

80-45

TOWN OF WELLESLEY



MASSACHUSETTS

ZONING BOARD OF APPEALS
TOWN HALL, WELLESLEY, MA 02191
STEPHANIE J. GOSSUOLIN

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STEPHEN S. PORTER
JOHN A. DONOVAN, JR.

Executive Secretary
Telephone
235-1664

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

Petition of Lloyd Howells

Pursuant to due notice, the Permit Granting Authority held a Public Hearing in the second floor hearing room of the Town Hall on Tuesday, September 23, 1980 at 9:00 PM on the Petition of Lloyd Howells who is seeking a Variance from the terms of Section XIX of the Zoning Bylaws in order to remove the existing garage and construct a larger garage with a family room and bedrooms above, with a side yard less than the required twenty (20) feet. The property is located at 11 Strathmore Road. Said request is made pursuant to Section XXIV-D of the Zoning Bylaws.

On September 5, 1980 the Petitioner filed his request for a hearing before this Authority and thereafter due notice of the hearing was given by mailing and publication.

Mr. and Mrs. Howells were present at the hearing and both spoke on behalf of their request. Mrs. Wexler of 19 Strathmore Road and Mr. Zengo of 14 Strathmore Road were present at the hearing and spoke in opposition to an entrance door on the easterly side of the proposed addition.

Statement of Facts

The lot in question is located at 11 Strathmore Road, it is a pie shaped lot in nature, having 210 feet of frontage along Strathmore Road and narrowing to 37.15 feet in the rear with ledge present in the rear portion of this lot. A Plot Plan sketch drawn by C. Joseph Grignaffini and dated August 12, 1980 was submitted to this Authority which shows the proposed addition to be 30.5 feet back from Strathmore Road and indicates the side yard to be 28 feet at the farthest point and 13.5 feet at the nearest point. Mr. and Mrs. Howells stated they intended to eliminate the entrance door on the easterly side in order to satisfy the neighbors objections.

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Petition of Lloyd Howells, continued

Decision

This Authority has made a careful study of the evidence submitted and has taken a view of the locus. This Authority particularly notes the overall shape of the lot, the presence of ledge at the rear of the lot, and the existing encroachment of the Southeast corner by the existing building and that the petitioners request involves an encroachment of the Southeast corner by the proposed addition.

It is the unanimous opinion of this Authority that owing to the shape and topography of the lot, a literal enforcement of the provisions of Section XIX of the Zoning Bylaw would involve substantial hardship to the petitioner and, that subject to the conditions hereinafter imposed, desirable relief may be granted without substantial detriment to the public good and without nullifying or substantially derogating from the intent or purpose of this Zoning Bylaw.

While this Authority is unanimous in the granting of this Variance, it is divided in the amount of side yard encroachment to be allowed. One member is of the opinion that the Variance as requested could be justified in its entirety, whereas two members are of the opinion that the addition should be no closer than fifteen (15) feet to the Easterly lot line.

Accordingly, the Building Inspector is authorized to issue a Building Permit for the construction of an addition to the residence at 11 Strathmore Road as shown on the Plot Plan sketch, dated August 12, 1980 signed by C. Joseph Grignaffini as submitted with the application, and in accordance with the floor plan schematics prepared by Wellesley Design, which schematics were also submitted with this application, and the following conditions:

1. That a Plot Plan, prepared and signed by a Land Surveyor Registered in the Commonwealth of Massachusetts, verifying the data contained in the Plot Plan sketch submitted with the application and showing the



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Petition of Lloyd Howells, continued page 3.

