

TOWN OF WELLESLEY



MASSACHUSETTS

ZONING BOARD OF APPEALS
TOWN HALL WELLESLEY, MA 02181

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84-38

Petition of Ota & Jarmila Richter

Pursuant to due notice, the Permit Granting Authority held a Public Hearing in the Upper Town Hall Main Hearing Room on Thursday, August 9, 1984 at 8 p.m. on the petition of OTA & JARMILA RICHTER requesting a variance from the terms of Section XIX which will allow the construction of an attached two-car tandem garage approximately 16 feet by 38 feet at 101 MAYO ROAD, leaving less than the required right side yard. Said request is pursuant to Section XXIV-D of the Zoning Bylaw.

On July 18, 1984 the petitioner requested a hearing before this Board and thereafter due notice of the hearing was given by mailing and publication.

Presenting the case was Ota Richter, who stated that his house is the only house on Mayo Road without a garage. A hardship exists because of a sewer directly behind the dwelling and because the property slopes with large boulders in the rear. Photos were presented as was a letter from John S. Doherty, Department of Public Works, confirming the presence of a site sewer disposal system. Mr. Richter stated that the abutters are in favor of the request.

Robert Bastille, 116 Mayo Road, was present at the hearing and spoke in favor of the petition.

Statement of Facts

The property in question is located at 101 Mayo Road, containing 14,240 square feet of land, in a Single Residence District.

The Richters petitioned for a variance in 1979 to construct a garage leaving a right side yard of 9.3 feet but were denied the request. A variance was requested for a porch addition on the left side of the dwelling which was granted in 1979.

The petitioner now proposes a two-car tandem garage, approximately 38 feet by 16 feet, leaving a right side yard of 19.3 feet. The hardship was addressed at the hearing.

A Plot Plan was presented, drawn by Carmelo Frazetti, Registered Land Surveyor, dated June 11, 1984. Construction sketches and a photo were presented.

The Planning Board, at its meeting of August 7, 1984, voted to recommend that the request be denied. A petition was signed by D.S. Perry, 95 Mayo Road and Adeline and Joseph Doherty, 14 Oakdale Avenue, in favor of the proposal.

Decision

This Authority has made a careful study of the evidence submitted.

It is the opinion of this Authority that a hardship exists due to the fact that the property is unique in being the only property on the street without a garage. The existence of the slope, large boulders in the rear and a site sewer disposal system constitute a further hardship. It is the further opinion of this Authority that the proposed garage would not be detrimental to the neighborhood.

Therefore, a variance is hereby granted to allow the proposed tandem garage approximately 38 feet by 16 feet, as shown in Plot Plan drawn by Carmelo Frazetti, Registered Land Surveyor, dated June 11, 1984, leaving a right side yard of 19.3 feet.

The Inspector of Buildings is hereby authorized to issue a permit for the construction upon receipt and approval of construction plans and an application.

APPEALS FROM THIS DECISION,
IF ANY, SHALL BE MADE PURSUANT
TO GENERAL LAWS, CHAPTER 40A,
SECTION 17, AND SHALL BE FILED
WITHIN 20 DAYS AFTER THE DATE
OF FILING OF THIS DECISION IN THE
OFFICE OF THE TOWN CLERK.



