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ZONING BOARD OF APPEALS

KATHARINE E. TOY
 Administrative Secretary
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 235-1664

Petition of Hubert I. and Raynor D. Caplan

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 8:00 p.m. on September 27, 1979, on the petition of Hubert I. and Raynor D. Caplan, requesting a variance from the terms of Section XIX of the Zoning By-law which will allow them to enclose entrance porch on the front of their dwelling at 6 Wilson 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 September 11, 1979, the petitioners filed their request for a hearing before this Authority and thereafter due notice of the hearing was given by mailing and publication.

Hubert I. Caplan spoke in support of the request at the hearing.

A letter favoring the request was received from Mr. and Mrs. Paul E. Carter, 9 Wilson Street.

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 1960 on a lot containing 14,306 square feet.

The petitioners seek a variance which will allow them to construct a small vestibule to enclose their front entrance. It was stated at the hearing that the front door now opens directly into the living room where the thermostat is located, thus causing the furnace to run continually during the cold weather. Not only does this use excess fuel but the house is unevenly heated. It was further stated that at present there is no suitable location to leave rubbers, boots and outer wear and proposed vestibule, if allowed, will provide space for these articles and prevent mud from being tracked into the living room.

It was further pointed out that due to the width of 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.

A plot plan was submitted, drawn by Hector P. Marchetti, Engineer, which showed the existing house on the lot as well as the proposed vestibule. Said plan showed the addition to be 3'6" x 7'4", located 27.2' back from Wilson Street rather than the required thirty feet.

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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 vestibule, which if built, will conserve fuel and save money for the petitioners.

It is the further opinion of this Authority that because of the shape of the lot, having a width of only 87', 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 entrance enclosure needed.

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

Francis L. Swift
Francis L. Swift

William O. Hewett
William O. Hewett

William F. Cullinane
William F. Cullinane

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.

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