



ZONING BOARD OF APPEALS
TOWN HALL WELLESLEY, MA 02181

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Petition of Charles R. & Deborah G. Klotz

Pursuant to due notice, the Permit Granting Authority held a Public Hearing in the second floor hearing room of the Town Hall on Thursday, April 1, 1982, at 8 p.m., on the Petition of Charles R. and Deborah Klotz, requesting a variance from the terms of Section XIX of the Zoning Bylaw which will allow the construction of a one-story addition to their dwelling at 61 Windsor Road, including a room 12'6" by 19'9", leaving a right side yard of less than the required twenty feet. Said dwelling is a legal non-conforming structure. Said request is made pursuant to Section XXIV-D of the Zoning Bylaws.

On March 12, 1982, the petitioner filed for a hearing before this Board and thereafter due notice was given of the hearing by mailing and publication.

Present at the hearing and speaking on behalf of the request was Charles Klotz, stating that he proposed to build a small family room off the back of his house, and that the neighbors have no objections. Alain Munkittrick, architect for Mr. Klotz, stated the reasons for the requested location of the addition, pointing out that the existing roof lines would be extended.

There were no others present either in favor of or opposed to the petition.

A note was received by the Zoning Board of Appeals from Thomas A. and Annette Fulham, 70 Windsor Road, in favor of the petition.

A letter, dated March 19, 1982, was submitted by the architect, Alain Munkittrick, explaining details of the proposed plans, and stating that placing the addition in any other location would involve a substantial hardship to the petitioner.

Statement of Facts

The property involved is located at 61 Windsor Road, in a Single Residence District, containing 12,800 square feet of land. Academy Brook passes through the rear of the property, necessitating permission from the Wetlands Protection Committee for the proposed construction. The dwelling was constructed in the early 1930's and is non-conforming to the present Zoning Bylaws, extending to 15' from the left side lot line and 14.8' to the right side lot line.

The petitioner proposes to construct a one story addition 12'6" by 19'9" at the rear of his dwelling, extending the existing lines of the house and not coming closer than 14.8' from the right side lot line.

A Plot Plan was submitted, drawn by John P. Hurney, Registered Land Surveyor, of Barnes Engineering Company, Auburndale, Ma. , dated February 23, 1982. Construction plans were submitted, drawn by Alain Munkittrick Associates, Newton, Ma., dated March 4, 1982.

The Planning Board, at a meeting on March 30, 1982, voted to offer no comment on the petition.

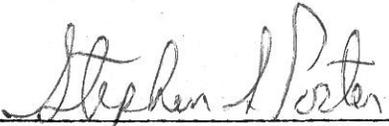
Decision

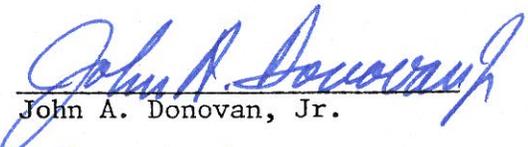
This Authority has made a careful study of the evidence submitted. The particular house in question in its location on the lot does not conform to the present Zoning Bylaws. The dwelling comes to 14.8' from the right side lot line.

It is the opinion of this Authority that the proposed addition conforms with the present lines of the house and does 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, with the understanding that the construction must comply with all conditions of the Wetlands Protection Committee. The Inspector of Buildings is authorized to issue a permit for the construction upon his receipt and approval of a building application and construction plans.


Stephen S. Porter, Chairman


John A. Donovan, Jr.


