



DEC 3 1 50 PM '87

ZONING BOARD OF APPEALS
TOWN HALL WELLESLEY, MA 02181JOHN A. DONOVAN, JR., Chairman
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ZBA 87-88

Petition of Edith C. Hawkridge
2 Trinity Court

Pursuant to due notice, the Permit Granting Authority held a Public Hearing on Thursday, November 19, 1987 at 8 p.m. in the Selectmen's Meeting Room (Conference Room B) of the Town Hall, 525 Washington Street, Wellesley on the petition of EDITH C. HAWKRIDGE requesting a variance from the terms of Section XIX and pursuant to Section XXIV-D of the Zoning Bylaw to bring her existing non-conforming dwelling at 2 Trinity Court, in a Single Residence District, into conformance with the current Zoning Bylaw. Said dwelling has less than the required left side yard.

On November 2, 1987, the petitioner filed an application for a hearing before this authority and thereafter, due notice of the hearing was given by mailing and publication.

Presenting the case at the hearing was David H. Locke, attorney for Edith C. Hawkridge. Mr. Edwin Hawkridge, husband of the petitioner was also present. Mr. Locke stated that the home had been built by Ralph O. Porter in the late 1960's. Originally, the porch in the rear was located in the center which was to conform with the side setback requirements. When the Hawkridges originally enclosed the porch in 1979, they did not change the dimensions, but when they remodeled the porch two years ago, they squared it off, not realizing they were encroaching on the left side yard line. Now that the problem has been discovered, they wish to bring the porch into conformity with the current Zoning Bylaw. The area behind the porch is heavily screened by rock and trees.

Attorney Locke presented letters from 10 abutters expressing favor of the petition, including the abutter on the left most directly affected. No others were present expressing favor or opposition to the request.

Statement of Facts

The non-conforming dwelling is located at 2 Trinity Court on a 20,022 square foot lot with a left side yard of 18.80 feet at the left rear corner of the porch. The dwelling was constructed by Ralph O. Porter, Inc. with a construction permit dated September 20, 1965, and was built in conformance with the required setbacks. On May 22, 1978, Dick Lloyd pulled a permit to enclose the existing porch with glass windows and a sliding glass door. At that time, there were no changes in the dimensions of the porch to create non-conformance. There is no record in the Building Department of a Building Permit granted to remodel and enlarge the porch to its present non-conforming dimensions. The petitioner requests a variance to bring the porch into conformance with the current Zoning Bylaws

A Plot Plan dated August 20, 1987, drawn by George N. Giunta, Registered Land Surveyor, was submitted.

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The Planning Board, in its letter of November 12, 1987, voted to offer no objection to the requested variance.

Decision

This Authority has made a careful study of the evidence submitted. The subject house does not presently conform to the Zoning Bylaw as noted in the foregoing Statement of Facts.

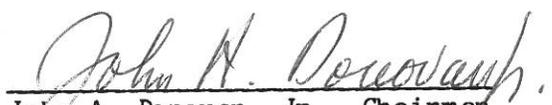
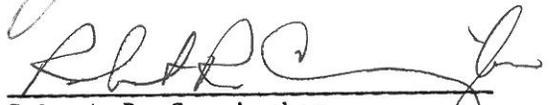
This Board is of the opinion that a literal enforcement of the provisions of the Zoning Bylaw would involve substantial hardship to the petitioner. Furthermore, the granting of a variance would not be detrimental to the neighborhood nor would it be in derogation of the intent of the Zoning Bylaw.

Therefore, the requested variance from the terms of Section XIX and pursuant to Section XXIV-D of the Zoning Bylaw is granted to allow the existing dwelling at 2 Trinity Court, with a left side setback of 18.80 feet as shown on the Plot Plan drawn by George N. Giunta, Registered Land Surveyor, dated August 20, 1987.

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.

