



ZONING BOARD OF APPEALS  
TOWN HALL WELLESLEY, MA 02181

JOHN A. DONOVAN, JR., Chairman  
ROBERT R. CUNNINGHAM  
KENDALL P. BATES

ELLEN D. GORDON  
Executive Secretary  
Telephone  
431-1019

WILLIAM E. POLLETTA  
FRANKLIN P. PARKER  
SUMNER H. BABCOCK

RECEIVED  
TOWN CLERK'S OFFICE  
WELLESLEY, MA 02181  
FEB 3 1 30 PM '89

ZBA 89-3  
Petition of Anneliese and Elvira Reynolds  
33R Cedar Street

Pursuant to due notice, the Permit Granting Authority held a Public Hearing on Thursday, January 19, 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 ANNELIESE AND ELVIRA REYNOLDS requesting a variance from the terms of Section XIX and pursuant to Section XXIV-D of the Zoning Bylaw to allow construction of a one-story addition approximately 20.5 feet by 18 feet and an attached deck approximately 20.5 feet by 10 feet at their non-conforming dwelling at 33R CEDAR STREET, in a Single Residence District, with less than the required left and right side yards.

On January 3, 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 were Mrs. Reynolds and her daughter, Elvira. Ms. Reynolds said that they would like to add an exercise and therapy room to their home which would be strictly for personal use. Mrs. Reynolds submitted a copy of a letter from her doctor, Mark R. Belsky, M.D. stating that whirlpool therapy would be beneficial.

Ms. Reynolds said that the addition conforms to the existing line of the house which is sited on a very narrow lot.

No other persons had any comment on the petition.

Statement of Facts

The non-conforming dwelling is located at 33R Cedar Street, in a Single Residence District on a 10,890 square foot lot with a minimum left side yard clearance of 15.6 feet and a minimum right side yard clearance of 6.1 feet.

The petitioners are requesting a variance to construct a one-story addition approximately 20.5 feet by 18 feet and an attached deck approximately 20.5 feet by 10 feet at the rear of their dwelling. The addition would leave a minimum left side yard of 15.3 feet and a minimum right side yard of 13.8 feet. The deck would leave a minimum left side yard of 13.7 feet and a minimum right side yard of 15.3 feet.

A Plot Plan dated December 7, 1988, drawn by Nathan Rossman, Registered Land Surveyor; unsigned construction plans and elevations, dated August 8, 1988; and photographs were submitted.

The Planning Board, on January 10, 1989, voted to offer no objection to the request.

ZBA 89-4  
Petition of Anneliese and Elvira Reynolds  
33R Cedar Street

Decision

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

It is the opinion of this Authority that the proposed one-story addition and the proposed deck conform to the present lines of the house, although there will be an alteration in the relationship of the house to both the left and right side lot lines.

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.

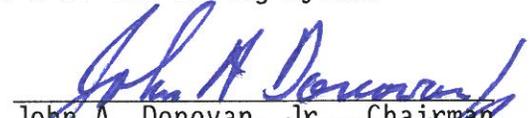
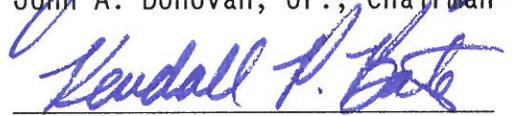
Therefore, the requested variance is granted subject to construction in accordance with the Plot Plan and construction plans as submitted and noted in the foregoing Statement of Facts.

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  
  
Kendall P. Bates

  
William E. Polletta

RECEIVED  
TOWN CLERK'S OFFICE  
WELLESLEY, MA 02181  
FEB 3 1 03 PM '09

