



ZONING BOARD OF APPEALS
TOWN HALL WELLESLEY, MA 02181

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

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OCT 6 10 35 AM '92
TOWN RECEIVER
WELLESLEY, MA 02181
WILLIAM E. POLLETTA
FRANKLIN P. PARKER
SUMNER H. BABCOCK

ZBA 92-50
Petition of Mark J. and Ann DelVecchio
45 Atwood Street

Pursuant to due notice, the Permit Granting Authority held a Public Hearing on Thursday, September 24, 1992 at 8 p.m. in the Selectmen's Meeting Room (Conference Room B) of the Town Hall, 525 Washington Street, Wellesley, on the petition of MARK J. AND ANN DelVECCHIO 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 two-story addition approximately 26 feet 7 inches by 16 feet at the rear of their nonconforming dwelling at 45 ATWOOD STREET, in a Single Residence District, with less than the required left side yard.

On September 8, 1992, 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 Mark and Ann DelVecchio. Mr. DelVecchio said that they would like to enlarge their small kitchen on the first floor and provide a master bedroom on the second floor. They have four children and insufficient space.

No other person present had any comment on the petition.

Statement of Facts

The subject property is located at 45 Atwood Road, in a Single Residence District, on a 10,072 square foot lot with a minimum left side yard clearance of 13.58 from the left rear corner of the dwelling.

The petitioners are requesting a variance to construct a two-story addition approximately 26 feet 7 inches by 16 feet at the rear of their nonconforming dwelling. Said addition would have a minimum left side yard clearance of 13.60 feet from the left rear corner.

A Plot Plan dated August 28, 1992, drawn by John J. Regan, Registered Professional Land Surveyor; construction sketches and elevations; and photographs were submitted.

On September 15, 1992, the Planning Board reviewed the petition and voted to recommend that the request be denied.

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Decision

This Authority has made a careful study of the material submitted and the information presented at the hearing. The subject dwelling 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 two-story addition conforms to the present lines of the house and that the alteration of the relationship of the house to the left side lot line is de minimus.

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 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 two-story addition subject to construction in conformance with the plot plan and construction sketches submitted and noted in the foregoing Statement of Facts.

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


William E. Polletta

SEP 8 10 49 AM '92

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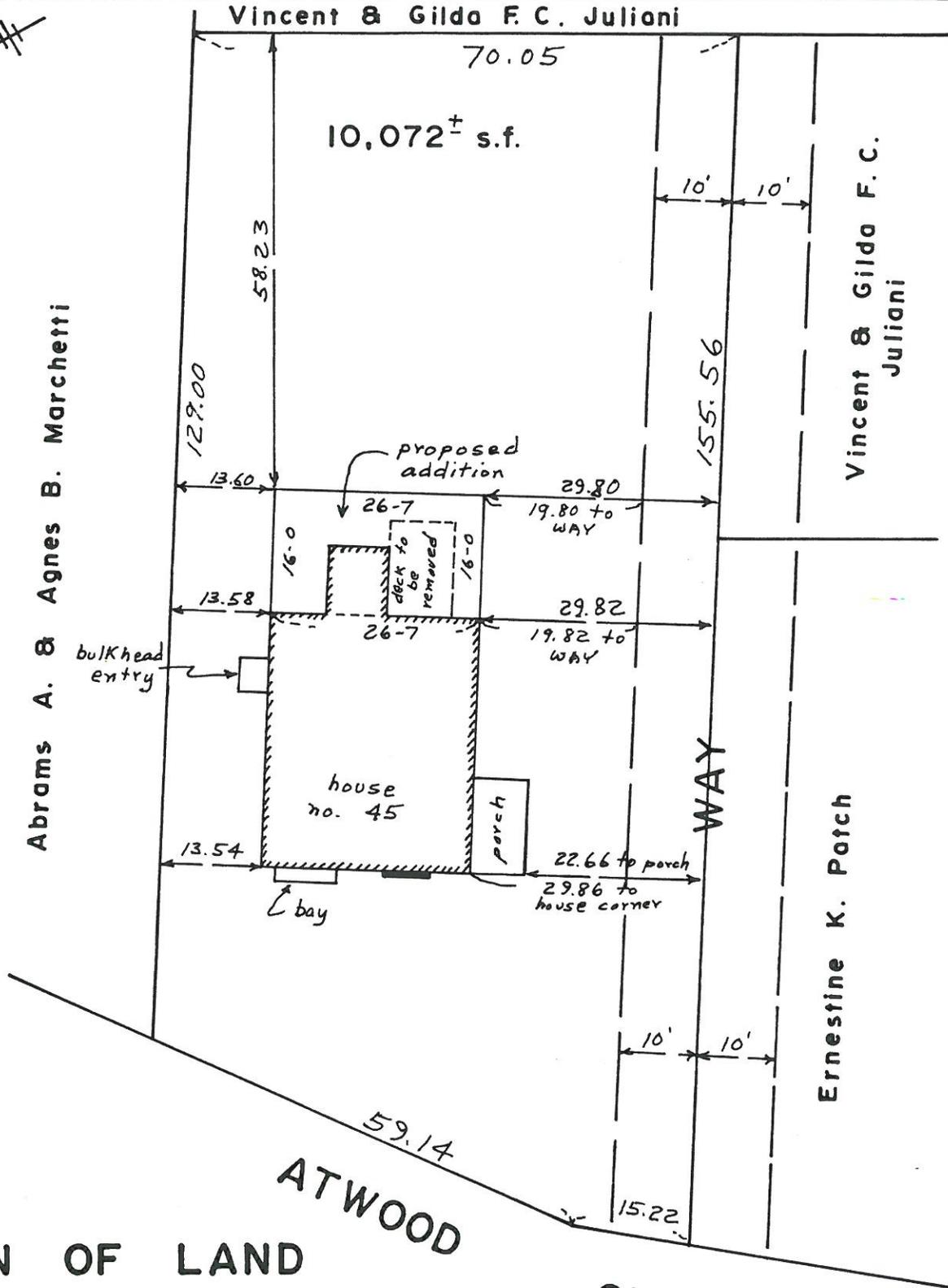


Abrams A. & Agnes B. Marchetti

Vincent & Gilda F. C. Juliani

Vincent & Gilda F. C.
Juliani

Ernestine K. Potch



PLAN OF LAND IN

STREET

WELLESLEY MASS.

TO ACCOMPANY THE PETITION OF
MARK J. & ANN S. DEL VECCHIO
45 ATWOOD STREET
WELLESLEY

Note:

Lot coverage will be
1407[±] s.f. or 14%

SCALE 1 IN = 20 FT
JOHN J. REGAN
NEWTON HIGHLANDS

AUGUST 28, 1992
LAND SURVEYOR
MASS.