

TOWN OF WELLESLEY



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ZONING BOARD OF APPEALS
TOWN HALL WELLESLEY, MA 02181

MAY 11 12:57 PM '81

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81-21

Petition of Hon Pui A. Chan & Siu Mui Woo Chan

Pursuant to due notice, the Permit Granting Authority held a Public Hearing in the second floor hearing room of the Town Hall on Wednesday, April 29, 1981 at 8:00 PM on the Petition of Hon Pui A. Chan and Siu Mui Woo Chan, requesting a Variance from the terms of Section XIX of the Zoning Bylaw which will allow the construction of a full second story addition onto their existing dwelling located at 100 Cedar Street, with a side yard less than the required twenty (20) feet and a front yard of less than the required thirty (30) feet. Said request was made under the provisions of Section XXIV-D of the Zoning Bylaw.

On April 6, 1981, the petitioner filed its request for a hearing before this Board and thereafter due notice of the hearing was given by mailing and publication.

Present at the hearing and speaking on behalf of this request was Jeff Galant, who will be doing the proposed construction to this house. Mr. Galant explained that the addition of a second story will provide three bedrooms and a den. Mr. Galant pointed out that the side in question abuts Town owned land with a gas pipe easement running along the property. The proposed second story addition will not alter the existing shape of the dwelling, and not create any more of an encroachment than already exists.

There was nobody else present at the public hearing speaking in favor or against this request.

Statement of Facts

The property involved is located within a Single Residence District. The locus, 100 Cedar Street is comprised of 11,603 square feet of land.

The petitioners seek permission to add a full second story addition onto the existing one story dwelling. The proposed second story will include three additional bedrooms, one den, and one bathroom upstairs, as indicated on the Con-



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Petition of Hon Pui A. Chan & Siu Mui Woo Chan, continued

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struction Plans submitted with this petition, drawn by Glen Hathaway and filed in on April 6, 1981 with this petition.

A Plot Plan was submitted, drawn by Edward C. Shea, Registered Land Surveyor, dated March 25, 1981, showing the existing house on the lot and indicating the front, rear and side yards to the existing property line. The Plot Plan also includes an 18' x 20' addition to the rear of the dwelling that does not require the approval of the Zoning Board of Appeals as it meets the side and rear yard requirements.

Decision

The petitioners request a Variance to allow a full second story addition to their single story dwelling located at 100 Cedar Street, as shown on the Plot Plan dated March 25, 1981, submitted with this petition.

This Authority has made a careful study of the evidence submitted, especially noting the requested second story addition will not be any closer to the side or front lot lines than the existing dwelling is now. At least one member has taken a view of the locus.

It is the unanimous opinion of this Authority that due to circumstances relating to the topography and the shape of the lot which especially effect the lot in question but not generally affecting the Zoning District, a literal enforcement of Section XIX of the Zoning Bylaw would involve substantial hardship to the petitioner and that desirable relief may be granted without nullifying or substantially derogating from the intent or purpose of the Zoning Bylaw and without substantial detriment to the public good.

Accordingly, the requested Variance is granted and the Inspector of Buildings is authorized to issue a permit for a full second story addition as shown on the Plot Plan dated March 25, 1981 and the Construction Plans as filed with this Authority.

William F. Cullinane

William F. Cullinane, Chairman

Stephen S. Porter

Stephen S. Porter

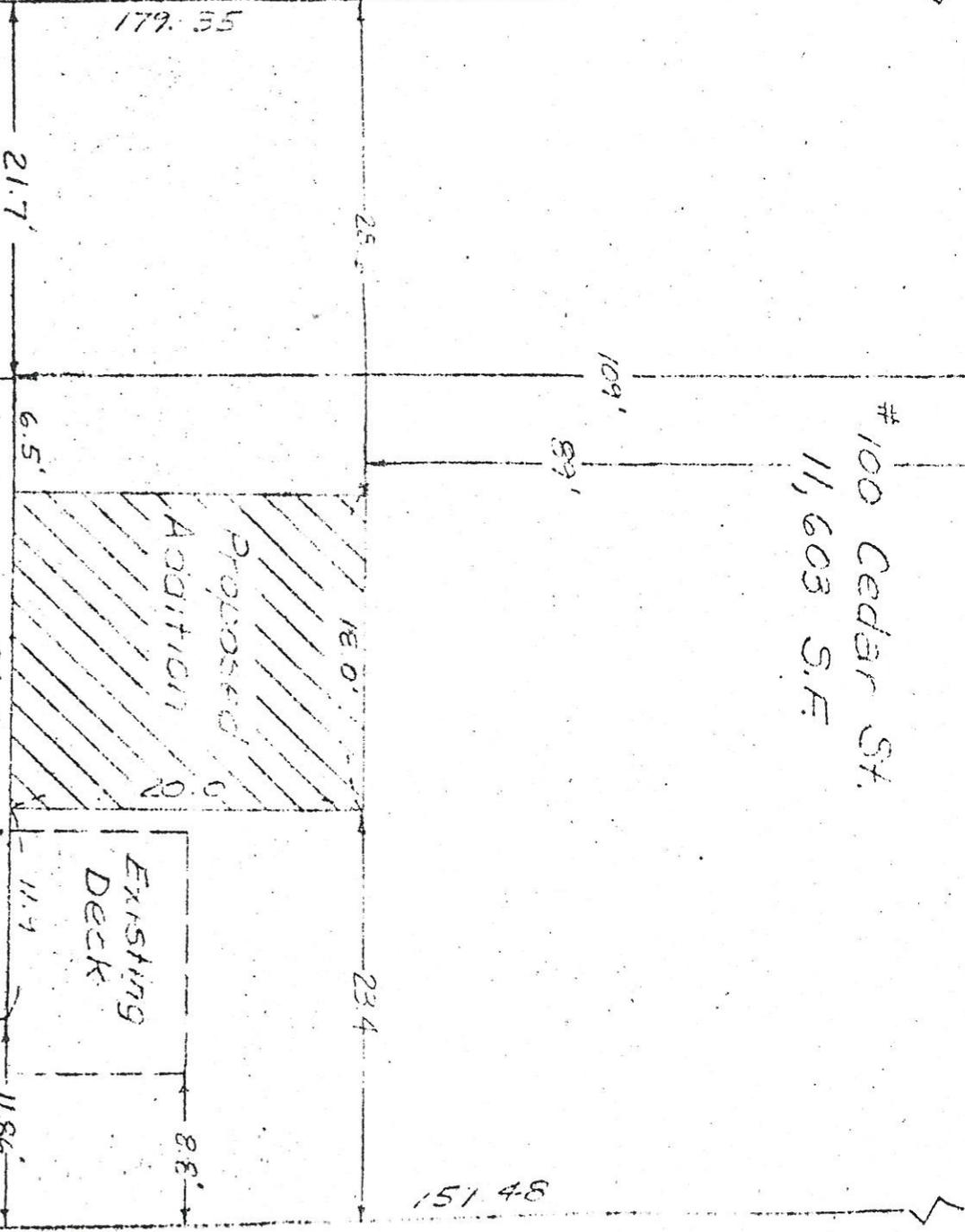
John A. Donovan, Jr.

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Richard O. Aldrich Jr., Trustee
Wellesley Realty Trust

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100 Cedar St.
11,603 S.F.



L = 39.00
R = 450.00

CEDAR STREET

drawn 3/25/81
Edward C. Shea, L.S.
1" = 10'