



ZONING BOARD OF APPEALS  
TOWN HALL WELLESLEY, MA 02181

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82-3

Petition of Peter A. Marx

Pursuant to due notice, the Permit Granting Authority held a Public Hearing in the Selectman's Office on the first floor of the Town Hall on Thursday, February 25, 1982, at 8 p.m. on the Petition of Peter A. Marx, 60 Valley Road, requesting a variance from the terms of Section XIX of the Zoning Bylaw which will allow the construction of a 5' x 10' storage shed attached to the existing garage, leaving less than the required twenty feet on the right side yard. Said request is made pursuant to Section XXIV-D of the Zoning Bylaw.

On February 8, 1982, the petitioner filed for a hearing before this Board and thereafter notice was given of the hearing by mailing and publication.

Present at the hearing and speaking on behalf of the request was Peter Marx, who asked the Board if it had received two letters from Adele C. Grigg, 19 Hundreds Circle, an abutter. The first letter, dated February 17, 1982, objected to the proposed addition due to a misunderstanding of the location of the proposed addition. The second letter, dated February 19, 1982, withdrew the objection after viewing a map of the property - and urged that the variance be granted.

Mr. Marx presented a sketch of the proposed shed, which he said would be used for storage of bicycles, snow blower and tools.

Present in favor of the petition: no one. Opposed: no one.

Statement of Facts

The property involved is located in a Single Residence District at 60 Valley Road, containing 26,510 square feet of land. The dwelling is a legal non-conforming structure, the garage coming to 12' from the right side lot line. The petitioner proposes to construct a 5' by 10' shed which would be attached to the back of the garage, said shed coming to 16' from the right side lot line. The shed would be used for the storage of bicycles, snow blower, and tools.

A Plot Plan was submitted, drawn by Charles Thompson, Registered Land Surveyor, from Everett Brooks Company, Newtonville, dated January 7, 1982. Construction drawings were also submitted.

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The Planning Board, at its regular meeting of February 9, 1982, moved, seconded, and voted to offer no comment on the petition.

Decision

This Authority has made a careful study of the evidence submitted and at least one member has viewed the locus. The particular house in question in its present location on the lot does not conform to the present Zoning Bylaw, the garage extending to 16' from the side lot line.

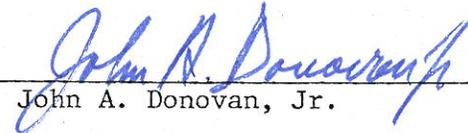
It is the opinion of this Authority that the addition of a shed to the rear of the garage would not alter the relationship of the house to the existing lot line.

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

Therefore, the requested variance is granted, and the Inspector of Buildings is authorized to issue a permit for the shed construction upon receipt and approval of a building application and construction plans.



Stephen S. Porter, Chairman



John A. Donovan, Jr.

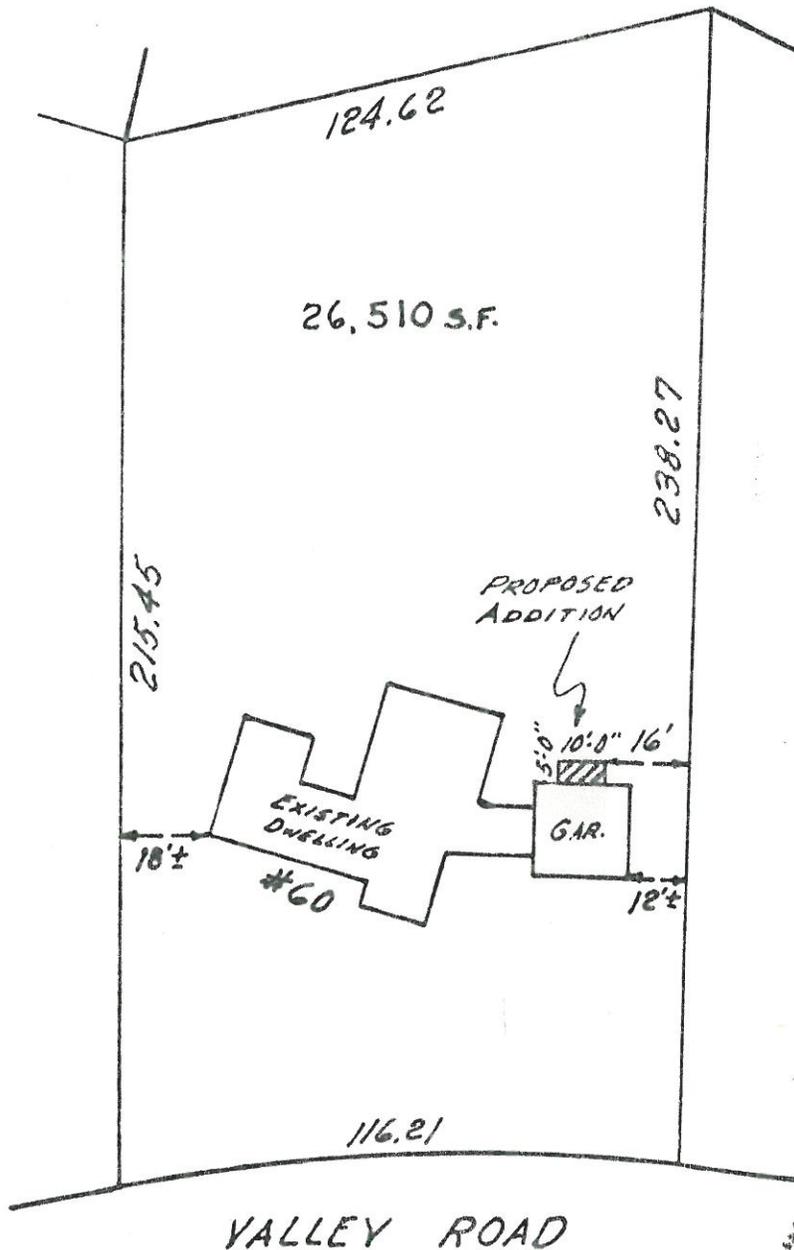


Robert R. Cunningham

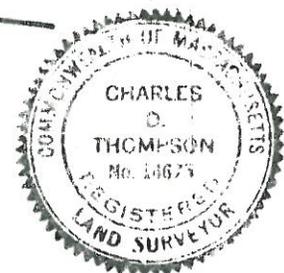
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PLAN OF LAND  
 IN

*Charles O. Thompson*

WELLESLEY 0 MASS.

SCALE: 1IN. = 40FT.

JAN. 7, 1982

EVERETT M. BROOKS CO.  
 NEWTONVILLE

ENG'RS.  
 MASS.