



## ZONING BOARD OF APPEALS

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KATHARINE E. TOY  
 Administrative Secretary  
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 235-1664

Petition of Barbara A. and Edward A. Ross

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 8:20 p.m. on June 8, 1978, on the petition of Barbara A. and Edward A. Ross, requesting a variance from the terms of Section XIX of the Zoning By-law which will allow the construction of an addition on the side of their dwelling at 27 Manor Avenue, with a side yard less than the required twenty feet. Said request was made under the provisions of Section XXIV-D of the Zoning By-law.

On May 23, 1978, the petitioners filed their request for a hearing before this Board and thereafter due notice of the hearing was given by mailing and publication.

The petitioners spoke in support of their request at the hearing

Antonio DeFilippo, 2 Brookdale Avenue, spoke in favor of the request at the hearing.

Walter A. Lamb, 37 Manor Avenue and Charles S. Morse, 4 Brookdale Avenue, both opposed the request at the hearing.

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 was built prior to the enactment of the by-law requiring a twenty-foot side yard, on a lot containing 17,800 square feet.

The petitioners seek permission to remove the existing porch on the side of their dwelling and replace it with an addition 12' x 24.2' which, if allowed, will provide an additional bedroom. It was stated at the hearing that one of the petitioners' children now has a very small bedroom, 7' x 8', with no closet space, and very little space for a bed and bureau. The proposed addition will alleviate the present overcrowded condition of the house.

It was further stated that although there is space to construct an addition on the easterly side of the house, there is a brook which runs through the property which overflows and has come up to the attached garage on that side. There is also a problem of adequate space at the rear of the house for an addition and there is also the problem of the brook overflowing in the rear as well. For these reasons it is the belief of the petitioners that the proposed location is the only practical place for the needed addition.

A plot plan was submitted, drawn by Carmello Frazetti, dated May 5, 1978, which showed the existing house on the lot as well as the proposed addition. Said plan showed the addition to be located on the westerly

side of the house, 37.20' back from Manor Avenue, 16.25' from the westerly lot line at the front corner and 19.0' from the lot line at the rear corner.

The Authority requested that petitioners have a revised set of drawings made showing the elevations of the proposed addition as well as the floor layout. These were to be submitted within ten days and prior to the Authority making its decision. Said plans were submitted and have been examined by the members of this Authority.

Decision

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

In its opinion, the proposed location of the addition appears to be the only feasible place it can be constructed due to the location of the brook on the property. The addition, if built, will be approximately four feet closer to the lot line than allowed at the nearest point and only one foot less than the required distance at the rear corner due to the angle of the house on the lot.

It is the opinion of this Authority, therefore, that because of the soil conditions and shape of the lot, which is bisected by a brook, that a literal enforcement of the provisions of Section XIX of the Zoning By-law would involve substantial hardship to the petitioners who at this time need an additional bedroom. It is the further opinion of the Authority that desirable relief may be granted without substantial detriment to the public good and without nullifying and substantially derogating from the intent and purpose of the Zoning By-law.

Accordingly, the requested variance is granted and the Building Inspector is authorized to issue a permit for the proposed addition as shown on the plans submitted and on file with this Authority.

