



ZONING BOARD OF APPEALS  
TOWN HALL WELLESLEY, MA 02181

APR 6 9 49 AM '90

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

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Executive Secretary  
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WILLIAM E. POLLETTA  
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SUMNER H. BABCOCK

ZBA 90-11  
James and Gina Lloyd  
346 Linden Street

Pursuant to due notice, the Permit Granting Authority held a Public Hearing on Thursday, March 22, 1990 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 JAMES AND GINA LLOYD, 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 porch and construction of a one-story addition, approximately 10 feet 6 inches by 19 feet on the left side of their non-conforming dwelling at 346 LINDEN STREET, in a Single Residence District, with less than the required left side yard.

On March 5, 1990, the petitioners filed a request for 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 James Lloyd, who said that the request is to add a family room to their kitchen on the left side of the house.

The Board asked what had happened to the variance granted two years ago (ZBA 87-38). Mr. Lloyd said that they were ready to build when his company was bought out and he was to move to Phoenix. The buyout never transpired, but the variance had lapsed. They are now requesting the same variance as had been granted previously.

No other person present had any comment on the petition.

Statement of Facts

The subject property is located at 346 Linden Street, in a Single Residence District, on a 13,014 square foot lot with a minimum left side yard clearance of 19.10 feet.

The petitioners are requesting a variance to remove an existing porch, approximately 8 feet by 19 feet, and construct a one-story addition, approximately 19 feet by 10.5 feet, which would leave a minimum left side yard clearance of 16.50 feet. The petitioners claim hardship due to the presence of an oil tank buried just behind the porch, and their driveway at the left of the house which winds around the house to a garage at the right of the rear yard, taking up back yard space. The neighborhood has several buildings which are closer to the lot lines than currently allowed.

A Plot Plan dated September 6, 1986, drawn by John J. Regan, Registered Land Surveyor; construction drawings dated 6/29/86, drawn by Dean Graves AIA Architects; and photographs were submitted.

The Planning Board, on March 13, 1990, voted to oppose the granting of the variance.

ZBA 90-11  
James and Gina Lloyd  
346 Linden Street

Decision

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

It is the opinion of this Authority that a hardship exists on the property due to the location of the house on the lot, the presence of the oil tank and the configuration of the driveway, none of which were self-created.

It is the further opinion of this Authority that for the above-mentioned reasons, 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.

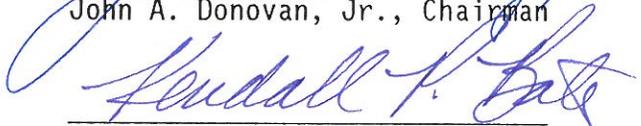
Therefore, the requested variance is granted subject to construction in accordance with the Plot Plan and construction drawings submitted as noted in the foregoing Statement of Facts, said addition coming no closer than 16.50 feet from the left side lot line.

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

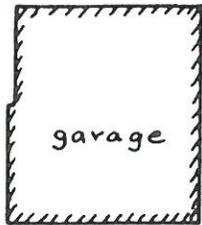
  
Robert R. Cunningham

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Edna D. Lopham

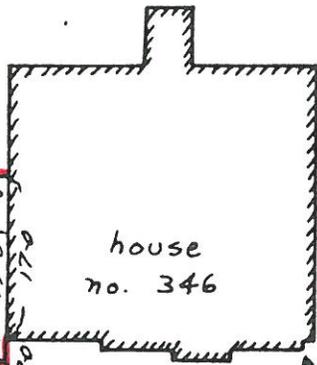
80.00

Lot 1  
13,014 s.f.



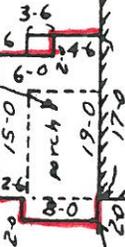
garage

150.45



house  
no. 346

proposed  
addition



16.50

53'±

45'±

82.84

LINDEN STREET

PLAN OF LAND  
IN

WELLESLEY MASS.  
TO ACCOMPANY THE PETITION OF  
JAMES D. & GINA GRAVES LLOYD  
346 LINDEN STREET, WELLESLEY

SCALE 1 IN = 20 FT  
APEX ASSOCIATES  
NEWTON HIGHLANDS

SEPT. 5, 1986  
LAND SURVEYORS  
MASS.

5761



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MAR 5 10 24 AM '90



*John J. Regan*

Ann T. Watts

170.00

Helen Romero