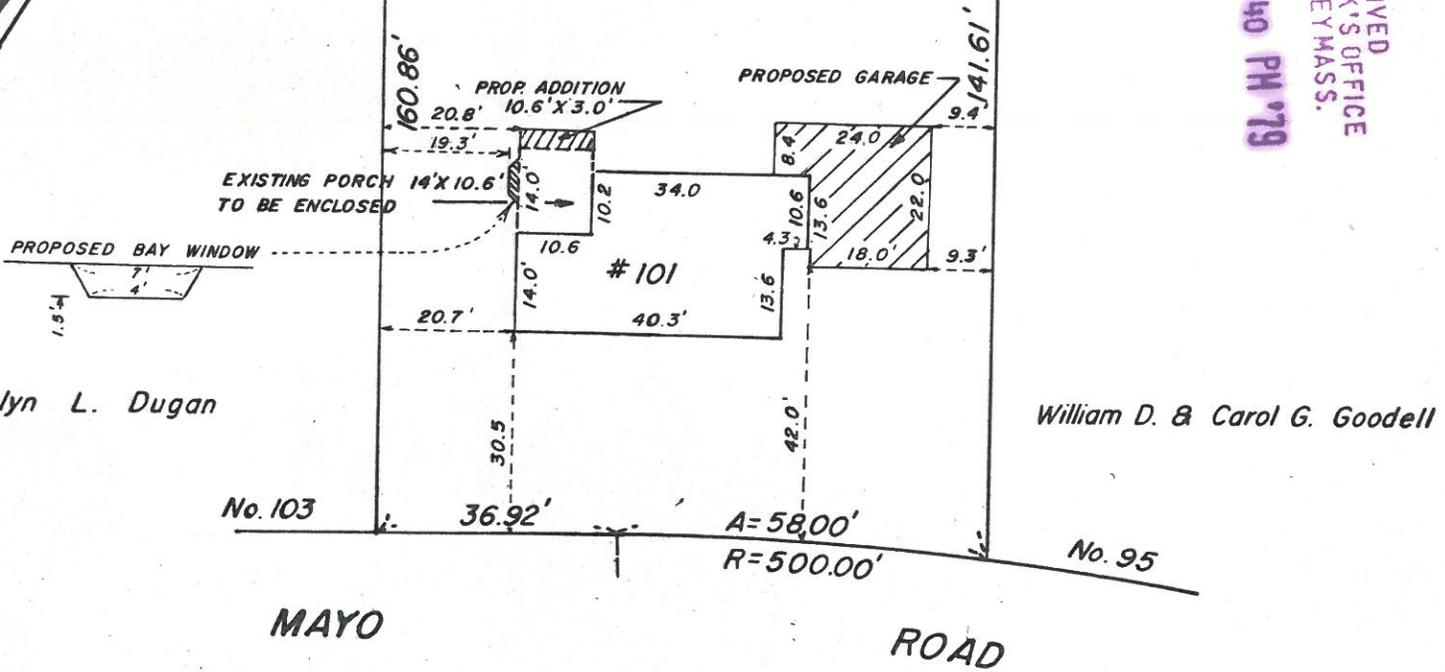
Copies of the decision and all plans referred to in the decision have been filed with the Planning Board and with the Town Clerk.



No 14 Oakdale Ave.
Gayn B. & Ellen Winters

97.45'
14,240 sf.

RECEIVED
TOWN CLERK'S OFFICE
WELLESLEY MASS.
Aug 1 3 40 PM '79



Evelyn L. Dugan

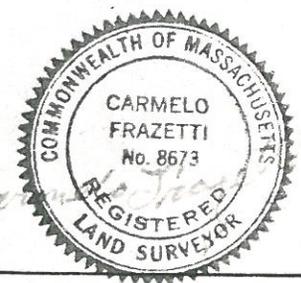
William D. & Carol G. Goodell

No. 103 36.92' A=58,00' R=500.00' No. 95

MAYO ROAD

PLAN OF LAND
in
WELLESLEY, MASSACHUSETTS
at
No. 101 MAYO ROAD

Owned by
Ota A. & Jarmila Richter
May 30, 1979
Carmelo Frazetti



Proposed
House Addition
Scale 1" = 30'
Land Surveyor