TOWN OF WELLESLEY MASSACHUSETTS

ZONING BOARD OF APPEALS
TOWN HALL WELLESLEY, MA 02181

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Petition of Richard J. and Linda M. Olsen

Pursuant to due notice, the Permit Granting Authority held a Public Hearing in the second floor hearing room of the Town Hall on Wednesday, March 18, 1981, at 8:00 PM on the Petition of Richard J. Olsen and Linda M. Olsen, who are seeking a Variance from the terms of Section XIX of the Zoning Bylaw which will allow the removal of an existing 10'x24' porch and the extension of the porch foundation 5'8" toward the rear lot line in order to construct a new addition 15'6" x 38' to the rear of the dwelling at 20 Lafayette Circle. A Variance is necessary because the proposed addition will extend to within the twenty (20) foot side yard where the house and the addition meet. Said request is made pursuant to Section XXIV-D of the Zoning Bylaw.

On February 2, 1981 the petitioners filed their application for a hearing before this Authority and thereafter due notice of the hearing was given by mailing and publication.

Present at the hearing and speaking in favor of this request was Richard J. Olsen and Linda M. Olsen, also present was the builder, Mr. DiGiando.

It was stated that the addition would encompass the site where the existing porch is located at the rear of the house. The existing porch cannot be seen from the street and it is therefore anticipated that the addition will not be visible from the street. The addition will follow the existing lines of the porch. From the rear corner of the present porch to the rear corner of the addition, the structure begins to setback 20' from the side yard line. It was stated that the street is lower than grade, the basement is above the street line. The front and rear yards are level.

Statement of Facts

The property is located at 20 Lafayette Circle, located in a Single Residence District requiring 10,000 square feet for a building lot, the subject property containing 11,067 square feet.

The dwelling was constructed in 1937, prior to the 20' side yard requirements that presently exist in the Zoning Bylaws. The lot is an irregularly shaped lot existing at the end of a cul-de-sac.

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The proposed addition will consist of a family room 15'8" x 38'. Construction will include the removal of an existing 10'x24' porch at the rear of the dwelling. A Plot Plan dated January 22, 1981 and drawn by MacCarthy & Sullivan Engineering, signed by Philip R. Brown Registered Land Surveyor was submitted with this application. A set of Construction Plans consisting of 3 pages was also submitted with this application.

Decision

This Authority has made a careful study of the evidence submitted. At least one member of the Board has taken a view of the locus. This Authority notes the irregular shape of the lot and the contours of the front yard.

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

Therefore, the Inspector of Buildings is authorized to issue a permit for the construction of a family room to the rear of the dwelling at 20 Lafayette Circle in accordance with the Plot Plan and the Construction Plans on file with this Authority.

William F. Cullinane

William F. Cullinane, Chairman

John A. Donovan Jr

John A. Donovan, Jr.

Stephen S. Porter

Stephen S. Porter

Per SECTION XXIV-D (5) of the Town of Wellesley Zoning Bylaw, this Variance shall lapse, if not exercised within one (1) year of the date of grant, and may be re-established only after notice and a new hearing.

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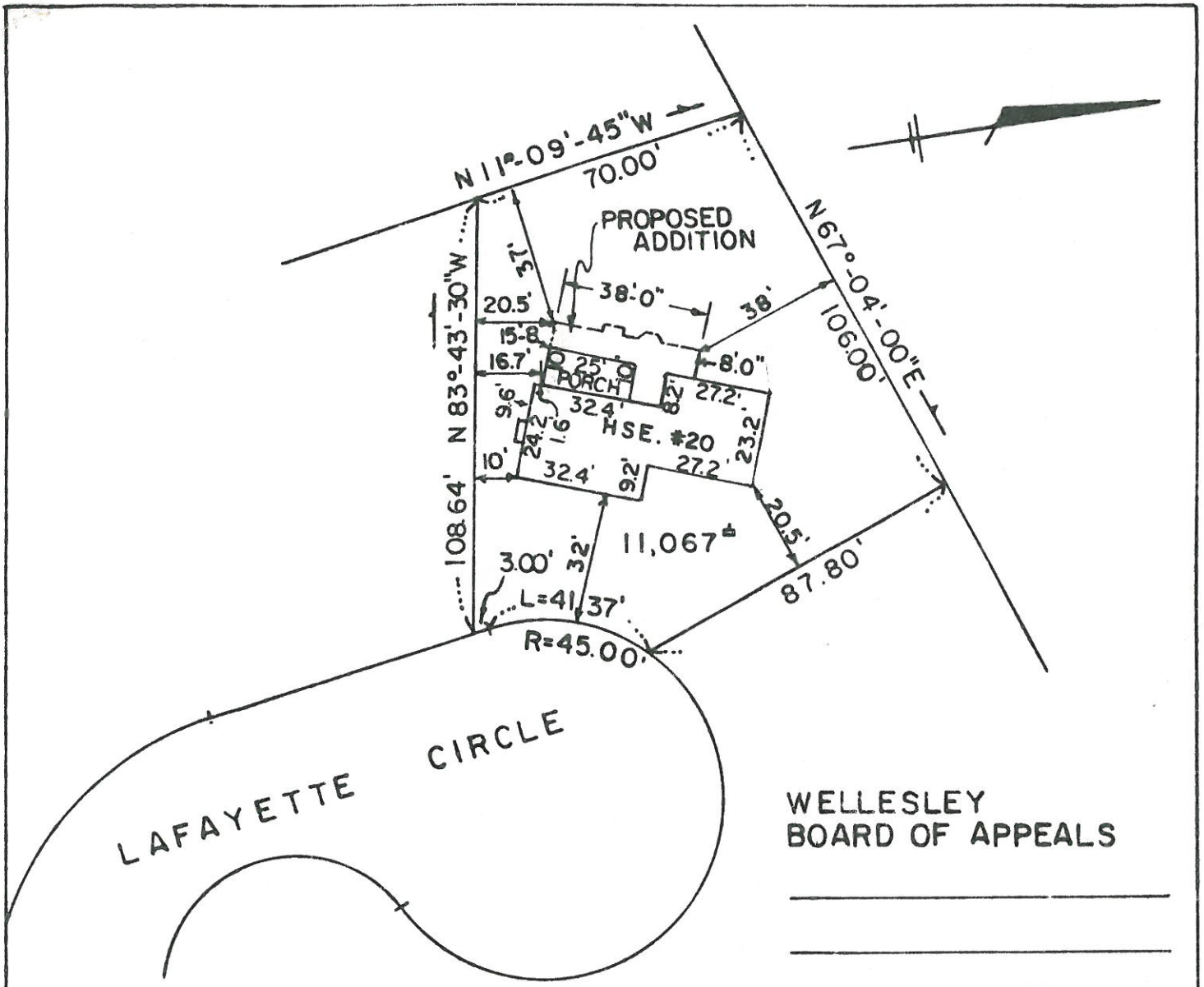

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COMMONWEALTH OF MASSACHUSETTS
PHILIP R. BROWN 27495
REGISTERED LAND SURVEYOR

Philip R. Brown
PHILIP R. BROWN, REG. LAND SURVEYOR

PLAN OF LAND IN WELLESLEY, MASS.

OWNED BY: RICHARD J. & LINDA A. OLSEN

SCALE: 1" = 40'

JAN. 22, 1981

PLAN BY: MAC CARTHY & SULLIVAN ENGINEERING INC.
81 SPEEN ST., NATICK, MASS.