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WILLIAM E. POLLETTA
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FRANKLIN P. PARKER
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ZONING BOARD OF APPEALS

KATHARINE E. TOY
Administrative Secretary
Telephone
235-1664

Petition of Peter L. Hansen and
Mildred E. Hansen

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 September 14, 1978, on the petition of Peter L. Hansen and Mildred E. Hansen, requesting a variance from the terms of Section XIX of the Zoning By-law, which will allow them to construct an addition on the rear of their dwelling at 59 Fiske Road, 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 August 25, 1978, the petitioners filed their request for a hearing before this Authority and thereafter due notice of the hearing was given by mailing and publication.

Peter L. Hansen spoke in support of the petition at the hearing.

William Bradford Sprout, Jr., Architect, explained in detail the need for the proposed addition as designed and why it should be located as proposed.

Statement of Facts

The property involved is located within a Single Residence District requiring a minimum lot area of 15,000 square feet. It was built in 1935, prior to the twenty-foot side yard requirement on a lot containing 22,980 square feet.

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The petitioners seek permission to construct a small two-story addition on the southwest corner of their dwelling, with a ground area of approximately 62.5 square feet. The proposed addition, if built, will allow for the enlargement of an existing den on the first floor and a small room on the second floor, both are now uncomfortably small. A second-floor bathroom will also be provided.

It was explained that the house was designed originally by an architect for his personal home and was built as a most unusual and special house. However, the house has only two bedrooms upstairs, and the petitioners have been forced to use a small upstairs study as a third bedroom. The present layout provides no space for guests and space not comfortable for family use.

It was further explained that the petitioners desire to enlarge only the section of the house which needs expansion and the only part of the house which can be expanded and still remain true to the original architectural design. Although the plan submitted seems to indicate a great deal of space available for construction on the easterly side of the

house, it was stated, the land slopes down very steeply on that side and is unsuitable for expansion. It was also pointed out that the proposed addition will be no closer to the side lot line than the existing house which is 19.5', and that due to the shape of the existing structure and the land, which prevents construction elsewhere on the lot, undue hardship will result unless a variance is granted.

A plot plan was submitted, drawn by Carmelo Frazetti, Land Surveyor, dated August 10, 1978, which showed the existing house on the lot as well as the proposed addition.

Decision

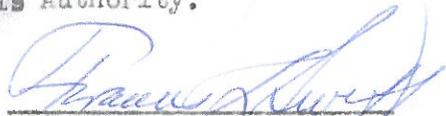
The Authority has made a careful study of the evidence submitted and has taken a view of the locus.

In its opinion, there is a real need for the enlargement of the petitioners' house as designed and the proposed location of the addition appears to be the only practical and feasible place it can be constructed and provide the space needed.

While the lot contains 22,980 square feet, the house is located on the extreme westerly side of the lot less than the present required twenty feet from the side line. The proposed addition, if built, will not encroach any closer to the lot line than the existing house. The Authority agrees with the petitioners that while there is ample space for an addition to be constructed on the opposite side of the house, due to the topography of the land and the house, it would be difficult to design an addition which would be feasibly economical as well as practical.

Therefore, it is the unanimous opinion of this Authority that owing to circumstances relating to the topography of the house and the land involved, a literal enforcement of the provisions of Section XIX of the Zoning By-law would involve substantial hardship to the petitioners. It is the further opinion of this Authority that desirable relief may be granted without substantial detriment to the public good and without substantially derogating from the intent or 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 plan submitted and on file with this Authority.


