



ZONING BOARD OF APPEALS  
TOWN HALL WELLESLEY, MA 02181

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ZBA 89-31  
Petition of Senior Living, Inc.  
608 Washington Street

Pursuant to due notice, the Permit Granting Authority held a Public Hearing on Thursday, June 29, 1989 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 SENIOR LIVING, INC., requesting a variance from the terms of Section VI and pursuant to Section XXIV-D of the Zoning Bylaw to allow construction of a carport approximately 21 feet by 82 feet for 8 parking spaces, on its property at 608 WASHINGTON STREET, in a Limited Residence District; said carport to be located closer to the rear and left side property lines than the allowed 20 feet.

On June 13, 1989, the petitioner 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 Lewis Parks, President of Senior Living, Inc., who was accompanied by Robert Hoyer, architect for the project. Mr. Parks said that Senior Living is a non-profit corporation with 16 apartments for the elderly and was built under the provisions of Section VI, Limited Residence District, which limits residents to those 62 and over. The average age of present residents is 82. Many residents have cars, and although the parking lot is plowed, the elderly have a problem with snow accumulation on their automobiles.

Mr. Parks said that in order to have maneuvering space to get in and out of the carport, the structure must be located closer than the allowed 20 feet from the left and rear property lines. The carport would cover 8 spaces while 7 spaces and the existing visitor spaces would remain uncovered.

At present 14 of the 15 available spaces are used, and of the 14 owners, only 8 have expressed a desire for a covered space.

Leo Madden, 608 Washington Street, expressed support for the petition. No other person present had any comment.

Statement of Facts

The property in question is located at 608 Washington Street, in a Limited Residence District on a 40,012 square foot lot. In February, 1968, the Board of Appeals approved plans for the petitioner to construct a two-story brick building consisting of 16 apartment units to furnish rental housing for the elderly. In September, 1972, the petitioner requested approval of plans to construct five carports, less than 20 feet from the property lines; construction of a surface drain and catchbasins; existing louvres in the basement transformer room; and construction of two canopies at the rear porches. Of these requests, only the construction of the two canopies was allowed (ZBA 72-54).

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The petitioner is presently requesting a variance to construct a carport covering 8 parking spaces, approximately 82 feet by 21 feet with a 3 foot roof overhang at the front of the structure, and coming to within 8 feet of the left side property line and to within five feet of the rear property line. The allowed setback from all property lines in a Limited Residence District is 20 feet. The proposed three-sided carport would have a height of 12 feet at the roof ridge line, 5 feet at the rear, and 7 feet at the open front portion.

A Plot Plan, dated April 10, 1989, drawn by Joseph R. Sullivan, Registered Land Surveyor; and a Site Plan, construction plan and elevations, dated 9/1/88, revised 2/27/89, revised 2/27/89, revised 5/8/89, drawn by Robert W. Hoyer, Registered Architect were submitted.

The Planning Board, on June 20, 1989, voted to oppose the request as it represents a substantial deviation from the 20 foot setback requirement and would be detrimental to the abutting property.

#### Decision

This Authority has made a careful study of the evidence presented. The proposed carport would not conform to the present Zoning Bylaw as noted in the foregoing Statement of Facts.

It is the opinion of this Authority that despite the substantial encroachment involved, the literal enforcement of the provisions of Section VI would result in a substantial hardship to the petitioner, and that due to the location of the abutting properties, desirable relief may be granted without detriment and without substantially derogating from the intent or purpose of the Zoning Bylaw.

It is the further opinion of this Authority that the nature of this petition is unique due to its location in a Limited Residence District, and, therefore, that this decision should not represent a precedent for other Residence Districts.

Therefore, the requested variance is granted to construct a three-sided carport subject to construction in accordance with the Plot Plan and construction plans as submitted and noted in the foregoing Statement of Facts.

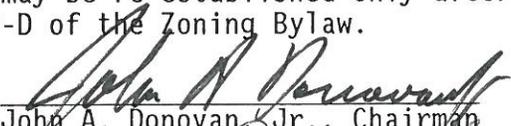
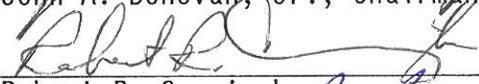
The Inspector of Buildings is hereby authorized to issue a permit for the construction upon his receipt and approval of a building application and construction plans.

