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

ZONING BOARD OF APPEALS

KATHARINE E. TOY
Administrative Secretary
Telephone
235-1664

Petition of Stuart Goldstein
and Gwen Goldstein

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 9:05 p.m. on September 14, 1978, on the petition of Stuart Goldstein and Gwen Goldstein, requesting a variance from the terms of Section XIX of the Zoning By-law which will allow the construction of an addition on the rear of their dwelling at 38 Inverness 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 24, 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.

Stuart Goldstein spoke in support of the request at the hearing.

A petition favoring the request was submitted signed by the following: John W. Felton, 12 Lincoln Road, P. E. Lacaillade, 6 Lincoln Road, Anne Haynsworth, 39 Inverness Road, Paul G. Douglas, 44 Inverness Road and H. F. Taylor, 11 Lincoln Road.

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 19 on a lot containing 19,081 square feet, prior to the effective date of the minimum lot area requirement.

The petitioners seek permission to construct an addition approximately 20' x 21' on the northeasterly corner of their house, which, if built, will provide a two-car garage with a bedroom and bath above.

It was explained at the hearing that the existing house has only two bedrooms and no garage. Because they are both salespeople on the road, the petitioners feel that a two-car garage, especially during the winter months, is needed. The additional bedroom which the addition will provide is also needed for their family. It was further explained that due to the topography of the lot, which slopes down in an easterly direction, and the shape of the lot, it would not be feasible to position the garage at any other location on the lot.

A plot plan was submitted, drawn by Alexander Crucoli, Land Surveyor, dated July 25, 1978, which showed the existing house on the lot as well as the proposed addition. Contours were also shown on the lot. Said plan showed the addition to be approximately 20' x 21' on

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northeasterly corner of the house, set back 17.62' from the side lot line rather than the required twenty feet.

Decision

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

It is the opinion of the Authority that there is a real need for the bedroom and two-car garage which the proposed addition will provide and that the proposed location appears to be the most practical and feasible place for it to be constructed. It is the further opinion of the Authority that it will not substantially reduce the value of any property within the district or otherwise injure the neighborhood.

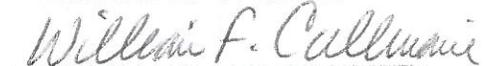
The lot is rectangular in shape, narrow and deep, which allows practically no space for an addition to be constructed which would comply with the zoning requirements. Also due to the topography of the lot, it appears that the proposed location is the most suitable place for the addition to be constructed.

Therefore, it is the unanimous opinion of this Authority that owing to circumstances relating to the shape and topography of the lot, 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 the 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 Board.


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.

APR 27 1950
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PLAN OF LAND
IN

WELLESLEY-MASS

Belonging To

STUART & GWEN GOLDSTEIN

SURVEYOR Alexander Crucoli

ACRES-ENGINEERS, SURVEYORS, INC.

57 Winthrop Road

Chelsea, Mass.

Scale: 1" = 40' JULY 25, 1978.



Alexander Crucoli

