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 JOHN A. DONOVAN, Jr.

ZONING BOARD OF APPEALS

KATHARINE E. TOY  
 Administrative Secretary  
 Telephone  
 235-1664

Petition of Donald J. and Evelyn Leon

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 August 16, 1979, on the petition of Donald J. and Evelyn Leon, requesting a variance from the terms of Section XIX of the Zoning By-law, which will allow them to construct an addition on the front of their dwelling at 5 Larch Road, 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 13, 1979, the petitioners filed their request for a hearing before this Board and thereafter due notice of the hearing was given by mailing and publication.

Donald J. Leon 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 10,000 square feet. The house involved was built in 1946 on a lot containing 22,080 square feet.

The petitioners seek a variance which will allow them to enclose their front vestibule and align same with the existing garage, which is an integral part of the dwelling. It was stated at the hearing that the present front doorway opens directly into the living room, and during the heating season the entire house is chilled every time the door is opened, and this causes the furnace to start. Although storm windows and doors have been installed, it was stated, they have not been very effective in reducing the heat loss. It is felt that the proposed alteration will create a heat buffer zone and will conserve fuel and money.

It was pointed out that the proposed enclosure will be 26.1' back from the street rather than the required 30', if the requested variance is granted and will not encroach any closer to the street than the existing vestibule.

It was further pointed out that due to the topography of the lot, and the location of the house on the lot, it is not possible to construct an addition which would be of any benefit to the petitioners, which would conform with the Zoning By-law. It is felt that the proposed enclosure will enhance the appearance of the house and will result in a substantial saving in fuel.

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A plot plan was submitted, drawn by Carmelo Frazetti, Land Surveyor, dated June 22, 1979, which showed the existing house on the lot as well as the proposed enclosure. Said plan showed the proposed enclosure to be 26.1' back from Larch Road and 20.15' from the side lot line.

Decision

It is the opinion of this Authority after making a careful study of the plans and evidence submitted as well as viewing the locus, that there is a real need for the proposed enclosure which, if built, will conserve fuel and save money for the petitioners.

It is the further opinion of this Authority that because of the location of the house on the lot, the topography of the land and the particular need in this instance, that it would not be possible to construct an addition which would comply with the Zoning By-law and provide the enclosure needed.

Therefore, it is the unanimous opinion of this Authority that owing to the circumstances relating to the topography 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 petitioners. 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 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 enclosure as shown on the plan submitted and on file with this Authority.

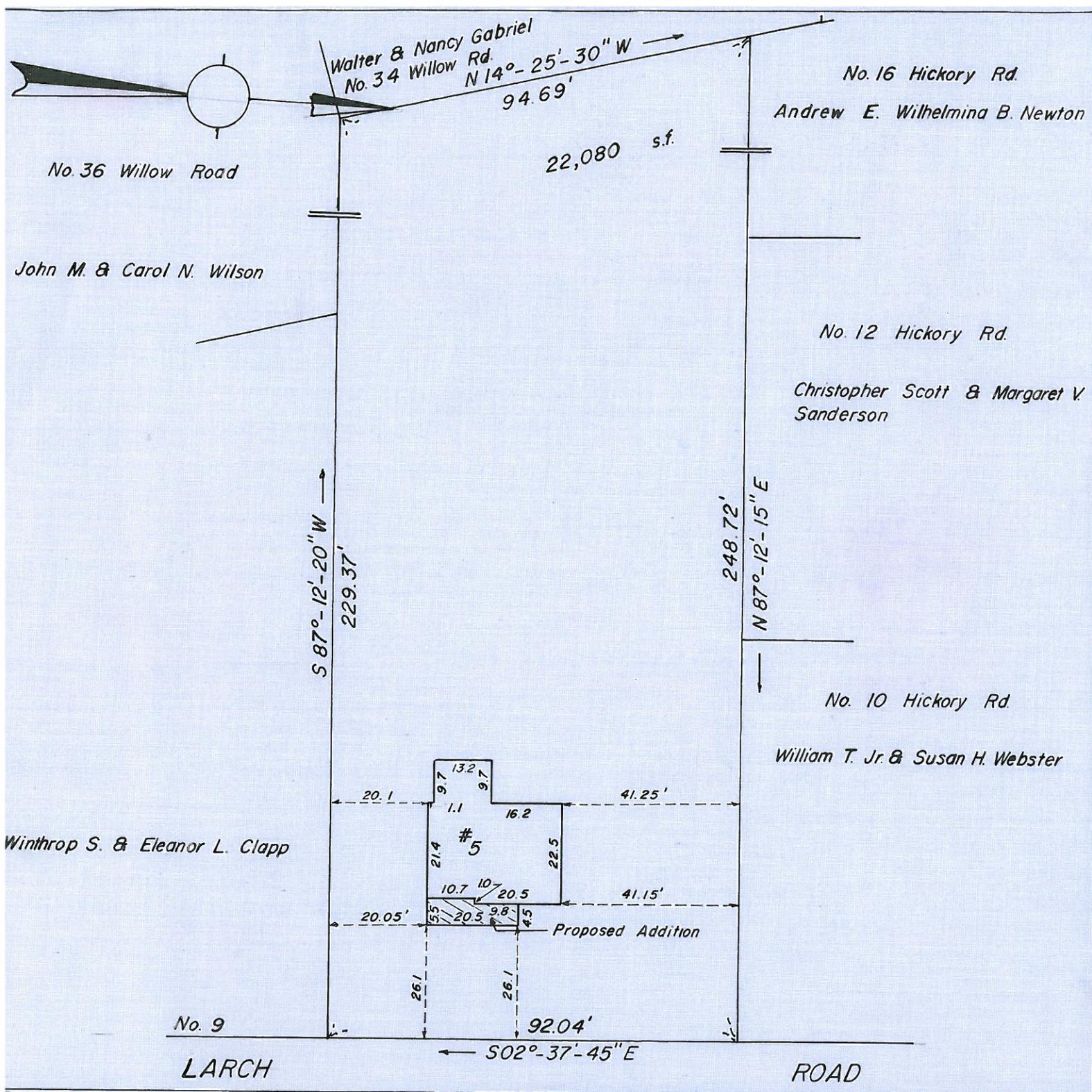
Francis L. Swift  
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William O. Hewett  
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William F. Cullinane  
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Filed with Town Clerk \_\_\_\_\_

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



PLAN OF LAND  
in  
WELLESLEY, MASSACHUSETTS  
at  
No. 5 LARCH ROAD

Owned by  
Donald J. & Evelyn M. Leon  
June 22, 1979  
Carmelo Frazetti



Proposed  
House Addition  
Scale: 1" = 30'  
Land Surveyor