

TOWN OF WELLESLEY



RECEIVED
MASSACHUSETTS OFFICE
WELLESLEY MA 02482

ZONING BOARD OF APPEALS 2000 MAR -1 P 12: 15

TOWN HALL • 525 WASHINGTON STREET • WELLESLEY, MA 02482-5992

KENDALL P. BATES, CHAIRMAN
WILLIAM E. POLLETTA, VICE CHAIRMAN
RICHARD L. SEEGEL

ELLEN D. GORDON
EXECUTIVE SECRETARY
TELEPHONE
(781) 431-1019 EXT. 208

ROBERT A BASTILLE
CYNTHIA S. HIBBARD
ROBERT W. LEVY

ZBA 2000-16

Petition of Richard J. and Janet T. Sabin

22 Croton Street

Pursuant to due notice, the Permit Granting Authority held a Public Hearing on Thursday, February 17, 2000 at 8 p.m. in the Selectmen's Meeting Room (Conference Room B) at the Town Hall, 525 Washington Street, Wellesley on the petition of RICHARD J. AND JANET T. SABIN requesting a Variance from the terms of Section XIX pursuant to the provisions of Section XXIV-D of the Zoning Bylaw to allow construction of a one-story 5 foot by 6.8 foot addition with less than the required right side yard setback, at their nonconforming dwelling with less than the required right side yard setback, at 22 CROTON STREET, in a Single Residence District.

On January 31, 2000, the petitioners filed a request for a hearing before this Authority, and thereafter, due notice of the hearing was given by mailing and publication.

Presenting the case at the hearing were Richard and Jane Sabin. Mr. Sabin explained that they have a nonconforming right side yard situation. They would like to add a one-story kitchen expansion, which extends the existing line of the house.

Mrs. Sabin said that their house is the oldest in the area. It was built in 1855 in its present location. None of the trees will be removed for the addition, and the abutters have no problem with it.

The Board noted that the Planning Board had no objection provided the addition did not further encroach into the right side yard.

Mr. Sabin said that it does encroach an additional three inches because the house is not parallel to the right side line. The Board stated that in the past, it has recommended that additions be jogged in so that they do not encroach farther than the existing house, but this addition is too small for that to be practical.

No other person present had any comment on the petition.

Statement of Facts

The subject property is located at 22 Croton Street, in a Single Residence District, on a 28,024 square foot lot, and has a minimum right side yard clearance of 17.8 feet.

The petitioners are requesting a variance to construct a one-story 6.8 foot by 5 foot addition which will have a minimum right side yard clearance of 17.5 feet.

ZBA 2000-16
Petition of Richard J. and Janet T. Sabin
22 Croton Street

A Plot Plan dated December 15, 1999, drawn by Paul J. Sawtelle, Registered Land Surveyor; a Proposed Floor Plan and Rear Elevation; and photographs were submitted.

On February 15, 2000, the Planning Board reviewed the petition and had no objection to granting this request provided that the addition does not encroach further into the side yard than the existing house.

Decision

This Authority has made a careful study of the materials submitted and the information presented at the hearing. The subject dwelling does not conform to the current Zoning Bylaw, as noted in the foregoing Statement of Facts.

It is the opinion of this Authority that the proposed one-story addition conforms to the present lines of the house and the additional encroachment of .3 feet into the right side yard is de minimus and can be allowed.

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

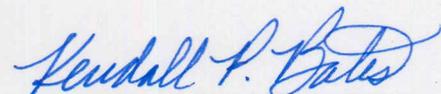
Therefore, the requested variance is granted, as voted unanimously by this Authority at the Public Hearing, for construction of the 6.8 foot by 5 foot one-story addition, subject to construction in accordance with the submitted plot plan and construction drawings.

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

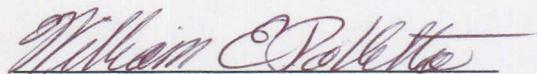
If the rights authorized by this variance are not exercised within one year of the date of grant of said variance, they shall lapse, and may be re-established only after notice and a new hearing pursuant to Section XXIV-D of the Zoning Bylaw.

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.

