



TOWN OF WELLESLEY

MASSACHUSETTS

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WILLIAM F. CULLINANE
FRANKLIN P. PARKER
JOHN A. DONOVAN, Jr.

ZONING BOARD OF APPEALS

KATHARINE E. TOY
Administrative Secretary
Telephone
235-1664

Petition of Albert R. Jr. and
Suzanne M. Frederick

Pursuant to due notice the Permit Granting Authority held a public hearing in the hearing room on the second floor of the Town Hall at 8:05 p.m. on May 31, 1979, on the petition of Albert R. Jr. and Suzanne M. Frederick, requesting a variance from the terms of Section XIX of the Zoning By-law which will allow the construction of an addition on the side of the dwelling at 22 Valley Road, with a side yard less than the required twenty feet. Said request was made under the provisions of Section XXIV-D of the Zoning By-law.

On May 14, 1979, the petitioners filed their request for a hearing before this Authority and thereafter due notice of the hearing was given by mailing and publication.

Albert R. Frederick, Jr., spoke in support of the request at the hearing.

J. Lincoln Passmore, Attorney, represented Mr. and Mrs. Lee Chin, 24 Valley Road, and stated that they are opposed to the granting of the requested variance. They do not feel that a hardship will result to the petitioners if the requested variance is not granted. They further feel that the proposed addition constructed less than twenty feet from the side lot line would be aesthetically unattractive and prove detrimental to their property.

Letters favoring the request were received from the following: Mr. and Mrs. Graves Hewitt, 79 Hundreds Road, Adrian J. Broggni, 126 Woodlawn Avenue, Jessie C. Gavel, 8 Highgate, Richard N. VanDernott, 18 Valley Road and E. S. Stimpson, 125 Woodlawn Ave.

Statement of Facts

The property involved is located within a Single Residence District requiring a minimum lot area of 20,000 square feet. The house involved was built in 1933, on a lot containing 23,932 square feet .

The petitioners seek a variance which will allow them to construct an addition 10.0' x 16.2' on the side of their existing porch. It was stated that the house does not have a family room and in order to make it more livable, they desire to enlarge the existing porch, which can be used only three or four months during the year, and convert it into a family room. It was pointed out that the proposed addition will provide a more symmetrical and aesthetically pleasing finished structure, and although it will be less than twenty feet from the lot line, the encroachment should not be noticeable due to the location of the adjacent houses.

It was also pointed out that to construct an addition on the rear of the house would entail destruction of three established stone walls and

and formed garden; the obstruction of a window in the living room; and the addition would terminate at a two-foot drop in the land which would result in water running down to the lower level. To extend on the front of the house would seriously affect the aesthetic appearance of the house and would adversely affect the adjacent property as there are no trees to shield the two properties in that direction.

Therefore, the petitioners feel that the proposed location is the most suitable; the land is flat and drainable, there is an established evergreen barrier of tall trees separating properties, the new construction would blend harmoniously with the present structure and since the adjacent house is set back and elevated, the ten-foot extension will not intrude on the adjacent house.

A plot plan was submitted, drawn by John J. Regan, Land Surveyor, dated April 12, 1979, which showed the existing house on the lot as well as the proposed addition. Said plan showed the addition to the existing porch to be 12.41 from the side lot line at the nearest point to the lot line on the westerly side.

Decision

This Authority has made a careful study of the evidence submitted and has taken a view of the locus.

In its opinion, there is a real need for the proposed family room which the proposed addition will provide and the location appears to be the most feasible and economical place for it to be constructed. Due to the topography of the land at the rear of the house, a greater expense would be incurred to prepare the land for the construction of an addition which would provide a room comparable to the one which may be provided by constructing the desired addition. To construct an addition on the front of the house or the easterly side, this Authority believes, would not only be aesthetically wrong for the house but would also violate the front and side yard setback requirements. It is the further belief of this Authority that if the proposed addition is constructed, as designed, it will not prove detrimental to the adjacent property on the westerly side as that house sets back approximately ninety feet from the house involved and an overcrowded appearance will not be created.

Therefore, it is the unanimous opinion of this Authority that owing to circumstances relating to the topography of the lot involved, a literal enforcement of the provisions of Section XIX of the Zoning By-law would involve substantial hardship to the petitioners. It is the further opinion of this Authority that desirable relief may be granted without substantial detriment to the public good and without substantially derogating from the intent or purpose of the Zoning By-law.

