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ZONING BOARD OF APPEALS
TOWN HALL WELLESLEY, MA 02158

DEC 13 11 57 AM '83

STEPHEN S. PORTER, Chairman
JOHN A. DONOVAN, JR.
ROBERT R. CUNNINGHAM

MARY ANN McDougall
Executive Secretary
Telephone
235-1664

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

83-62

Petition of George and Sharon Murphy

Pursuant to due notice, the Permit Granting Authority held a Public Hearing in the second floor hearing room of the Town Hall on Thursday, November 17, 1983 at 8 p.m. on the petition of GEORGE AND SHARON MURPHY, requesting a variance from the terms of Section XIX of the Zoning Bylaw for their property at 6 SAWYER ROAD, which contains less than the required left side yard. Said request is made in order to bring the property into conformance with the Zoning Bylaw. Said request is pursuant to Section XXIV-D of the Zoning Bylaw.

On October 25, 1983, the petitioner filed a request for 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 Dr. George Murphy, who stated that the house was built in 1950, purchased by the Murphy's in September, 1983, at which time the bank surveyor found the house to be non-conforming. Dr. Murphy stated that the side-yard violation is 9".

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

Statement of Facts

The property in question is located at 6 Sawyer Road, containing 20,005 square feet of land, in a Single Residence District.

The house was constructed in 1950. The petitioner purchased the dwelling in September, 1983 at which time the bank surveyor found the house to be non-conforming. The dwelling is 19.3 feet from the left side line, the requirement being 20 feet. The petitioner is requesting a variance to bring the existing house into conformance with the Zoning Bylaws.

A Plot Plan was presented, drawn by Paul N. Robinson, Registered Land Surveyor, Millis, Ma., dated 10/8/83.

The Planning Board, at its regular meeting of November 15, 1983, voted to offer no comment on the petition.

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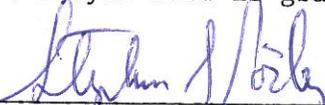
Decision

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

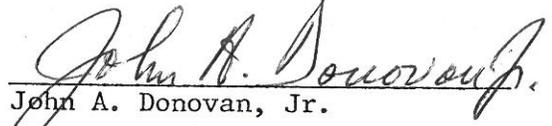
It is the opinion of this Authority that the dwelling was in violation of the Zoning Bylaw when it was constructed in 1950. The petitioner wishes to bring the existing structure into conformance with the present Zoning Bylaws.

This Board is of the opinion that a literal enforcement of the provisions of the Zoning Bylaw would involve substantial hardship to the petitioner. Furthermore, the allowance of a variance would not be detrimental to the neighborhood nor be in derogation of the intent or purpose of the Zoning Bylaw.

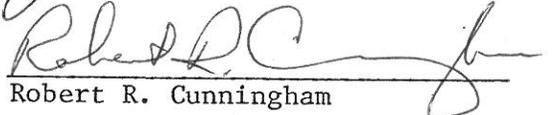
Therefore, the requested variance for the property at 6 Sawyer Road is granted.