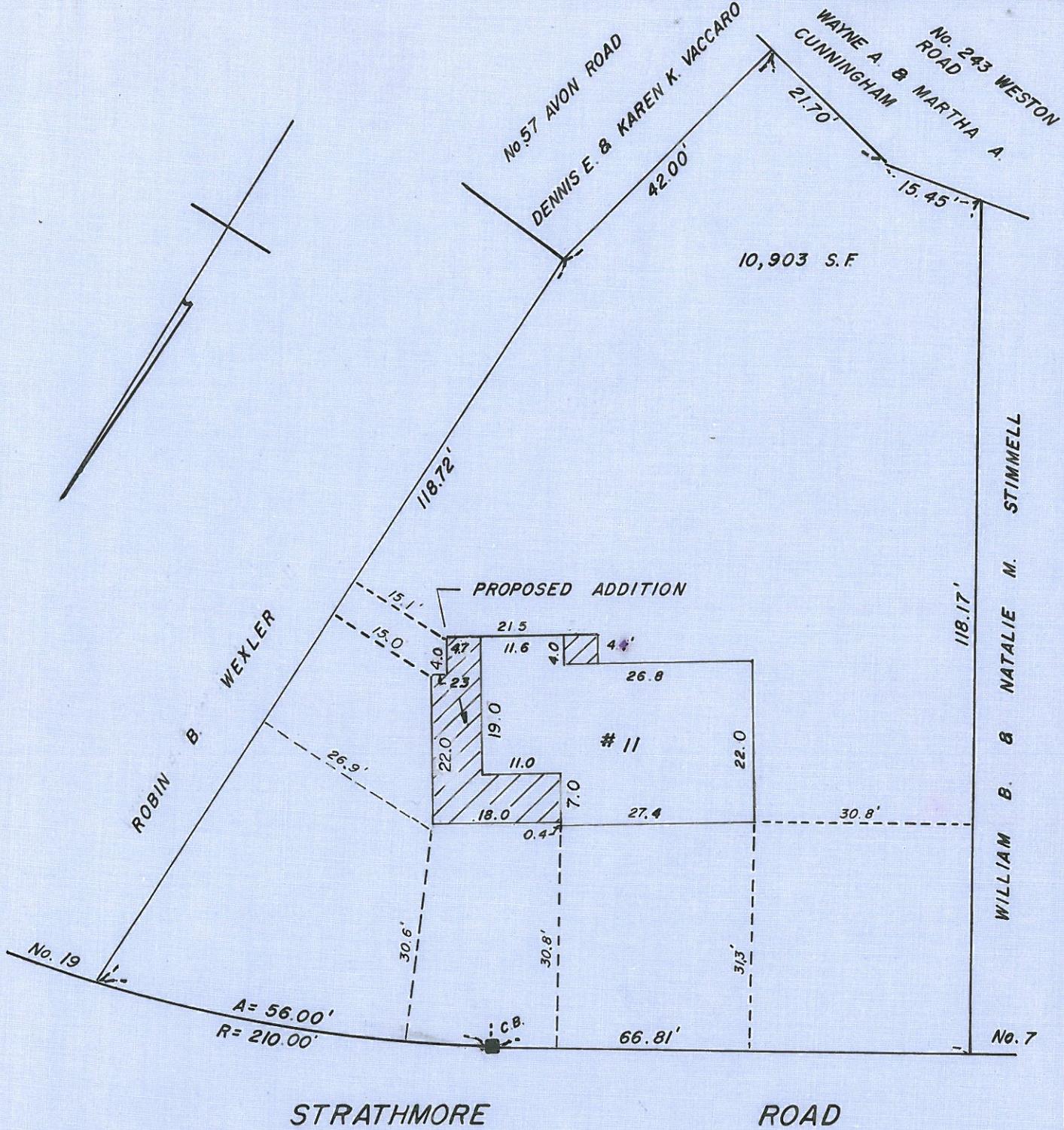
proposed addition to be no closer than fifteen (15) feet to the Easterly lot line, be submitted to this Authority prior to the issuance of the Building Permit. Any corrections to the data contained on the Plot Plan sketch submitted with the application may constitute a change in the plan and may void this Variance.

2. That a set of revised floor plan schematics showing no openings other than windows in the Easterly wall of the building, be submitted to this Authority prior to the issuance of the Building Permit.

William F. Cullinane
William F. Cullinane, Chairman
John A. Donovan, Jr.
John A. Donovan, Jr.
Stephen S. Porter
Stephen S. Porter

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PLAN OF LAND
in
WELLESLEY, MASSACHUSETTS
at
No. 11 STRATHMORE ROAD

Owned by
Lloyd T. & Dorothy Howell
Nov. 18, 1980
Carmelo Frazetti



Proposed Addition
Scale: 1" = 20'
Land Surveyor