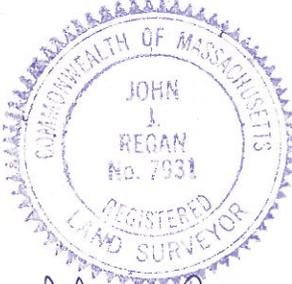
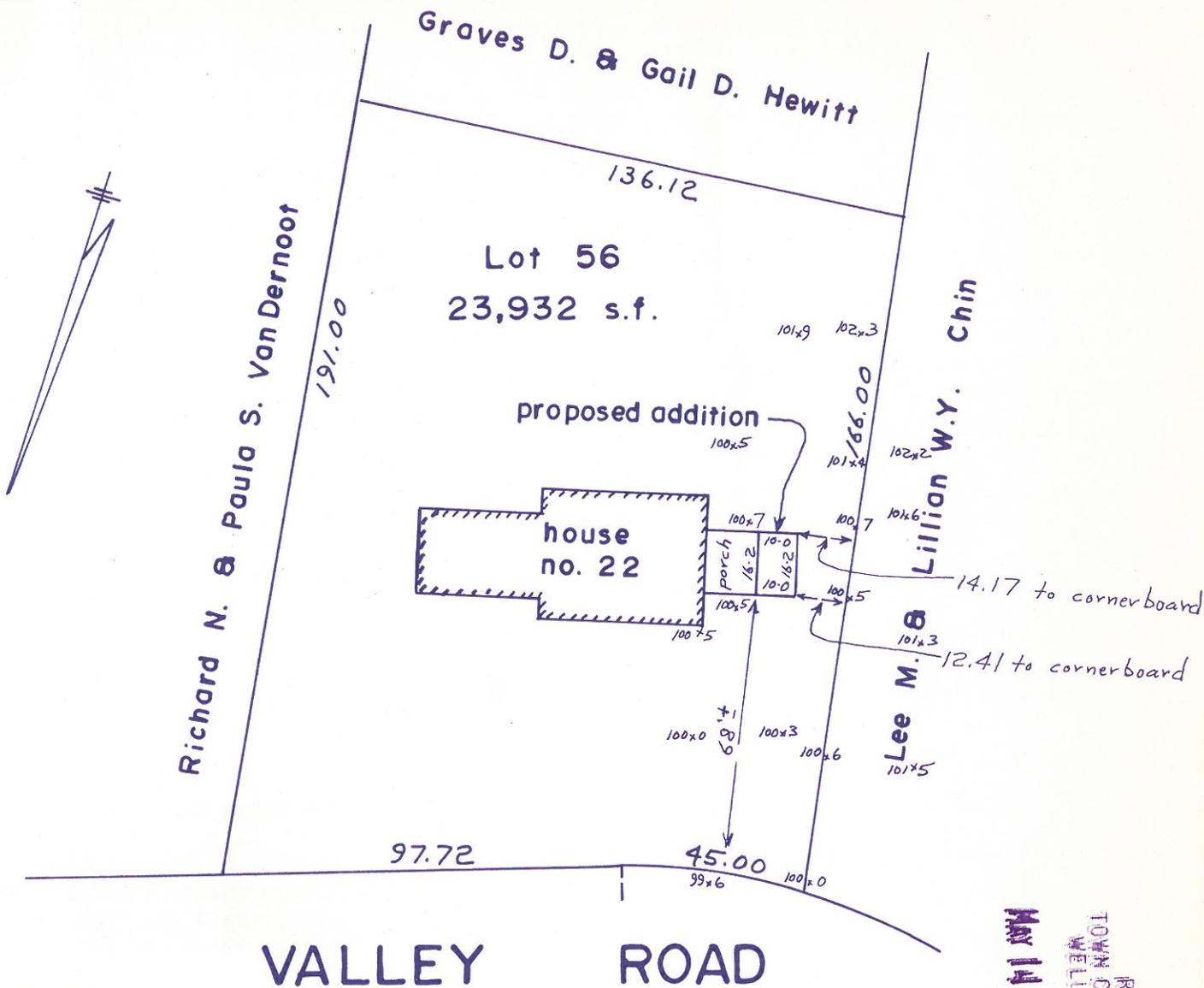
Accordingly, the requested variance is granted and the Building Inspector is authorized to issue a permit for the proposed addition as shown on the plan submitted and on file with this Authority, drawn by John J. Regan, Land Surveyor, dated April 12, 1979.

Filed with Town Clerk

William F. Cullinane
William F. Cullinane

RECEIVED
Francis L. Sulist
Franklin P. Parker
Franklin P. Parker

Copies of the decision and all plans referred to in this decision have been



John J. Regan

**PLAN OF LAND
IN
WELLESLEY MASS.**

TO ACCOMPANY THE PETITION OF
ALBERT R., JR. & SUZANNE M. FREDERICK
22 VALLEY ROAD
WELLESLEY

SCALE 1 IN = 40 FT
APEX ASSOCIATES
NEWTON HIGHLANDS

APRIL 12, 1979
LAND SURVEYORS
MASS.

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TOWN CLERK'S OFFICE
WELLESLEY MASS.
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