Stephen S. Porter, Chairman



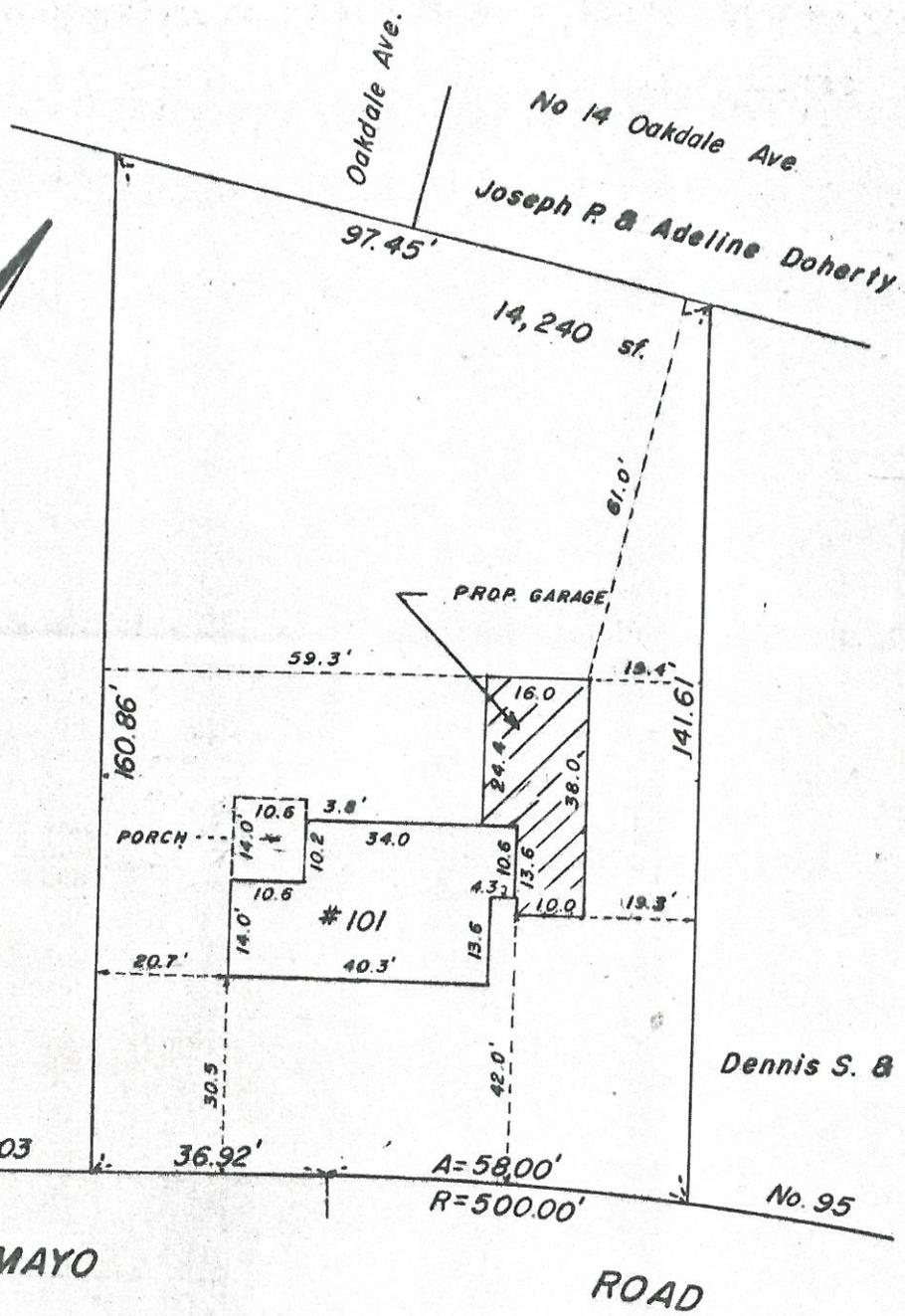
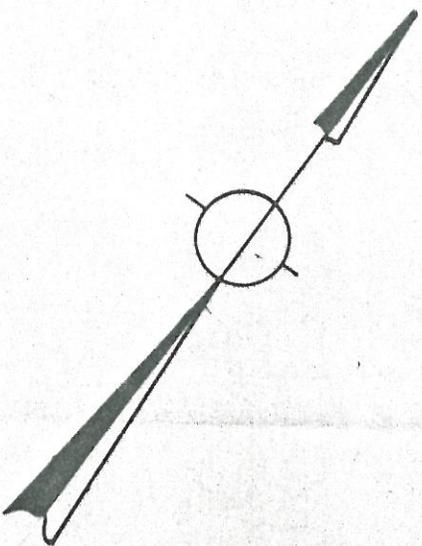
William E. Polletta



Franklin P. Parker

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Evelyn L. Dugan

Dennis S. & Jeanne F. Conroy

No. 103 36.92' A=58,00' R=500.00' No. 95

MAYO ROAD

PLAN OF LAND
in
WELLESLEY, MASSACHUSETTS
at
No. 101 MAYO ROAD

Owned by
Ota A. & Jarmila Richter
June 11, 1984
Carmelo Frazetti



Proposed
Garage Addition
Scale 1" = 30'
Land Surveyor

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PLANNING DEPARTMENT
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