Francis L. Swift

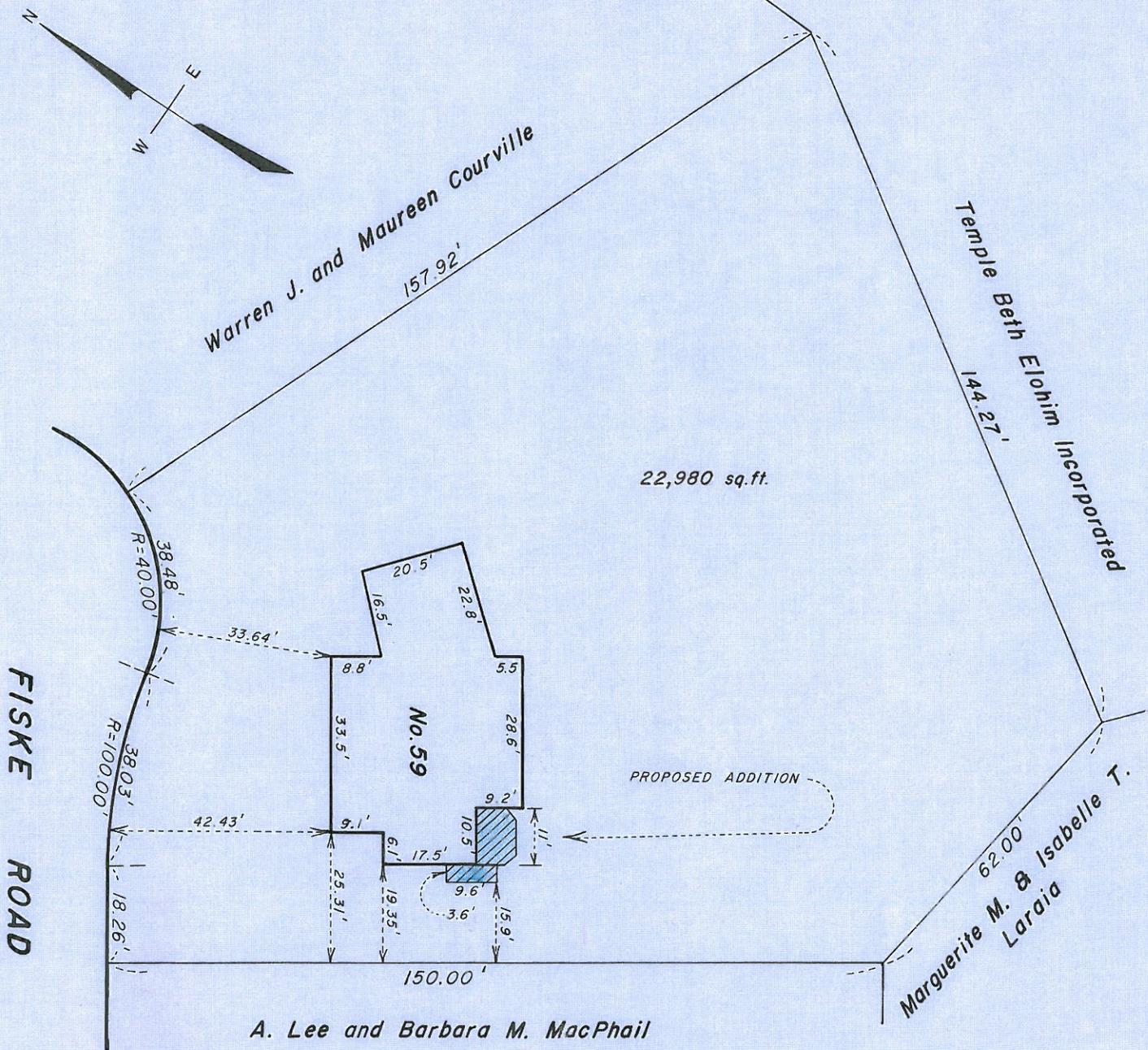

William E. Polletta


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.

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AUG 13 1978



PLAN OF LAND
IN
WELLESLEY, MASSACHUSETTS

AT
No. 59 FISKE RD.

OWNED BY
Peter D. and Mildred E. Hansen
PROPOSED ADDITION

August 10, 1978

Carmelo Frazetti



Scale: 1" = 30'

Land Surveyor