



ZONING BOARD OF APPEALS
TOWN HALL WELLESLEY, MA 02181

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ZBA 88-38
Petition of Vincent and Debra Codispoti
130 Oakland Street

Pursuant to due notice, the Permit Granting Authority held a Public Hearing on Thursday, May 19, 1988 at 8 p.m. in the Selectmen's Meeting Room (Conference Room B) at the Town Hall, 525 Washington Street, Wellesley, on the petition of VINCENT AND DEBRA CODISPOTI, requesting a variance from the terms of Section XIX and pursuant to Section XXIV-D of the Zoning Bylaw which will allow removal of an existing porch and construction of a two-story addition approximately 19.7 feet by 8.5 feet to their non-conforming dwelling at 130 OAKLAND STREET, in a Single Residence District, having less than the required left side yard.

On May 2, 1988 the petitioners requested 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 Vincent Codispoti who said that the house and porch had been built in 1915 and is a non-conforming structure. Mr. Codispoti said that their family is growing and in need of more space. The addition would include a kitchen and breakfast room on the first floor and a second floor dressing room approximately 5 feet by 10 feet to be added to the bedroom which does not have a closet. The addition would not be coming closer to the property line than does the existing house.

No other persons had any comment on the petition.

Statement of Facts

The non-conforming dwelling is located at 130 Oakland Street, in a Single Residence District, on a 8,730 square foot lot with a minimum left side yard clearance of 8.0 feet.

The petitioners are requesting a variance to construct a two-story addition approximately 19.7 feet by 8.5 feet to include a kitchen and breakfast room on the first floor and a dressing room approximately 5 feet by 10 feet attached to a bedroom on the second floor. Said addition is to be located at the rear of the dwelling and would leave a minimum left side yard of 8.6 feet from the property line.

A Plot Plan, dated April 8, 1988, drawn by Stephen P. DesRoche, Registered Land Surveyor; unsigned construction plans dated March 30, 1988, and photographs were submitted.

The Planning Board, on May 17, 1988, voted to offer no objection to this petition as it appears there is no further encroachment on the inadequate side yard.

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Decision

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

It is the opinion of this Authority that the 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 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 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.

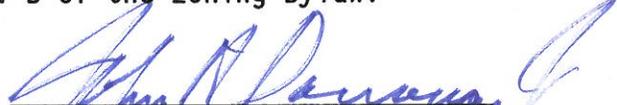
Therefore, the requested variance is granted to construct a two-story addition at 130 Oakland Street subject to construction in accordance with the plot plan and construction plans as submitted and described in the Statement of Facts.

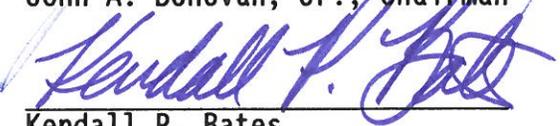
The Inspector of Buildings is hereby authorized to issue a permit for the construction upon his receipt and approval of a building application and construction plans.

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.

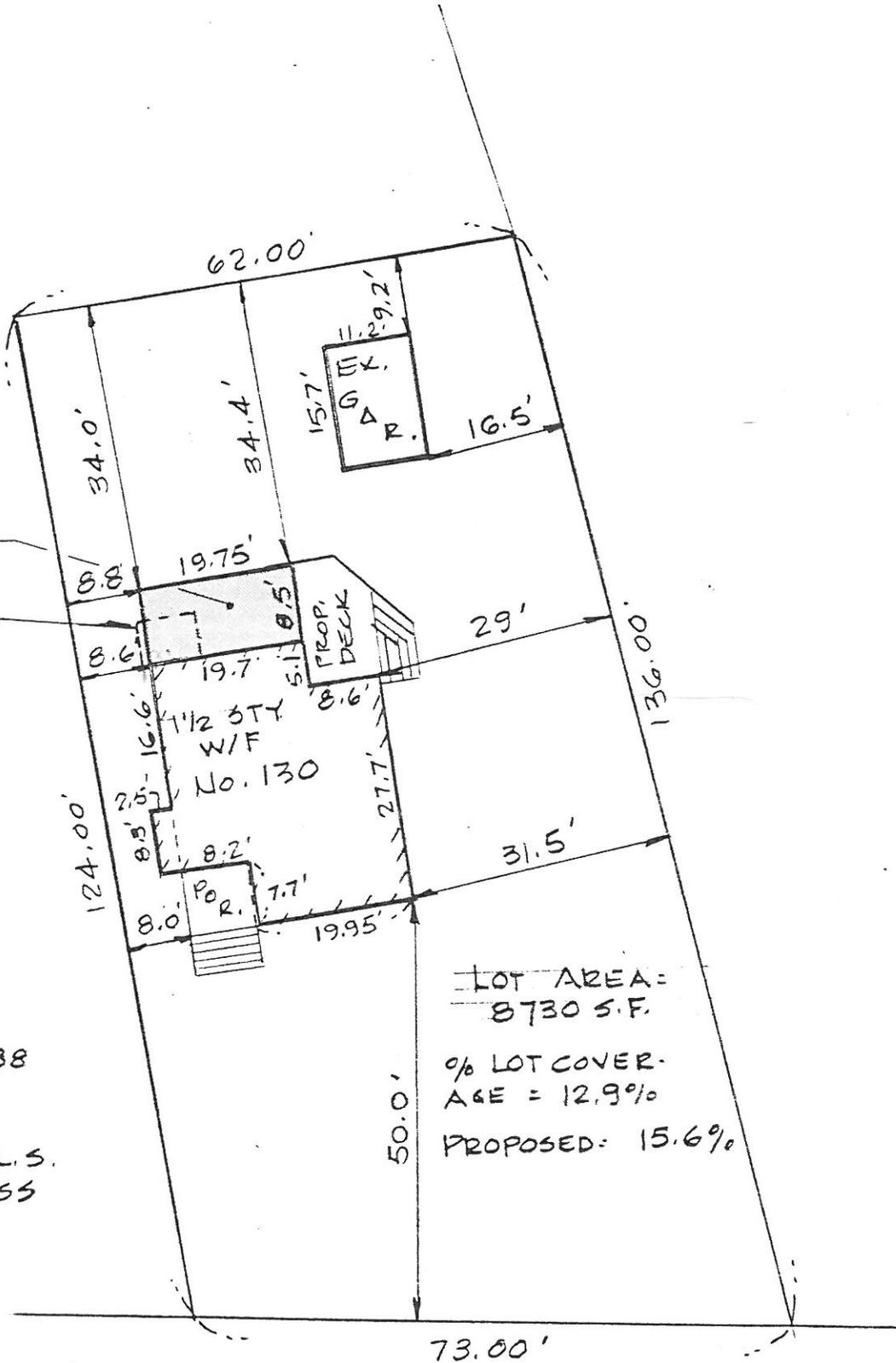
cc: Planning Board
Inspector of Buildings
edg


John A. Donovan, Jr., Chairman


Kendall P. Bates


William E. Polletta

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PROPOSED 8.5 x 19.75' ADDITION
 EXIST. PORCH TO BE REMOVED

PLAN OF LAND
 IN

WELLESLEY, MASS
 SCALE: 1"=20' APR. 8, 1988

prepared by

STEPHEN P. Des ROCHE, P.L.S.
 QUINCY, MASS

LOT AREA = 8730 S.F.
 % LOT COVER-AGE = 12.9%
 PROPOSED: 15.6%



Stephen P. Des Roche
 4/8/88

OAKLAND ST.