Robert R. Cunningham

mam

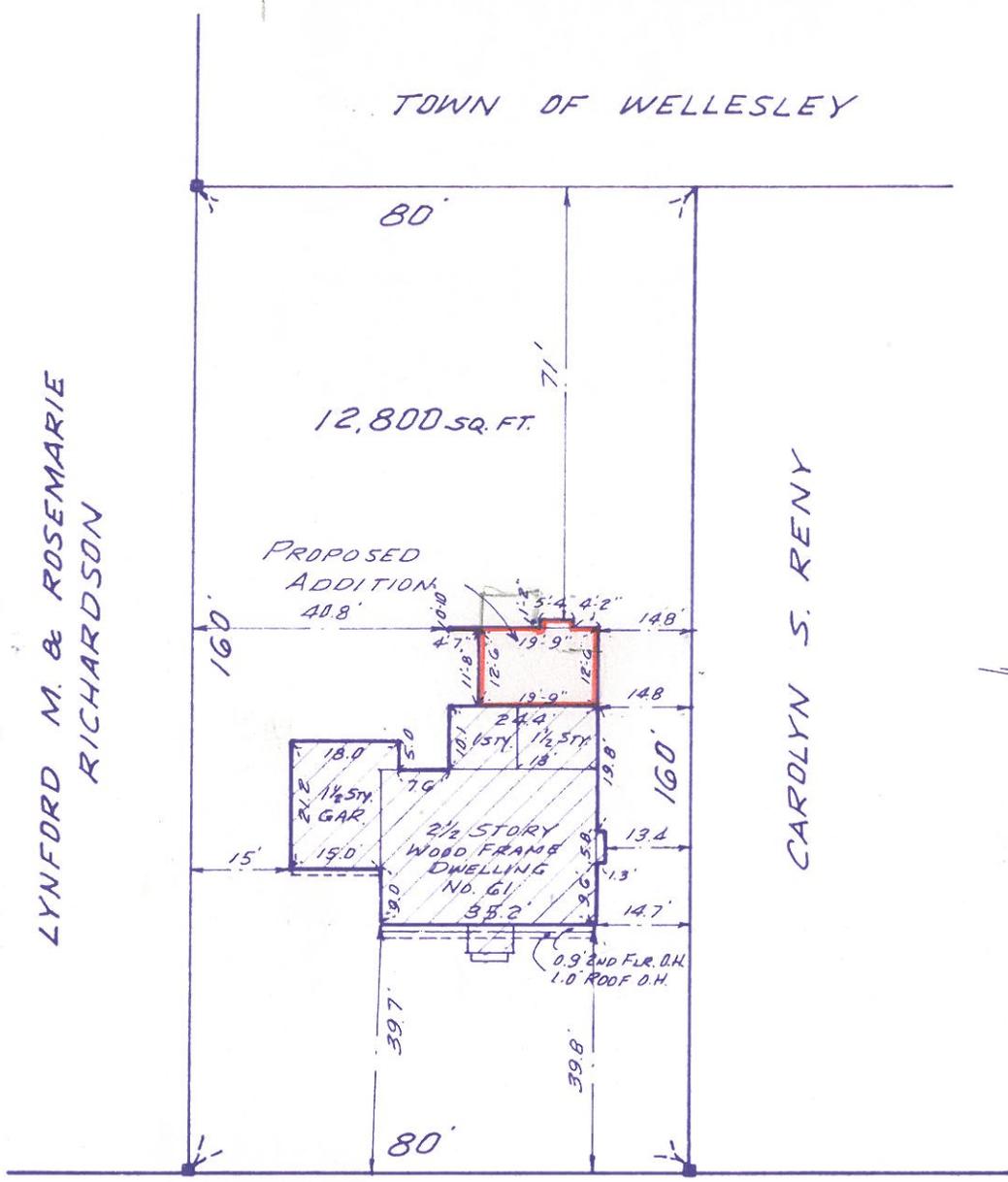
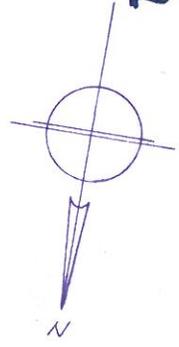
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WINDSOR ROAD

PLOT PLAN
OF LAND IN

WELLESLEY, MASS.

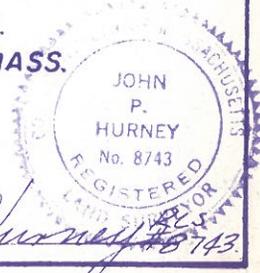
OWNER:
Charles R. & Deborah G. Klotz

DEED REF:
Book 4987, Page 142.

ZONE DISTRICT:
Single Residence (20)

SCALE 1 IN. = 30 FT. FEB. 23, 1982

BARNES ENGINEERING COMPANY, INC.
411 LEXINGTON ST. AUBURNDALE, MASS.



I CERTIFY THAT THIS BUILDING IS LOCATED AS SHOWN ABOVE.

John P. Hurney
78-143