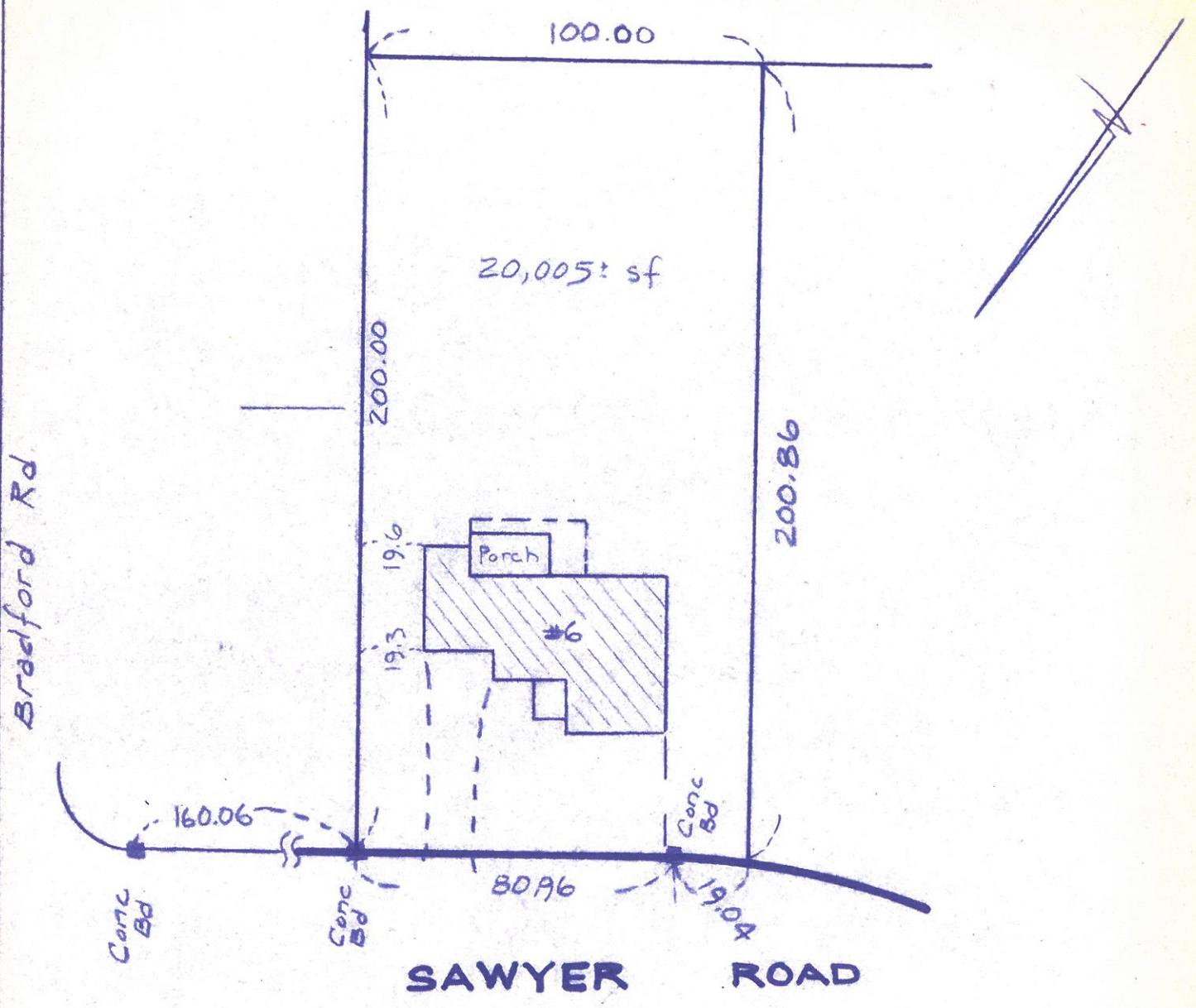
Stephen S. Porter, Chairman



John A. Donovan, Jr.



Robert R. Cunningham



JOB NO. 1926

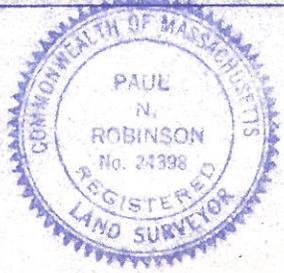
PLOT PLAN

LAND IN: Wellesley Norfolk REGISTRY OWNER Robert A. Marshall
 DEED REF: Norfolk BOOK 5481 PAGE 523 RECORD PLAN: #552 of 1947 in Bk. 2687 Pg. 279
 BANK: Benjamin Franklin Savings Bank SCALE 1 INCH = 40 FT. DATE: October 8, 1983

~~Thereby certify that the building shown on this plan is located on the ground as shown and its position conforms to the ZONING LAW OF:~~

~~and does not lie within the special FLOOD HAZARD AREA as shown on the H.U.D. FLOOD MAP dated:~~

Paul N. Robinson
 Registered Land Surveyor



PAUL N. ROBINSON, ASSOCIATES
SURVEYORS
 91 RIDGE STREET
 MILLIS, MASS. 02054

THIS PLAN MADE FROM AN INSTRUMENT SURVEY,