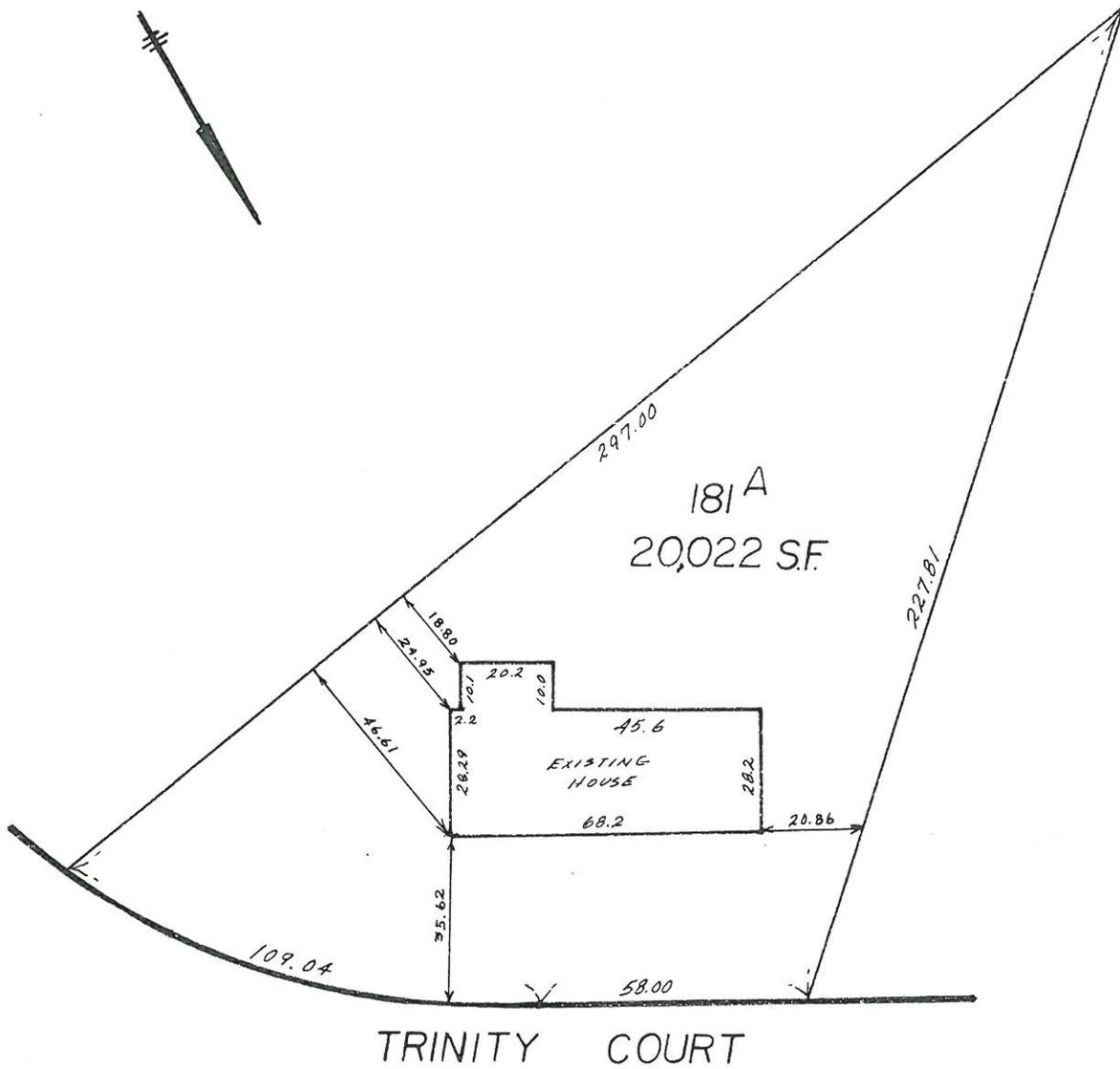
cc: Planning Board
Inspector of Buildings

edg


John A. Donovan, Jr., Chairman

Robert R. Cunningham

Kendall P. Bates

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RECEIVED
TOWN CLERK'S OFFICE
WILLETSLEY MASS.



TRINITY COURT

PLOT PLAN OF LAND
IN
WELLESLEY — MASS.

AUG. 20, 1987 SCALE 1" = 40'
NEEDHAM SURVEY ASSOCIATES
76 NEHOIDEN ST.
NEEDHAM, MASS.

NOV 2 11 24 AM '87

RECEIVED
LAND SURVEYOR'S OFFICE
WELLESLEY, MASS.

