



FRANCIS L. SWIFT, Chairman
 WILLIAM O. HEWETT
 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 William C. Miller

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 9:00 p.m. on September 14, 1978, on the petition of William C. Miller, 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 97 Woodlawn 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 August 25, 1978, the petitioner filed his request for a hearing before this Authority and thereafter due notice of the hearing was given by mailing and publication.

William C. Miller spoke in support of the request at the hearing.

Statement of Facts

The property involved is located within a Single Residence District, requiring a minimum lot area of 20,000 square feet. The house was built in 1922 on a lot containing 36,500 square feet.

The petitioner seeks permission to construct an addition 12.9' x 20' on the northerly side of his dwelling to provide an additional one-car garage with a room above.

It was explained that there is an existing one-car garage located at the rear corner of the house and it is proposed to construct a one-car garage in front of the existing garage which will form a tandem, and to construct a family room above the garage. If allowed, this will provide space for two cars and will provide a much needed room on the first floor. It will also provide easy access to the house on the northerly side, which is now difficult due to the steep slope at the side of the house.

It was further explained that due to a large ledge outcropping, approximately eight feet from the house on the south side of the property, it would not be possible to construct an addition on that side without incurring a great deal of added expense. The ledge would also preclude a driveway to be constructed to the rear of the property.

A plot plan was submitted, drawn by Alexander Crucioli, dated August 11, 1978, which showed the existing house on the property as well as the proposed addition. Said plan showed the addition to be 11.85' from the lot line on the northerly side and 30.5' from Woodlawn Avenue.

Decision

It is the opinion of this Authority, after a careful study of the evidence submitted and a view of the locus, that a real need exists for the proposed garage and family room which the proposed addition will provide.

In its opinion, the proposed location of the addition appears to be the only feasible and practical place it can be constructed due to the topography of the lot, the outcropping of ledge on the lot and the shape of the lot. Although the lot contains 36,500 square feet, it is long and narrow, 100' x 313' with the house located approximately 22' from the northerly side line.

Therefore, it is the unanimous opinion of this Authority that owing to circumstances relating to the topography of the land, the shape of the lot, as well as the location of the house on the lot, a literal enforcement of the provisions of Section XIX of the Zoning By-law would involve substantial hardship to the petitioner. It is the further opinion of this Authority that desirable relief may be granted without substantial detriment to the public good and without nullifying or 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 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 of all plans referred to in this decision have been filed with the Planning Board and with the Town Clerk.

NOR 54 4 30 6W 138

NOV 22 1950
TOWN ENGINEER
TOWN

PLAN OF LAND
IN
WELLESLEY—MASS.

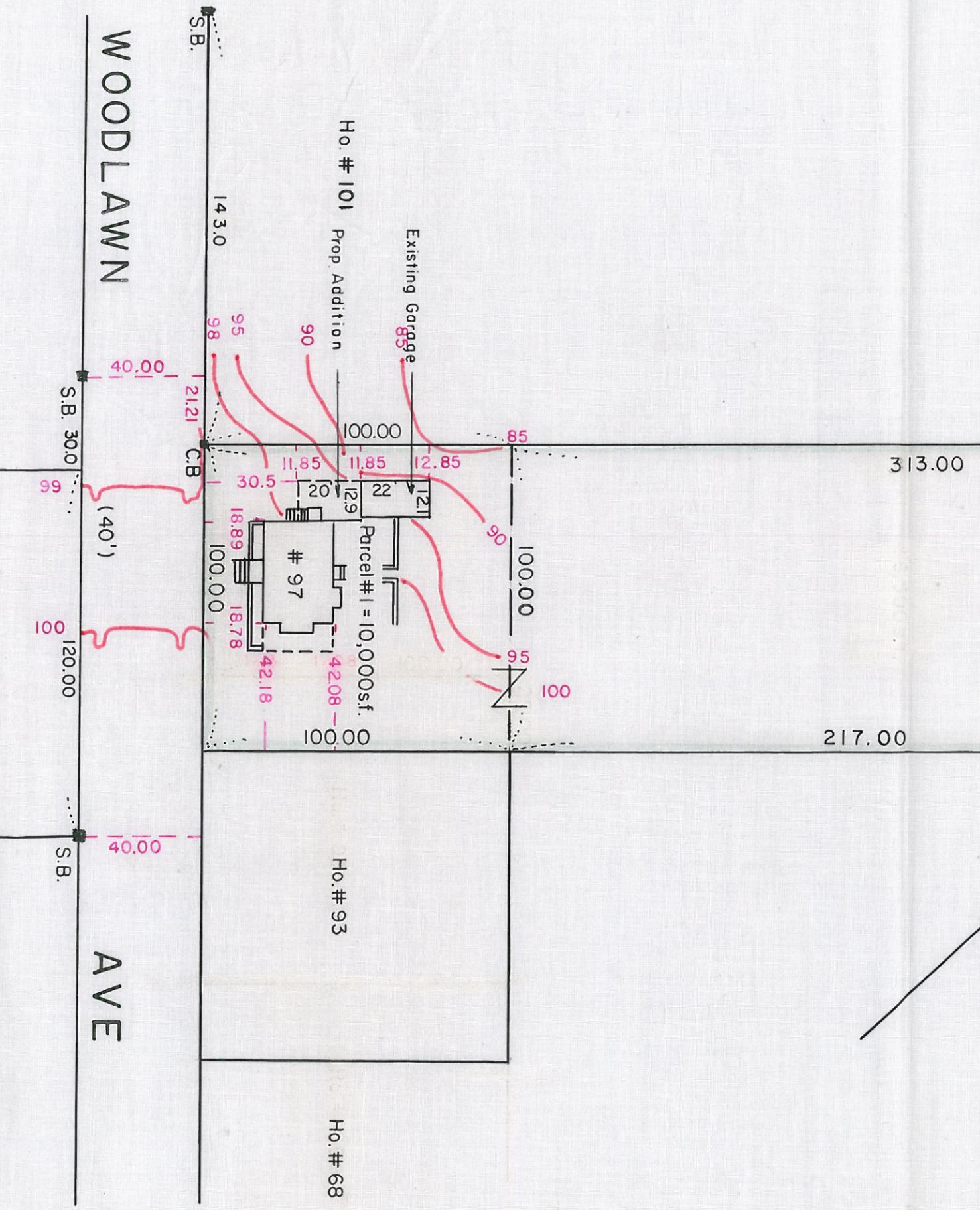
Belonging To
WILLIAM C. MILLER
SURVEYOR Alexander Crucioii
ACRES—ENGINEERS, SURVEYORS, INC.
6 Abbott Rd
Wellesley Hills, Mass.
Scale: 1" = 40' Aug. 11, 1978.



Alexander Crucioii
8/11/77

Pietro Nuzzi

Parcel # 2 = 26,500 s.f.
Parcel # 1 = 10,000 s.f.
Lot A = 36,500 s.f.



WOODLAWN

AVE

PENN CENTRAL TRANSPORTATION CO.

Ho. # 101 Prop. Addition

Ho. # 93

Ho. # 68

Existing Garage

Parcel # 1 = 10,000 s.f.
Parcel # 97