



DEC 31 8 45 AM '87

ZONING BOARD OF APPEALS
TOWN HALL WELLESLEY, MA 02181JOHN A. DONOVAN, JR., Chairman
ROBERT R. CUNNINGHAM
KENDALL P. BATESELLEN D. GORDON
Executive Secretary
Telephone
431-1019WILLIAM E. POLLETTA
FRANKLIN P. PARKER
SUMNER H. BABCOCKZBA 87-97
Petition of Lawrence and Jacalyn Gould
34 Thackeray Road

Pursuant to due notice, the Permit Granting Authority held a Public Hearing on Thursday, December 17, 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 LAWRENCE AND JACALYN GOULD, requesting a variance from the terms of Section XIX and pursuant to Section XXIV-D of the Zoning Bylaw which would allow removal of an existing porch and construction of a mudroom approximately 5.3 feet by 10 feet attached to the kitchen and the garage, at the rear of their non-conforming dwelling at 34 THACKERAY ROAD, in a Single Residence District, leaving less than the required left side yard.

On November 30, 1987, the petitioners requested a hearing before this Board and thereafter due notice of the hearing was given by mailing and publication.

Presenting the case were both Lawrence and Jacalyn Gould. Mr. Gould stated that they were enlarging the kitchen, which did not require a variance, and that in the process of remodeling, would like to add a mudroom connecting the kitchen with the garage and providing a rear entry. The present house is non-conforming as to the left side yard, but the proposed mudroom does not represent a further encroachment.

Statement of Facts

The non-conforming dwelling is located at 34 Thackeray Road in a Single Residence District on a 22,280 square foot lot with a minimum left side yard clearance of 8.56 feet.

The petitioners request a variance for the addition of a mudroom approximately 5.3 feet by 10 feet at the rear of the dwelling, leaving a left side yard of 17.25 feet.

A Plot Plan, dated September 28, 1987, drawn by John J. Regan, Registered Land Surveyor; construction plans and photographs were submitted.

The Planning Board, at its Regular Meeting on December 8, 1987, voted to oppose the granting of the variance as it appeared there were alternative locations for the addition which would comply with the zoning requirements.

Decision

This Authority has made a careful study of the evidence presented. The subject house in its location on the lot does not conform to the present Zoning Bylaw as it comes to 8.56 feet from the left side lot line.

It is the opinion of this Authority that the proposed addition is far less of an encroachment than the existing line of the house and does not alter the relationship of the house to the left side lot line. It is the further 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 petitioners and that desirable relief may be granted without substantially derogating from the intent or purpose of the Zoning Bylaw.

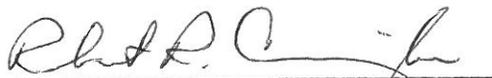
Therefore, the requested variance is granted to construct the addition of a mudroom at 34 Thackeray Road, said addition approximately 5.3 feet by 10 feet subject to construction in accordance with the plot plan and construction plans as submitted, said addition coming no closer than 17.25 feet from the 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.

If the rights authorized by a variance are not exercised within one year of the date of grant of such variance, they shall lapse, and may be re-established only after notice and a new hearing pursuant to Section XXIV-D of the Zoning Bylaw.

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


Robert R. Cunningham


Kendall P. Bates


William E. Polletta

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PLANNING BOARD
TOWN OF WESTFIELD, MASS.
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Town of Wellesley - Water Department

97.00

160' ±

Finn & Deborah B. Brudevold

252.37

8.56

9.00

10.0

17.25

5.3

5.3

10.0

14.0

12.6

8.6

10.0

10.0

10.0

10.0

10.0

10.0

10.0

10.0

10.0

10.0

10.0

Lot 286
22,280 s.f.

60.00

25.00

242.00

John F. Hobbs, Inc.

THACKERAY ROAD

PLAN OF LAND

IN

WELLESLEY MASS.

TO ACCOMPANY THE PETITION OF
LAWRENCE J. & JACALYN G. GOULD
34 THACKERAY ROAD
WELLESLEY



John J. Regan

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LAND SURVEYOR'S OFFICE
WELLESLEY, MASS.

Nov 30 10 44 AM '87

SCALE 1 IN = 20 FT
JOHN J. REGAN
NEWTON HIGHLANDS

SEPT. 28, 1987
LAND SURVEYOR
MASS.