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ZONING BOARD OF APPEALS
 TOWN HALL WELLESLEY, MA 02181

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 KENDALL P. BATES

ELLEN D. GORDON
 Executive Secretary
 Telephone
 431-1019

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ZBA 88-9

Petition of Thomas E. Reilly, Jr.
6 Princeton Road

Pursuant to due notice, the Permit Granting Authority held a Public Hearing on Thursday, January 21, 1988 at 8 p.m. in the Great Hall of the Town Hall, 525 Washington Street, Wellesley on the petition of THOMAS E. REILLY, JR. requesting a variance from the terms of Section XIX and pursuant to Section XXIV-D of the Zoning Bylaw to bring the existing non-conforming dwelling at 6 PRINCETON ROAD, in a Single Residence District, into conformance with the current Zoning Bylaw of the Town. Said dwelling has less than the required front setback from Princeton Road and less than the required right side yard.

On January 4, 1988, the petitioner requested a hearing before this Board and thereafter due notice of the hearing was given by mailing and publication.

Presenting the case was Thomas E. Reilly, Jr. who stated that the house, when built in 1950, was slightly off center in regard to the lot lines. There have been no external changes to the home. The property was sold in September and it was discovered shortly before the closing that the property was non-conforming. The purchasers' bank requested that the sellers seek a variance to bring the property into legal conformance with the Zoning Bylaw.

No other persons present had any comments on the petition.

Statement of Facts

The non-conforming dwelling is located at 6 Princeton Road, in a Single Residence District, on a 10,367 square foot lot. The house was constructed in 1950 and no external changes have been made since then. Mr. Reilly, Jr. purchased the house in May of 1984 and discovered in selling the property that it is not in conformance with the Zoning Bylaw. The front right corner of the house is 29.9 feet from Princeton Road; the requirement being 30 feet. The right side of the house is 18.7 feet from the right side line at its closest point; the requirement being 20 feet.

A Plot Plan, dated November 30, 1987, drawn by Nathan Rossman, Registered Land Surveyor, was submitted.

The Planning Board, at its regular meeting on January 19, 1988, voted to offer no objection to the petition.

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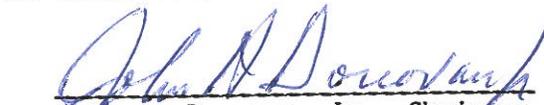
Decision

This Authority has made a careful study of the evidence submitted, and is of the opinion that the existing dwelling at 6 Princeton Rod is not in conformance with the Zoning Bylaw of the Town.

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 allowance of a variance would not be detrimental to the neighborhood nor be in derogation of the intent or purpose of the Zoning Bylaw.

Therefore, the requested variance is granted to allow the existing dwelling at 6 Princeton Road with a front setback of 29.9 feet from Princeton Road and a right side yard of 18.7 feet as shown in the Plot Plan submitted.

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.



John A. Donovan, Jr., Chairman



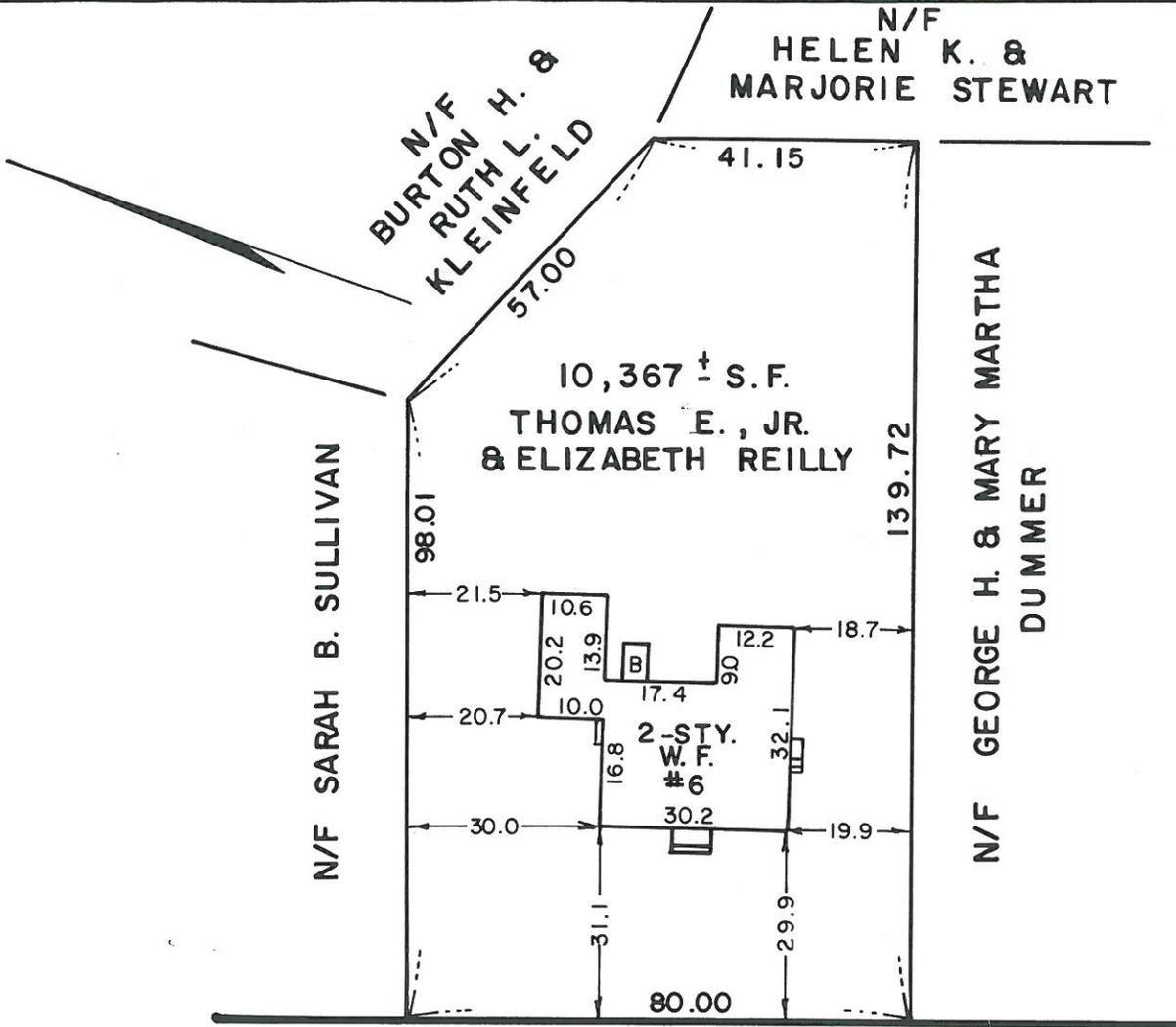
Robert R. Cunningham



Kendall P. Bates

cc: Planning Board
Inspector of Buildings

edg

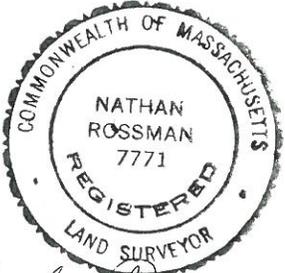


PRINCETON ROAD

RECORDED
 REGISTERED OFFICE
 WELLESLEY, MASS.
 JAN 4 2 25 PM '88

PLAN OF LAND
 IN

WELLESLEY, MASS.



SCALE: 1" = 30'
 MASS BAY SURVEY INC.

NOV. 30, 1987
 NEWTON, MASS.

Nathan Rossman