



TOWN OF WELLESLEY

MASSACHUSETTS

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WILLIAM F. CULLINANE
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JOHN A. DONOVAN, Jr.

ZONING BOARD OF APPEALS

KATHARINE E. TOY
Administrative Secretary
Telephone
235-1664

Petition of Robert N. French

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 8:00 p.m. on January 18, 1979, on the petition of Robert N. French, 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 19 Stonecleve Road with a side yard less than the required twenty feet, and a further variance from the terms of Section XVIII-C of the Zoning By-law which will allow the dwelling to cover more than 25% of the area of the lot. Said request was made under the provisions of Section XXIV-D of the Zoning By-Law.

On December 28, 1978, the petitioner filed his request for a hearing before this Authority and thereafter due notice of the hearing was given by mailing and publication.

Paul D. Minor, Architect, represented the petitioner at the hearing and explained in detail the proposed plan and the need for the request.

Letters favoring the request were received from James Grant Armstrong, III, 21 Stonecleve Road, Joan P. Roy, 18 Stonecleve Road, and Lawrence J. Branagan, 17 Stonecleve Road.

Statement of Facts

The property involved is located within a Single Residence District requiring a minimum lot area of 10,000 square feet. The house was built prior to the twenty-foot side yard and thirty-foot front yard requirements as well as the lot coverage of not more than 25%. The lot contains 3,520 square feet.

The petitioner seeks a variance which will allow him to construct an enclosed stairway on the easterly side of his dwelling 12.66' from the side lot line and 24.81' from the street line. The stairway, if allowed, will provide a means to connect the main floor of the house with the floor below. Until recently, it was stated, the lower floor has been a separate apartment, a non-conforming use, with no interior connection with the rest of the house. The petitioner now desires to use the entire house and needs to connect the two living areas. There is no location inside the house to locate a stairway without significant loss of usable living space in an already small house.

LEB P 3 28 BW JJ

It was explained that consideration was given to constructing the stairway on the north side of the house but the topography rapidly slopes away from the house toward the pond where there is another full floor level exposed. Any construction on this side would require extremely deep footings and the necessary shoring would be prohibitively expensive. Construction in this area would also have considerable impact on the Wetlands as it would be close to the pond.

It was further explained that the existing house covers 24.7% of the lot and the proposed layout will result in a total lot coverage of 29.1%, which will exceed the allowable coverage of 25%.

A plot plan was submitted drawn by Alexander Crucioli, Land Surveyor, which showed the existing dwelling on the lot as well as the proposed addition.

Decision

The 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 stairway, which if constructed, will provide a way for the petitioner and his family to use the lower area of the house, and the proposed location appears to be the most feasible place for it. Due to the topography of the land at the rear of the house, which slopes sharply toward the pond, excessive expense would be incurred to construct the stairway at the rear.

Therefore, it is the unanimous opinion of this Authority that owing to circumstances relating to the topography of the land, a literal enforcement of the provisions of Section XIX of the Zoning By-law would involve substantial hardship to the petitioner. It is the further opinion of the Authority that desirable relief may be granted without substantial detriment to the public good and without nullifying or substantially derogating from the intent and purpose of the Zoning By-law. It is also felt that the slight increase in the coverage of the lot, will not prove detrimental to the neighborhood.

Accordingly, the requested variances are granted and the Building Inspector is authorized to issue a permit for the proposed stairway addition as shown on the plan submitted and on file with this Authority.


Francis L. Swift


William O. Hewett


William F. Gullinane

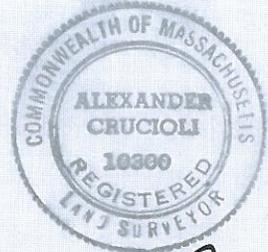
Filed with Town Clerk _____

Copies of the decision and all plans referred to in the decision have been filed with the Planning Board and with the Town Clerk.

REC'D 3 28 64 J.S.
TOWN CLERK'S OFFICE
RECEIVED

PLAN OF LAND
IN
WELLESLEY - MASS.

Belonging To
ROBERT N. & LUCINDA E. FRENCH
SURVEYOR Alexander Cruciol
ACRES-ENGINEERS, SURVEYORS, INC.
57 Winthrop Road
Chelsea, Mass.
Scale: 1" = 40' DEC. 16, 1978.



Alexander Cruciol