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  
  
Robert R. Cunningham  
  
Kendall P. Bates

PLAN OF LAND  
IN  
**WELLESLEY - MASS**

owned by  
**SENIOR LIVING INC.**  
Scale: 1" = 40'  
SURVEYOR



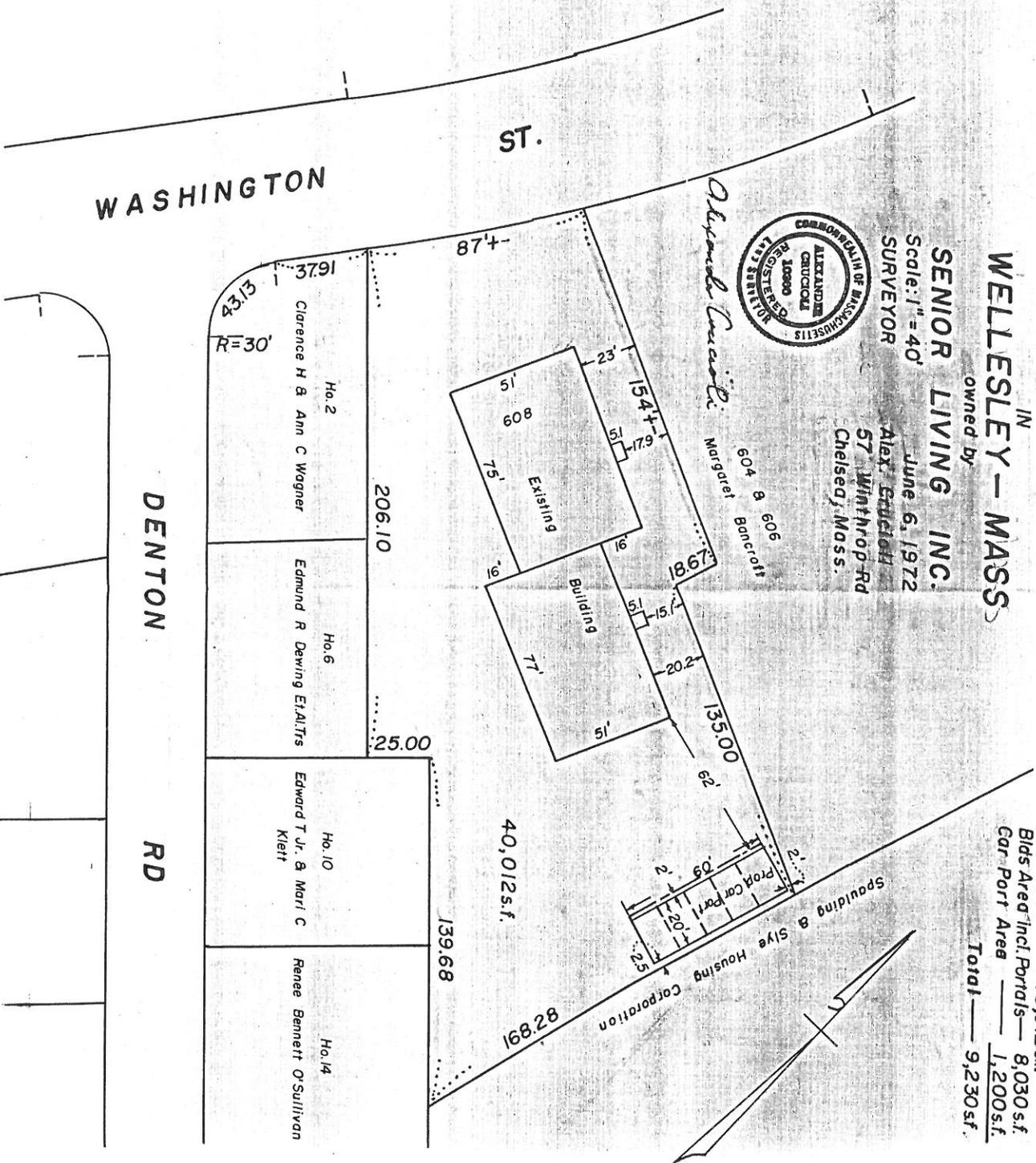
Alex. Cruciani  
57 Winthrop Rd  
Chelsea, Mass.

*Alexander Cruciani*  
Margaret Bancroft  
604 & 606

Land Area — 40,012 sf.  
Bldg Area Incl. Porches — 8,030 sf.  
Gar. Port Area — 1,200 sf.  
Total — 9,230 sf.

WASHINGTON ST.

DENTON RD



Ho. 2  
Clarence H & Ann C Wagner

Ho. 6  
Edmund R Dewing ET AL/TS

Ho. 10  
Edward T Jr. & Mari C Kieft

Ho. 14  
Renee Bennett O'Sullivan

Existing  
608  
75'

Building 9  
77'

Spaulding & Slye Housing Corporation  
Prof Cor  
Part

40,012 sf.

82,891