



ZONING BOARD OF APPEALS
TOWN HALL WELLESLEY, MA 02181

STEPHEN S. PORTER, Chairman
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ROBERT R. CUNNINGHAM

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Executive Secretary
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 PLANNING DEPARTMENT'S OFFICE
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84-72

Petition of Paul M. Morris, David W. Siktberg, Anita Nyssonen
35 Boulder Brook Rd.

Pursuant to due notice, the Permit Granting Authority held a Public Hearing on Thursday, January 17, 1985 at 8 p.m. in Room 17 of the Town Offices at the Phillips Building, 12 Seaward Road, Wellesley Hills, on the petition of Paul M. Morris, David W. Siktberg, Anita Nyssonen requesting a variance from the terms of Section XIX of the Zoning Bylaw to allow an existing dwelling at 35 Boulder Brook Road with less than the required left side yard. Said request is made in order to bring the existing house into conformance with the Zoning Bylaws. Said request is pursuant to Section XXIV-D of the Zoning Bylaw.

On November 28, 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 at the hearing was Albert Auburn, attorney representing Mr. Morris. He explained that upon the sale of the house, it was discovered that the existing house is 18.8 feet from the left side yard. The petitioners wish to bring the property into conformance with the existing Bylaws. Anita Nyssonen, new owner of the property, spoke to the issue.

No others were present at the hearing favoring or opposing the petition.

Statement of Facts

The property in question is located at 35 Boulder Brook Road, containing 10,946 square feet of land, in a Single Residence District.

The existing dwelling was constructed in 1941 and an addition was built in 1956. Upon the recent transfer of the property by Paul M. Morris to David W. Siktberg and Anita Nyssonen, it was discovered that the dwelling comes to 18.8 feet from the left side lot line, the requirement being 20 feet. A variance is requested to bring the property into conformance with the bylaws.

A Plot Plan was presented, drawn by Jean Nysten, Registered Land Surveyor, dated September 5, 1979.

The Planning Board voted to offer no comment on the petition.

Petition of Paul M. Morris, David W. Siktberg, Anita Nyyssonen
35 Boulder Brook Road

Decision

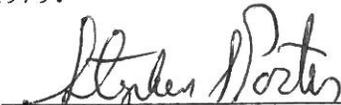
This Authority has made a careful study of the evidence presented. The particular house in question in its location on the lot does not conform to the present Zoning Bylaws. The dwelling comes to 18.8 feet from the left side lot line.

This Board is of the opinion that a literal enforcement of the provisions of the Zoning Bylaw would involve substantial hardship to the petitioner. Furthermore, the allowance of a variance would not be detrimental to the neighborhood nor be in derogation of the intent or purpose of the Zoning Bylaw.

Therefore, the requested variance from the terms of Section XIX is granted to allow the existing dwelling at 35 Boulder Brook Road with a left side yard of 18.8 feet at the left rear corner of the dwelling as shown on the Plot Plan drawn by Jean Nysten, Registered Land Surveyor, dated September 5, 1979.

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.

