



ZONING BOARD OF APPEALS
TOWN HALL WELLESLEY, MA 02181

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85-76

Petition of Andrew J. Kemper & Catherine A. Wheeler
33 Longmeadow Road

Pursuant to due notice, the Permit Granting Authority held a Public Hearing on Thursday, January 30, 1986 at 8 p.m. in Room 17 of the Town Offices at the Phillips Building, 12 Seaward Road, Wellesley Hills on the petition of ANDREW J. KEMPER & CATHERINE A. WHEELER requesting a variance from the terms of Section XIX and pursuant to Section XXIV-D of the Zoning Bylaw which will allow the construction of a two-story addition approximately 29.4 feet by 18 feet at the rear of their non-conforming dwelling at 33 LONGMEADOW ROAD leaving less than the required left side yard.

On January 9, 1986 the petitioner filed a request for a hearing before this Board and thereafter due notice of the hearing was given by mailing and publication.

Presenting the case at the hearing was Andrew Kemper, who stated that the existing setbacks would be maintained, that the neighbors approve of the addition.

Other than the petitioner, no one was present favoring or opposing the request.

Statement of Facts

The property in question is located at 33 Longmeadow Road, containing 16,367 square feet of land. The existing dwelling is a non-conforming structure coming to 13.86' from the left (westerly) side lot line.

The petitioner proposes to construct a two-story addition approximately 18 feet by 29.4 feet at the rear of the dwelling. The addition would extend the lines of the existing dwelling, coming to 13.86 feet from the left side lot line. The addition would contain a family room-kitchen on the first floor and a bedroom and bath on the second floor.

A Plot Plan was submitted, drawn by Cosmo Damiano Capobianco, Registered Land Surveyor, Somerville Engineering Inc., dated November 19, 1985. Construction sketches were submitted, as were photos.

The Planning Board, at its regular meeting of January 14, 1986, voted to offer no objection to the petition.

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TOWN OF WELLESLEY
PLANNING BOARD OFFICE
WELLESLEY, MASS.

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Decision

This Authority has made a careful study of the evidence presented. The particular house in question in its location on the lot does not conform to the present Zoning Bylaws. The dwelling comes to 13.86 feet from the left side lot line.

It is the opinion of this Authority that the proposed two-story addition conforms to the present lines of the house and does not alter the relationship of the house to the left side lot line.

It is the opinion of this Authority that, because of the shape of the lot and the location of the house on 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 Board that desirable relief may be granted without substantially derogating from the intent or purpose of the Zoning Bylaw.

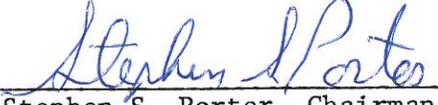
Therefore, the requested variance is granted to construct a two-story addition at 33 Longmeadow Road, said addition approximately 18 feet by 29.4 feet as shown on the Plot Plan drawn by Cosmo Damiano Capobianco, Registered Land Surveyor, dated 11/19/85, coming no closer than 13.86 feet from the left side lot line.

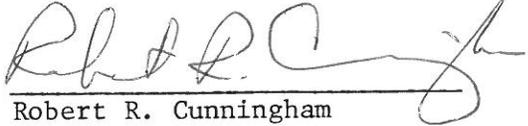
The Inspector of Buildings is hereby authorized to issue a permit for the construction upon his receipt and approval of a building application and construction plans.

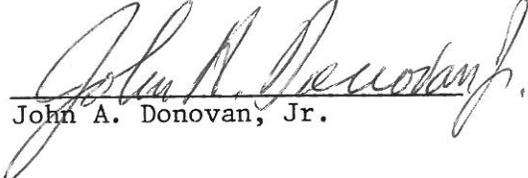
APPEALS FROM THIS DECISION,
 IF ANY, SHALL BE MADE PURSUANT
 TO GENERAL LAWS, CHAPTER 40A,
 SECTION 17, AND SHALL BE FILED
 WITHIN 20 DAYS AFTER THE DATE
 OF FILING OF THIS DECISION IN
 THE OFFICE OF THE TOWN CLERK.

cc: Planning Board

mam


 Stephen S. Porter, Chairman


 Robert R. Cunningham


 John A. Donovan, Jr.

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 RECEIVED
 TOWN CLERK'S OFFICE
 WESTLEY MASS.

