



ZONING BOARD OF APPEALS
TOWN HALL WELLESLEY, MA 02181

STEPHEN S. PORTER, Chairman
JOHN A. DONOVAN, JR.
ROBERT R. CUNNINGHAM

MARY ANN McDOUGALL
Executive Secretary
Telephone
235-1664

WILLIAM E. POLLETTA
FRANKLIN P. PARKER
SUMNER H. BABCOCK

84-7

Petition of Charles H. Detwiller III

Pursuant to due notice, the Permit Granting Authority held a Public Hearing in the upper Town Hall main hearing room on Thursday, February 23, 1984 at 8 p.m. on the petition of Charles H. Detwiller III requesting a variance from the terms of Section XIX of the Zoning Bylaw which will allow the construction of an addition to the barn at 151 Oakland Street, Parcel 1, consisting of a 10 foot by 28 foot carriage shed, leaving less than the required sideyard on the easterly side abutting Wellesley Country Club. Said request is pursuant to Section XXIV-D of the Zoning Bylaw.

On February 2, 1984, the petitioner filed a request for 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 Charles Detwiller, who stated that he needs the lean-to addition for the storage of firewood, that his hardship is the shape of the lot, that the addition will be no closer than the existing barn to the side line. He presented photos of the barn.

Other than the petitioner, no one was present at the hearing favoring or opposing the petition.

Statement of Facts

The property in question is located at 151 Oakland Street, known as Parcel 1, containing 16,093 square feet of land, containing a 30 by 36 foot barn. The petitioner, Charles H. Detwiller III, resides in a dwelling at 151 Oakland Street, Lot 2, containing 34,119 square feet of land.

The existing barn on Parcel 1 has a side yard on the easterly side of the property abutting Wellesley Country Club of 10.2 feet, and is a pre-existing non-conforming structure. The petitioner proposes to construct a lean-to addition, 28 by 10 feet, for the storage of firewood, which would leave a side yard of 10.3 feet, coming no closer than the existing barn. He claims hardship due to the shape of the lot and the pre-existing location of the barn.

A Plot Plan was presented, drawn by Stephen J. Pflug, Registered Land Surveyor, of Schofield Brothers, Inc., Framingham, dated 1/27/84, as was a Plan of Land, dated 4/16/80, showing Parcel 1 and Lot 2. Construction sketches were also submitted.

RECEIVED OFFICE
TOWN OF WELLESLEY
MAR 15 1984

A letter, dated 2/29/84, was received from Owen P. Maher, counsel to Wellesley Country Club and member of its Board of Directors, stating that the club offers no objection to the variance petition.

The Planning Board, at its regular meeting of 2/13/84, voted to offer no comment on the petition.

Decision

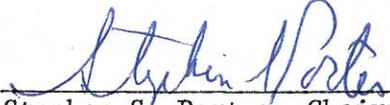
This Authority has made a careful study of the evidence presented. The particular barn in question in its location on the lot does not conform to the present Zoning Bylaws. It comes to 10.2 feet from the easterly lot line.

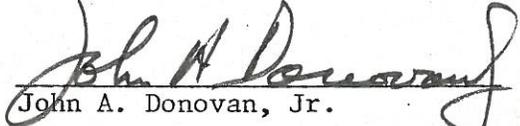
It is the opinion of this Authority that the proposed lean-to addition conforms to the lines of the barn and does not alter the relationship of the barn to the lot line.

It is the unanimous opinion of this Authority that, because of the shape of the lot and the location of the barn on the lot, a literal enforcement of the provisions of Section XIX of the Zoning Bylaw would involve a substantial hardship to the petitioner. It is the further opinion of this Authority that desirable relief may be granted without substantially derogating from the intent or purpose of the Zoning Bylaw.

Therefore, the requested variance is granted to construct a 28 by 10 foot addition to the barn as shown in the Plot Plan drawn by Stephen J. Pflug, Registered Land Surveyor, of Schofield Brothers, Inc., dated 1/27/84, coming no closer than 10.3 feet from the easterly side line.

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


Stephen S. Porter, Chairman


John A. Donovan, Jr.


William E. Polletta

RECEIVED
TOWN CLERK'S OFFICE
WELLESLEY MASS.

MAR 13 9 22 AM '84

RECEIVED
TOWN CLERK'S OFFICE
WELLESLEY MASS.
FEB 3 9 35 AM '84

WELLESLEY
COUNTRY
CLUB

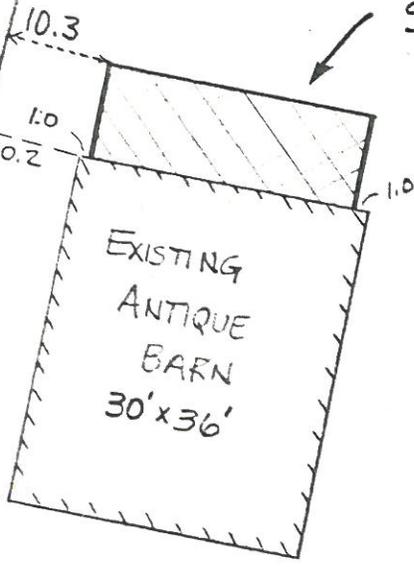
PARCEL 1
16,093



VINCENT

CORPORATION

PROPOSED
SHED- ADDITION
28' x 10'



EXISTING
ANTIQUE
BARN
30' x 36'

48.59



Step J. Pflug

Z. B. A.

PLOT PLAN OF LAND

IN

WELLESLEY, MASS.

SCALE OF 20 FT. TO AN INCH

January 27, 1984

SCHOFIELD BROTHERS, INC. REG. CIVIL ENGINEERS
1071 WORCESTER ROAD, FRAMINGHAM, MASSACHUSETTS

159.92

To
OAKLAND
ST. 192.37

145.89

61.45

87.59

13.1