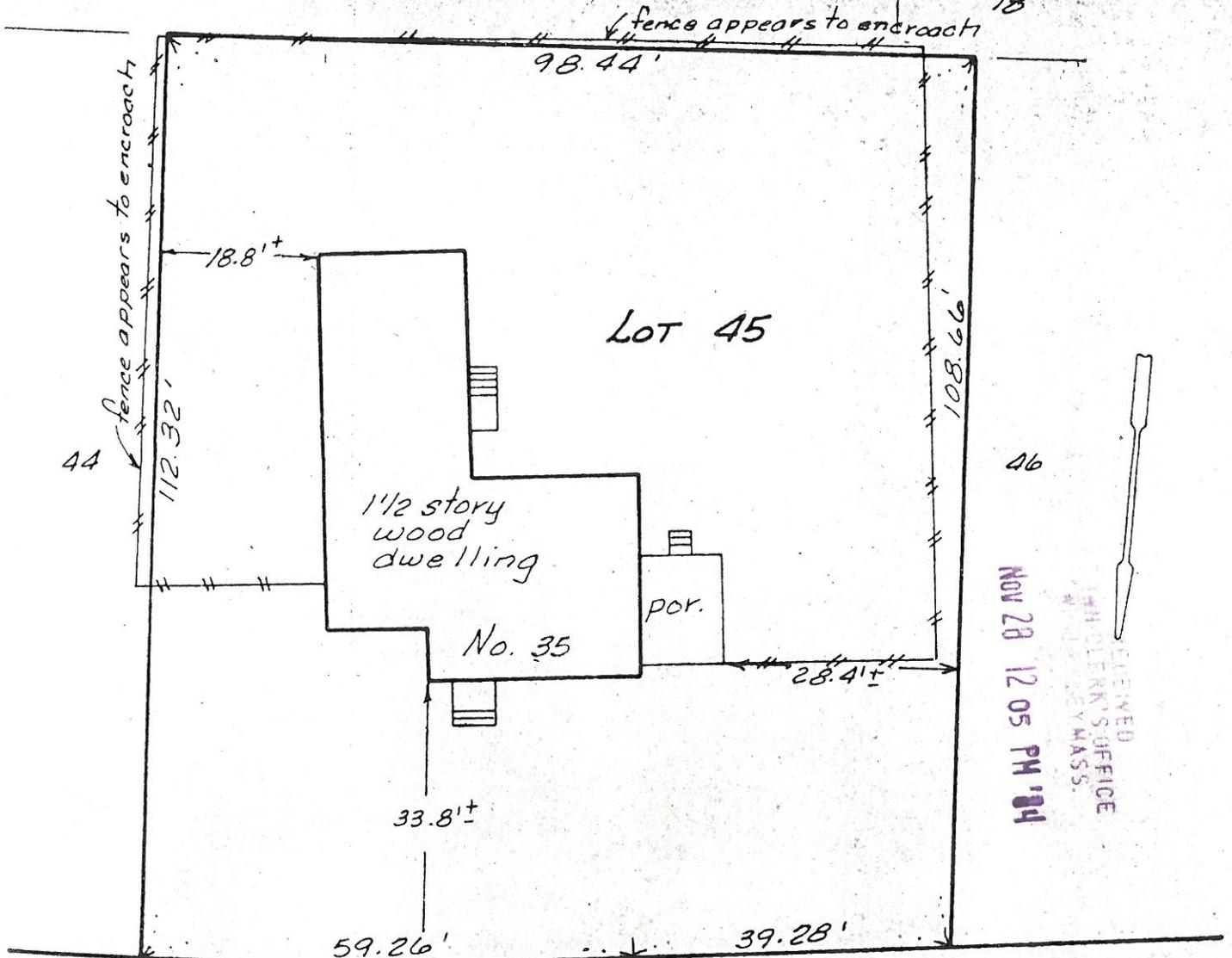
cc: Planning Board


 Stephen S. Porter, Chairman


 Robert R. Cunningham


 William E. Polletta

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 REGISTERED SURVEYOR'S OFFICE
 WELLESLEY, MASS.
 NOV 28 12 05 PM '84

BOULDER BROOK ROAD

MORTGAGE INSPECTION PLAN

This is a mortgage loan inspection for mortgage purposes only

MORTGAGE SURVEY CONSULTANTS, INC.
 LOCATION WELLESLEY, MASSACHUSETTS
 City or Town State

349 No. Main Street, Andover, MA 01810
 DATE November 21, 1984 SCALE: 1 inch = 20 feet

Certification is hereby made to

Leader Federal Savings & Loan Association

that the existing structures shown on this plan are situated on the lot designated ~~in compliance with the applicable zoning bylaws of the municipality wherein constructed.~~

This inspection was prepared in accordance with the technical standards for Mortgage Loan Inspections as adopted by the Commonwealth of Massachusetts.

by Jean Nysten
 Registered Land Surveyor



DEED AND PLAN REFERENCE:

NORFOLK COUNTY		Registry of Deeds
Deed Book	5376	Page 408
Plan Book	126	Plan 417

Certification is hereby made that the structure shown on this plan IS NOT located within a Special Flood Hazard Area as delineated on the map of

Community No. 250255-0005B
 Effective Date: September 5, 1979

by the U. S. Department of Housing & Urban Development, Federal Insurance Administration.