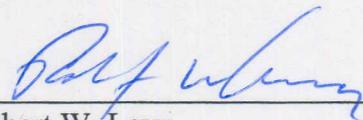
Cc: Planning Board
Inspector of Buildings
edg



Kendall P. Bates, Chairman



William E. Polletta



Robert W. Levy

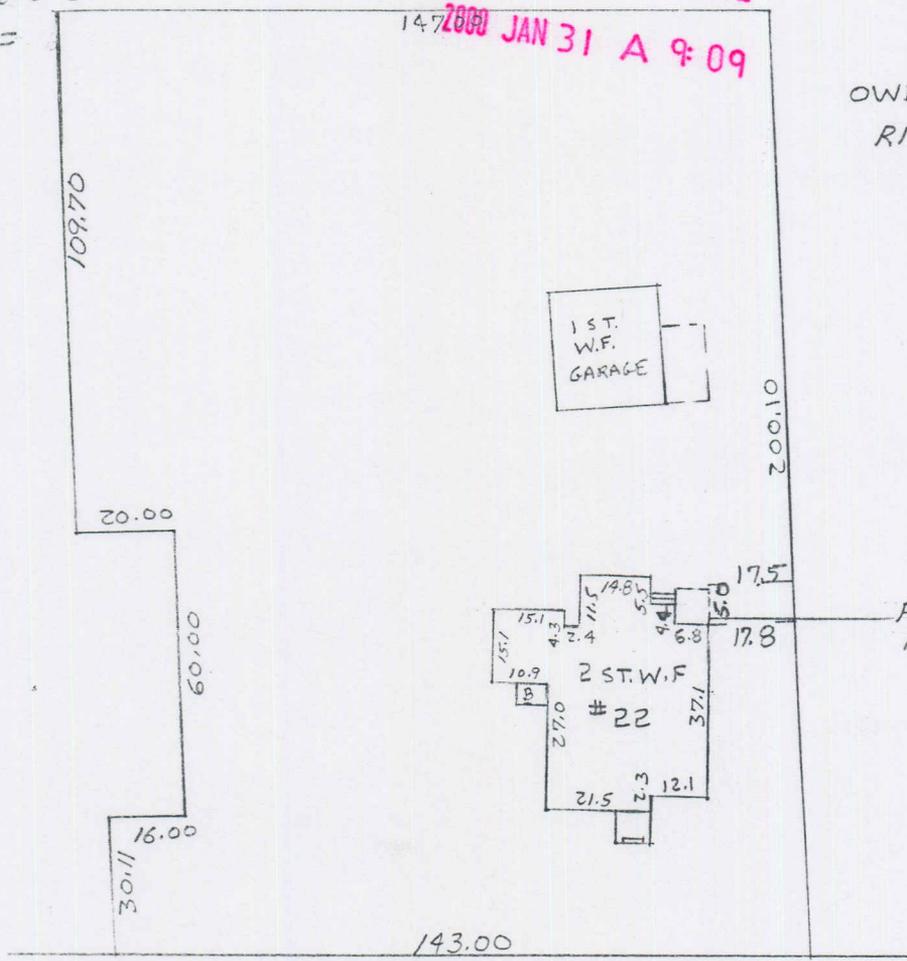
RECEIVED
TOWN CLERK'S OFFICE
WELLESLEY MA 02482
15 12 P - 1 MAR 2000

RECEIVED
TOWN CLERK'S OFFICE
WELLESLEY MA 02482

2000 JAN 31 A 9:09

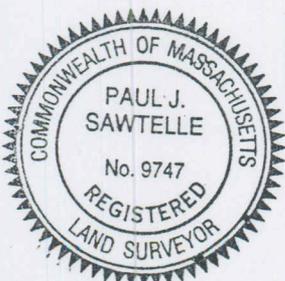
OWNER:
RICHARD J. SABIN

AREA = 28,024 ± SQ. FT.
EXISTING LOT COVERAGE = 8.18
PROPOSED LOT COVERAGE = 8.2%



CROTON STREET

PLAN OF LAND
IN
WELLESLEY, MASS.



Paul Sawtelle

SCALE: 1" = 40' DEC. 15, 1999
MASS BAY SURVEY INC.
NEWTON, MASS.