



ZONING BOARD OF APPEALS
TOWN HALL WELLESLEY, MA 02181

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85-62

Petition of Ralph A. & Veronica Rawley
41 Pine Plain Road

Pursuant to due notice, the Permit Granting Authority held a Public Hearing on Thursday, October 17, 1985 at 8 p.m. in Room 17 of the Town Offices at the Phillips Building, 12 Seaward Road, Wellesley Hills concerning the petition of RALPH A. & VERONICA A RAWLEY requesting a variance from the terms of Section XIX and pursuant to Section XXIV-D of the Zoning Bylaws to allow the construction of a one-story addition approximately 20 feet by 24.4 feet at the rear of their dwelling at 41 PINE PLAIN ROAD leaving less than the required left (easterly) side yard.

On September 30, 1985, 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 Veronica Rawley who stated that they wish to expand their kitchen and add a family room at the rear of their non-conforming house.

No others were present favoring or opposing the request.

Statement of Facts

The property in question is located at 41 Pine Plain Road, containing 7,044 square feet of land. The existing dwelling is a non-conforming structure coming to 8 feet from the left side yard at the closest point and 9.2 feet at the rear corner.

The petitioner proposes to construct an addition approximately 20 feet by 24.4 feet at the rear of the dwelling, continuing the existing lines of the house, to contain an expanded kitchen and a family room. The addition would come to 9.2 feet from the left side yard.

A Plot Plan was submitted, drawn by Philip D. Lukens, Registered Land Surveyor, of GLM Engineering Consultants, Inc., Holliston, Ma., dated September 6, 1985. Construction drawings by Wayne A. Rayley, Architect, dated 9/13/85, were also submitted.

The Planning Board, at its regular meeting of October 8, 1985, voted to offer no objection to the variance request.

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 8 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 placement 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 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.

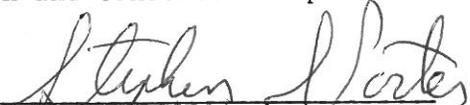
Therefore, the requested variance is granted to construct a one-story addition at 41 Pine Plain Road, said addition to be approximately 20 feet by 24.4 feet as shown on the Plot Plan drawn by Philip D. Lukens, Registered Land Surveyor, dated 9/6/85, coming no closer than 9.2 feet from the left side lot line.

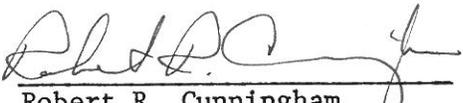
The Inspector of Buildings is hereby authorized to issue a permit for the construction upon his receipt and approval of a building application and construction plans.

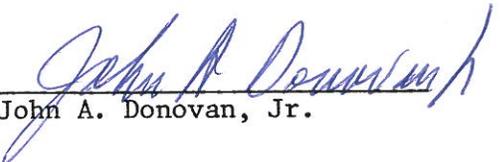
APPEALS FROM THIS DECISION,
IF ANY, SHALL BE MADE PURSUANT
TO GENERAL LAWS, CHAPTER 40A,
SECTION 17, AND SHALL BE FILED
WITHIN 20 DAYS AFTER THE DATE
OF FILING OF THIS DECISION IN
THE OFFICE OF THE TOWN CLERK.