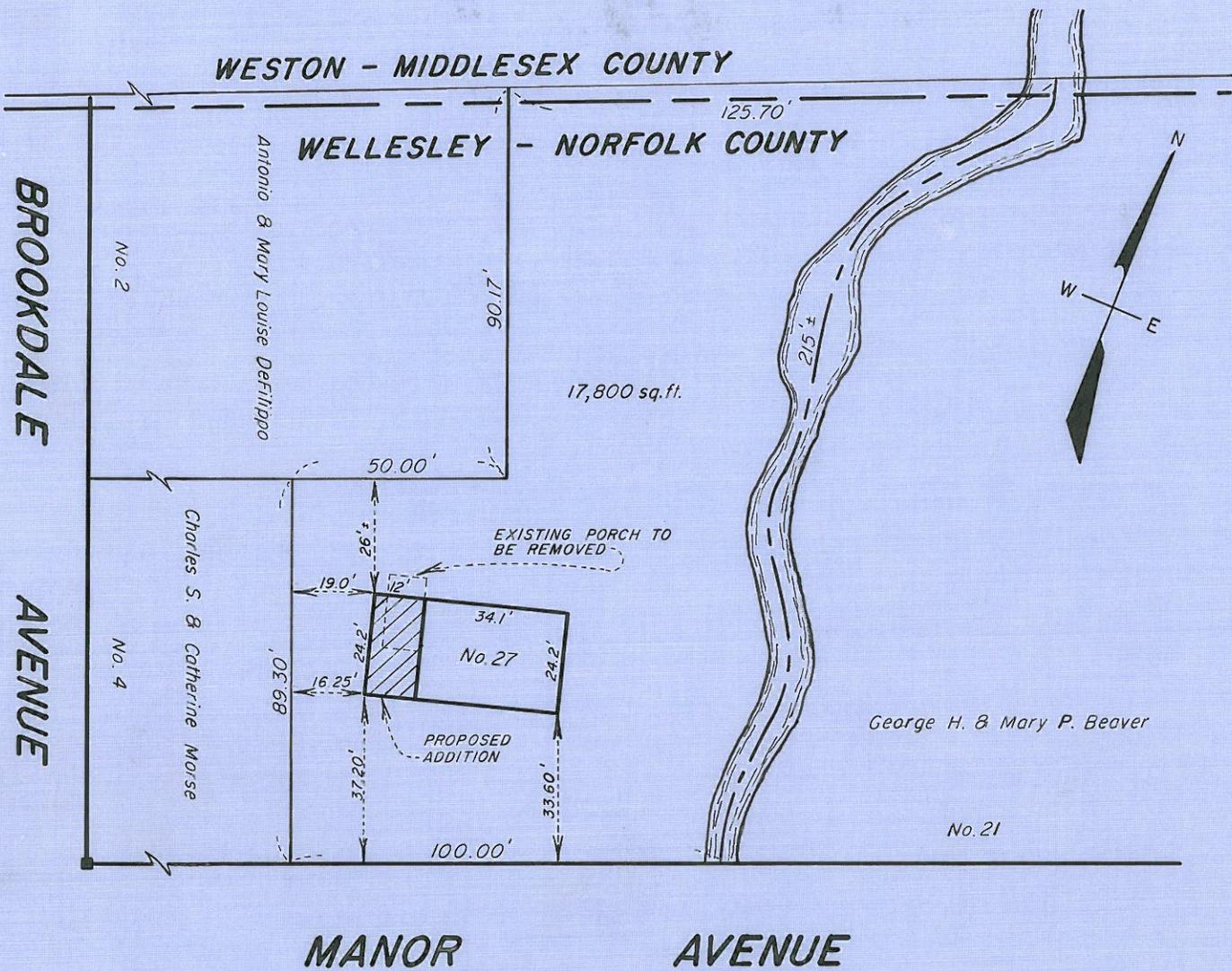
The following conditions:

  
Francis L. Swift  
  
William O. Hewett  
  
Franklin P. Parker

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.

37 12 23 11 18  
METROTECHNASS  
TOWN CLERK'S OFFICE  
RECEIVED



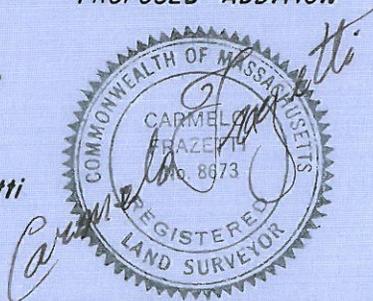
PLAN OF LAND  
IN  
WELLESLEY, MASSACHUSETTS

AT  
No. 27 MANOR AVENUE

OWNED BY  
Edward A. Ross  
PROPOSED ADDITION

May 5, 1978

Carmello Frazetti



Scale: 1" = 40'

Land Surveyor