78-28

TOWN OF WELLESLEY MASSACHUSETTS

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WILLIAM E. POLLETTA
WILLIAM F. CULLINANE
FRANKLIN P. PARKER
JOHN A. DONOVAN, Jr.

ZONING BOARD OF APPEALS

KATHARINE E. TOY
Administrative Secretary
Telephone
235-1664

Petition of Arthur G. Keating

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 8:15 p.m. on September 14, 1978, on the petition of Arthur G. Keating, 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 the dwelling at 155 Walnut Street, with a front yard less than the required thirty feet. Said request was made under the provisions of Section XXIV-D of the Zoning By-law.

On August 25, 1978, the petitioner requested a hearing before this Authority and thereafter due notice of the hearing was given by mailing and publication.

Arthur G. Kearing spoke in support of the petition at the hearing.

Statement of Facts

The house involved is located within a Single Residence District requiring a minimum lot area of 10,000 square feet. The house which was built over seventy-five years ago, and prior to the enactment of the Zoning By-law requiring a thirty-foot front yard, was built on a lot containing 5,346 square feet.

The petitioner seeks permission to construct a two-story addition with basement 16' x 25' on the westerly side of his existing house which is designed to provide a living room on the first floor and a bedroom above on the second floor.

It was stated that the existing house is only 20' x 20', and contains three small rooms on the first floor and only two bedrooms on the second floor. The petitioner has two children and needs additional living space, especially an additional bedroom. It was pointed out that the lot involved, which contains only 5,346 square feet, has a depth of only 38.46' on the easterly side and widens to only 73.22' on the westerly side. Therefore, due to the shape of the lot and its size, it would not be possible to construct an addition of practical size which would comply with the setback requirements of the Zoning By-law.

A plot plan was submitted, drawn by Everett M. Brooks Co., Newtonville, Charles D. Thompson, Landsurveyor, dated August 3, 1978, which showed the proposed addition to be located 15' feet back from Walnut Street and 20½' from the side line on the westerly side,,and the existing house set back 11' from Walnut Street.

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 proposed addition which will provide a bedroom and living room for the petitioner's growing family and the proposed plan appears to be the only practical and feasible place it can be constructed with the least encroachment. It will not be as close to Walnut Street as the existing house which is set back only eleven feet, and in the opinion of this Authority, will not prove detrimental but will enhance the area.

Therefore, it is the unanimous opinion of this Authority that owing to circumstances relating to the shape of the lot, a literal enforcement of the provisions of Section XIX of the Zoning By-law governing front yards, would involve substantial hardship to the petitioner and his family. It is the further opinion of this Authority that the desirable relief may be granted without substantial detriment to the public good and without nullifying or 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

Francis L. Swift

William E. Polletta

William E. Polletta

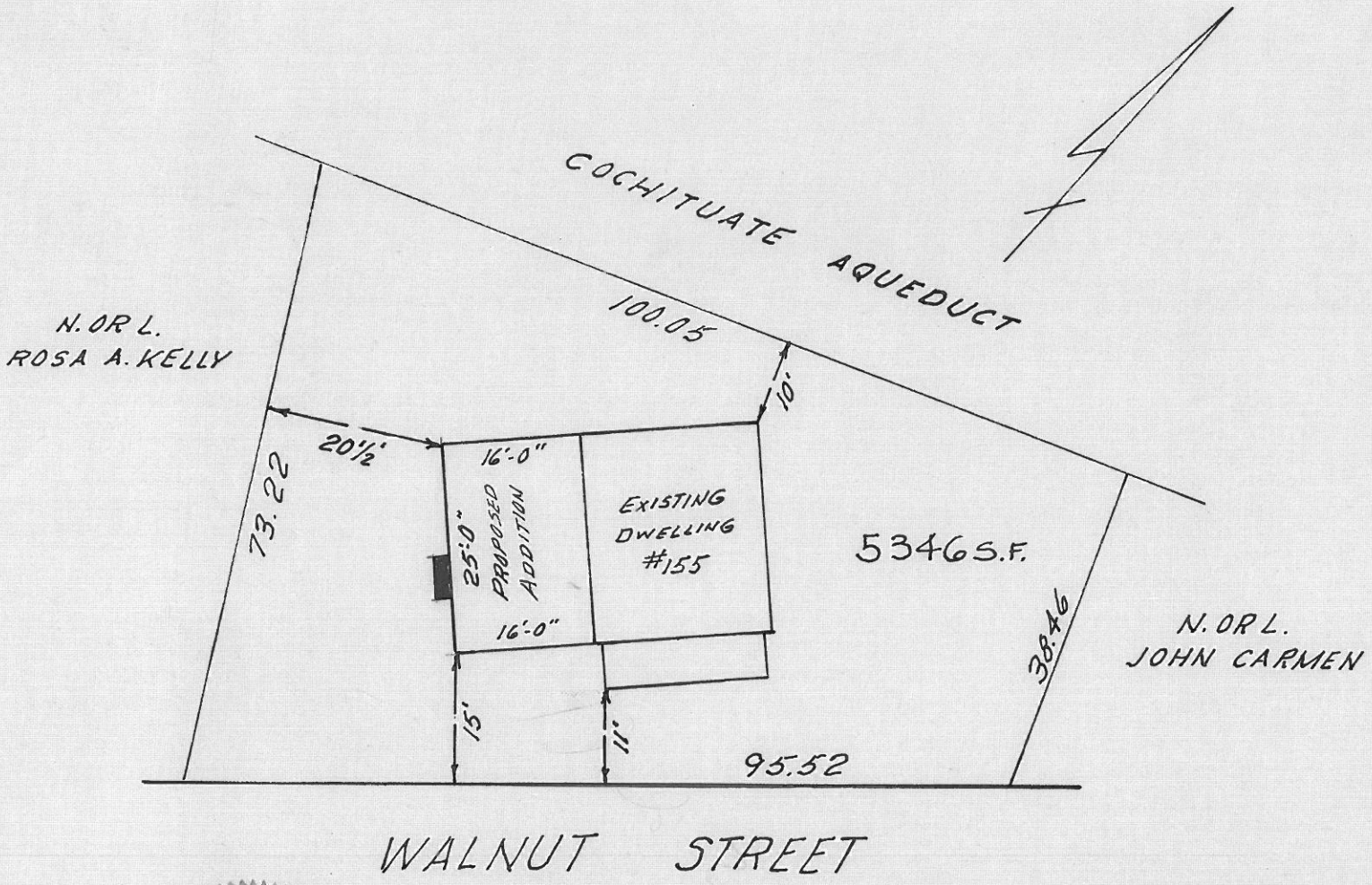
William F. Cullinane

William F. Cullinane

Filed with Town Clerk _____

OCT 21 11 37 AM '58
MEDFIELD, MASS.
TOWN CLERK'S OFFICE
RECEIVED

Copies of the decision and all plans referred to in this decision have been filed with the Planning Board and with the Town Clerk.



COMMONWEALTH OF MASSACHUSETTS
CHARLES D. THOMPSON
No. 14675
REGISTERED LAND SURVEYOR

Charles D. Thompson

PRESENT LOT COVERAGE = 11.4%
PROPOSED LOT COVERAGE = 18.8%

PLAN OF LAND
IN
WELLESLEY o MASS.

SCALE: 1 IN. = 20 FT.

AUG. 3, 1978

EVERETT M. BROOKS CO.
NEWTONVILLE

CIVIL ENG'RS.
MASS.

12856