



ZONING BOARD OF APPEALS
TOWN HALL WELLESLEY, MA 02181

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

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Executive Secretary
Telephone
431-1019

OCT 17 9 09 AM '89
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WELLESLEY, MA 02181

ZBA 89-55
Petition of William C.S. Remsen
31 College Road

Pursuant to due notice, the Permit Granting Authority held a Public Hearing on Thursday, September 28, 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 WILLIAM C.S. REMSEN requesting a variance from the terms of Section XIX and pursuant to the provisions of Section XXIV-D of the Zoning Bylaw to allow removal of an existing unroofed side porch and stairs approximately 8 feet by 8 feet 10 inches and construction of a roofed porch and stairs of the same dimensions at his non-conforming dwelling at 31 COLLEGE ROAD, in a Single Residence District, with less than the required left side yard.

On September 8, 1989, the petitioner requested a hearing before this Authority and thereafter due notice of the hearing was given by mailing and publication.

Presenting the case at the hearing was William Remsen, who said that the deck was in place when he purchased the property three years ago. Mr. Remsen presented a bagged sample of the rotting deck material and stated that the deck was a hazard in its present condition. The deck faces north and has an interior angle which accumulates snow and rain, causing the rotting condition.

Mr. Remsen said he would like to rebuild the deck and stairs and add a roof for protection from the elements. The door from the porch into the house is the entrance generally used as it is on the side of the driveway.

No other person present had any comment on the petition.

Statement of Fact

The non-conforming dwelling is located at 31 COLLEGE ROAD, in a Single Residence District, on a 15,400 square foot lot, with a minimum left side yard clearance of 14 feet.

The petitioner is requesting a variance to remove an existing unroofed porch and stairs approximately 8 feet by 8 feet 10 inches and construct a roofed porch of the same dimensions on the existing foundation which has a minimum left side yard clearance of 14 feet.

A Plot Plan dated August 15, 1989, drawn by Richard Betts, Professional Land Surveyor; undated, unsigned construction plans and elevations; and photographs were submitted.

The Planning Board, on September 12, 1989, voted to oppose the variance.

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Decision

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

It is the opinion of this Authority that the proposed porch, stairs and roof conform to the present lines of the house and do not alter the relationship of the house to the left 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 subject to construction in accordance with the Plot Plan and construction plans submitted and noted in the foregoing Statement of Facts; said construction to come no closer than 14 feet from the left side lot line.

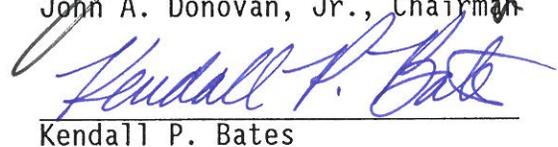
The Inspector of Buildings is hereby authorized to issue a permit for the construction upon his receipt and approval of a building application and construction plans.

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

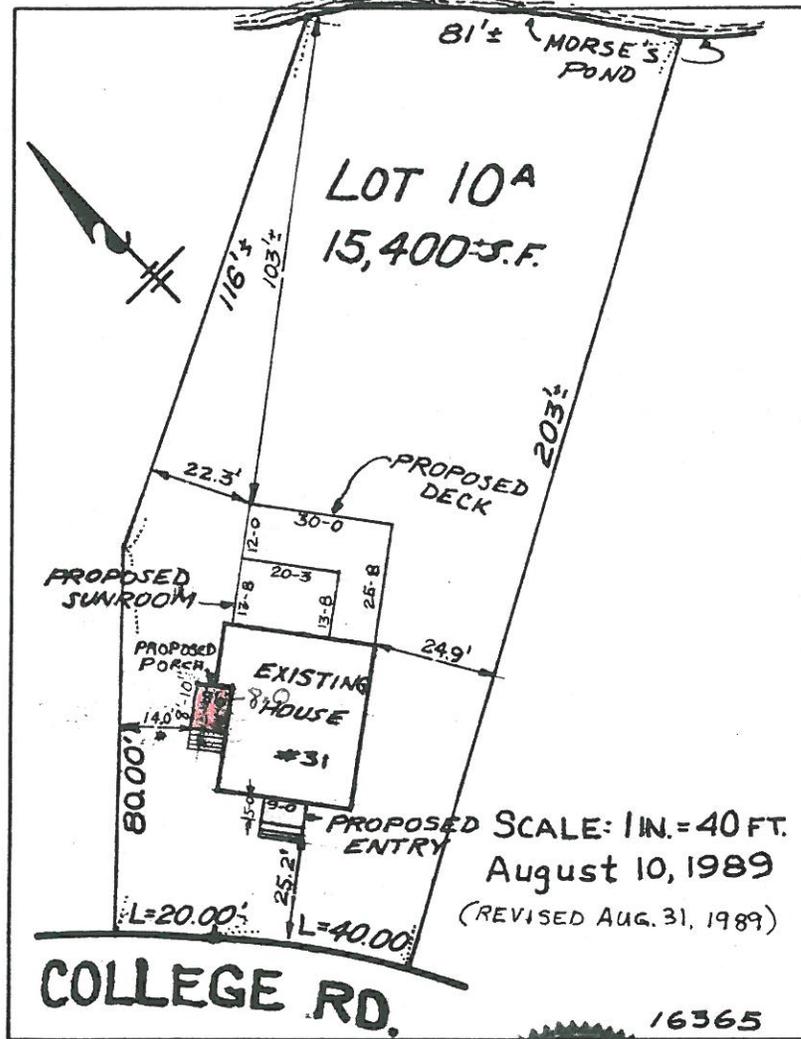

Kendall P. Bates


Franklin P. Parker

15.2 ft from left rear corner.

WILLIAM C. S. REMSEN
31 College Road
Wellesley, Massachusetts 02181

CERTIFIED PLOT PLAN



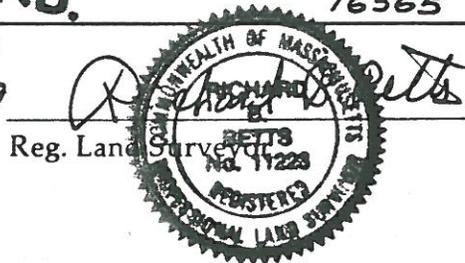
NOTE: VARIANCE
REQUIRED FOR
PROPOSED PORCH

PROPOSED SCALE: 1 IN. = 40 FT.
August 10, 1989
(REVISED AUG. 31, 1989)

COLLEGE RD.

16365

August 15 1989
Date



EVERETT M. BROOKS CO., INC.
259 WALNUT STREET
NEWTONVILLE, MASS. 02160

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