cc: Planning Bd.
Building Inspector

mam

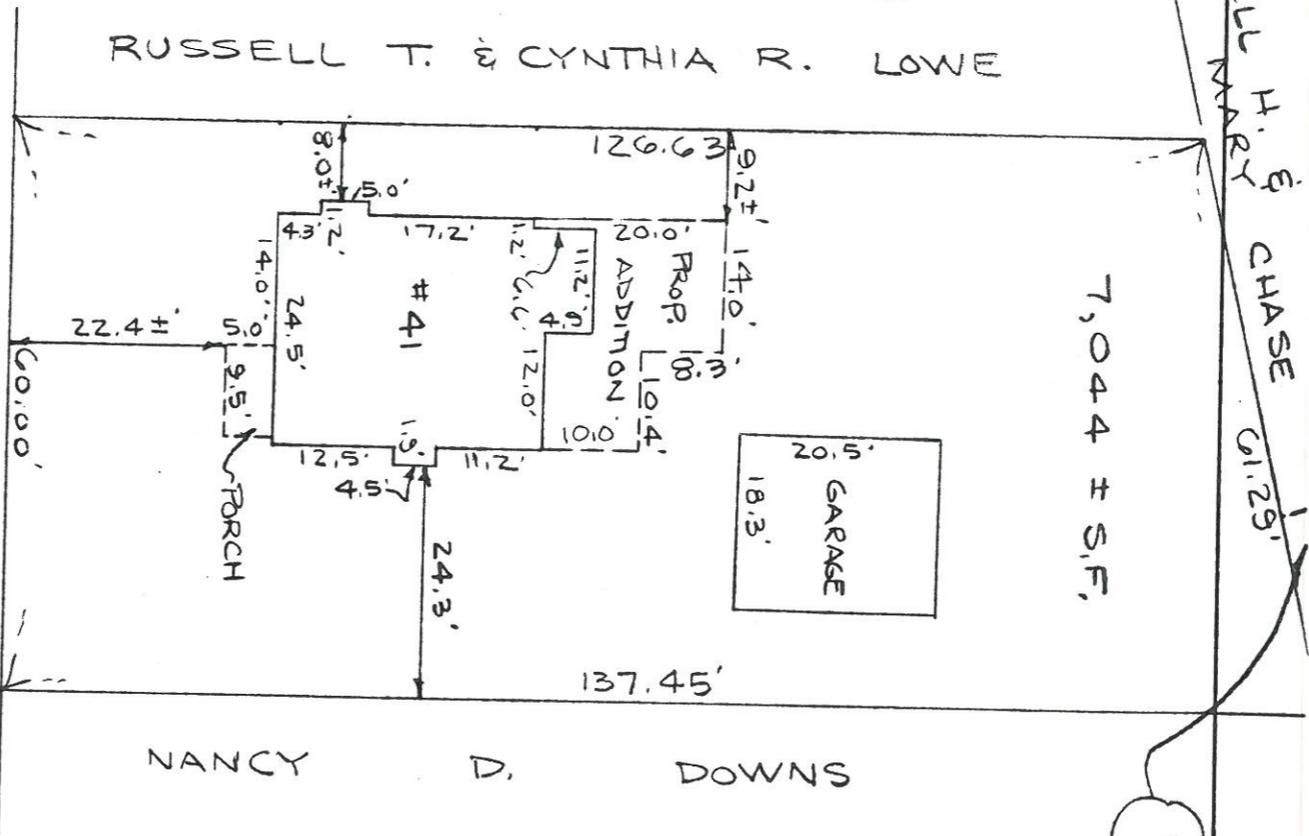

Stephen S. Porter, Chairman


Robert R. Cunningham


John A. Donovan, Jr.

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PINE PLAIN ROAD



RUSSELL H. & CYNTHIA R. LOWE

RUSSELL H. & CYNTHIA R. LOWE

7,044 ± S.F.

61.29'

NANCY D. DOWNS

NORMAN C. McLEA

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41 PINE PLAIN RD.
WELLESLEY, MASS.

PLOT PLAN OF LAND
IN
WELLESLEY, MASS.

SCALE: 1" = 20' SEPT 6, 1985

GLM ENGINEERING CONSULTANTS, INC
838 WASHINGTON STREET
HOLLISTON, MASS. 429-1100

I CERTIFY THAT THE BUILDINGS ON THIS PROPERTY ARE LOCATED AS SHOWN ABOVE & DOES NOT COMPLY WITH THE ZONING LAWS OF THE TOWN OF WELLESLEY IS NOT LOCATED IN A FLOOD HAZARD AREA REGISTERED LAND SURVEYOR DATE 9-6-85

