

TOWN OF WELLESLEY



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WELLESLEY, MA 02181

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ZONING BOARD OF APPEALS  
TOWN HALL WELLESLEY, MA 02181

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KENDALL P. BATES

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Executive Secretary  
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ZBA 89-21  
Petition of Richard and Susan Little  
24 Alden Road

Pursuant to due notice, the Permit Granting Authority held a Public Hearing on Thursday, April 27, 1989 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 RICHARD AND SUSAN LITTLE requesting a variance from the terms of Section XIX and pursuant to Section XXIV-D of the Zoning Bylaw to allow enclosure of an existing porch approximately 12 feet square at their non-conforming dwelling at 24 ALDEN ROAD AND WELLESLEY AVENUE, in a Single Residence District, with less than the required right side yard.

On April 10, 1989, 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 Richard Little, who said that he wished to enclose the porch to provide more interior space for a library/TV room. The house was built in 1937. Mr. Little did not know when the porch was constructed, but said it has a full foundation with a room beneath it.

No other persons present had any comment on the petition.

#### Statement of Facts

The non-conforming dwelling is located at 24 Alden Road on the corner of Wellesley Avenue on a 12,105 square foot lot with a minimum right side yard clearance of 10.8 feet from the corner of the porch.

The petitioners are requesting a variance to enclose the existing 12 foot square porch which has a minimum right side yard setback of 10.8 feet.

A Plot Plan, dated April 5, 1989, drawn by Nathan Rossman, Registered Land Surveyor; construction plans and elevations, dated February 10, 1989, drawn by Bradford Voight; and photographs were submitted.

A letter, dated April 2, 1989, from John M. Slattery, 21 Ordway Road, in support of the petition, was received in the office of the Board of Appeals.

The Planning Board, on April 24, 1989, voted to offer no objection to the granting of the variance request.

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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 Bylaw as noted in the foregoing Statement of Facts.

It is the opinion of this Authority that the proposed enclosure of the existing porch conforms to the present lines of the house and does not alter the relationship of the house to the right 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 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 enclose the existing 12 foot square porch subject to construction in accordance with the Plot Plan and construction plans submitted as described in the foregoing Statement of Facts.

The Inspector of Buildings is hereby authorized to issue a permit for the construction upon his receipt 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.

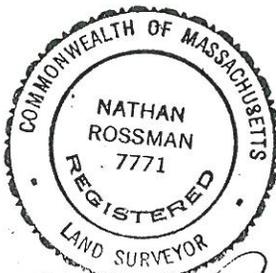
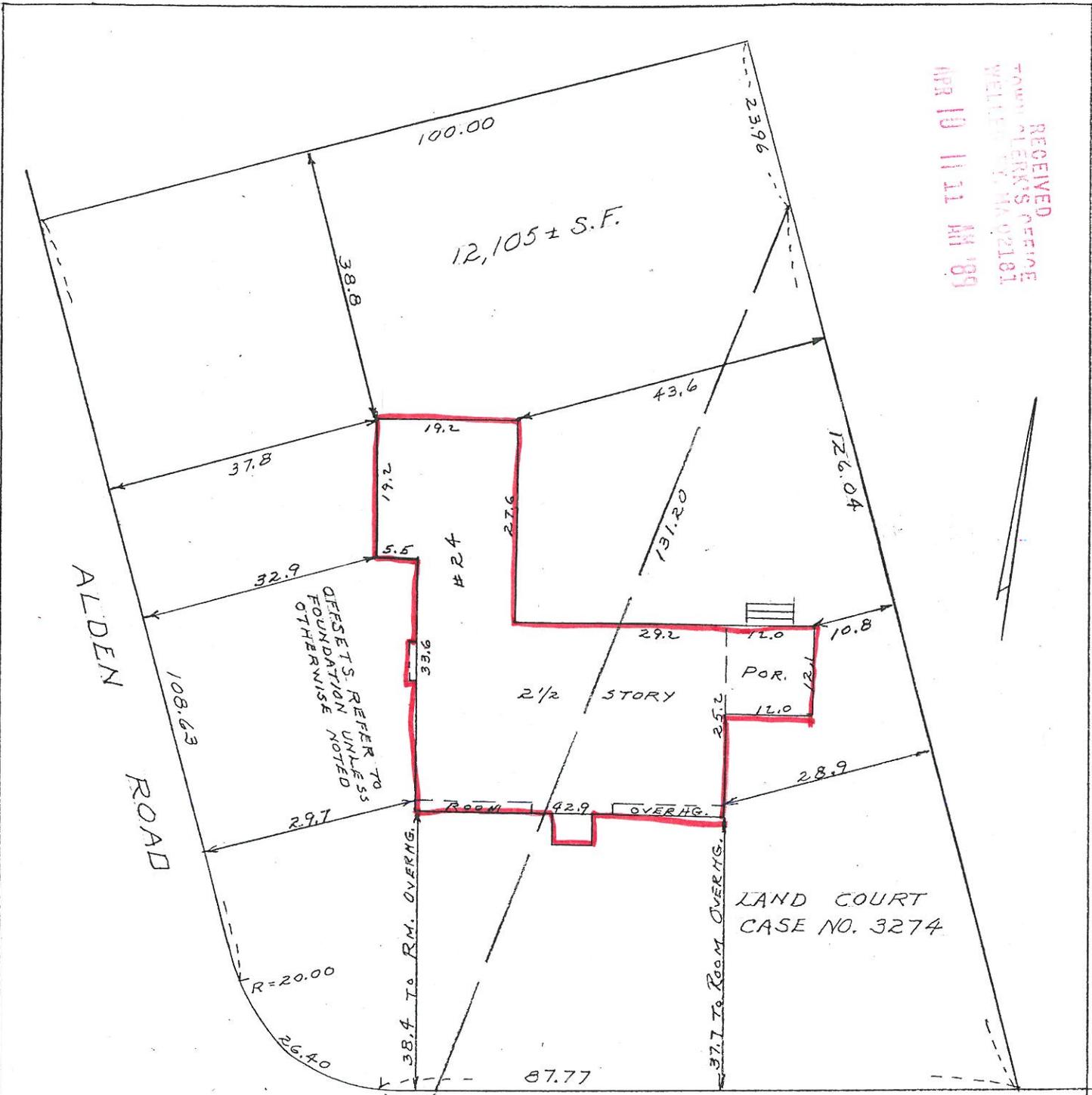
cc: Planning Board  
Inspector of Buildings  
edg

  
Robert R. Cunningham, Acting Chairman

  
Kendall P. Bates

  
William E. Polletta

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*Nathan Rossman*

PLAN OF LAND  
 IN  
 WELLESLEY, MASS.  
 SCALE: 20 FT. = 1 IN. ~ DATE: 4-5-89  
 MASS BAY SURVEY INC.  
 NEWTON, MASS.