



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

Jul 19 8 42 AM '90
RECEIVED
TOWN CLERK'S OFFICE
WELLESLEY, MA 02181

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

ZBA 90-58
Petition of Francis B. Laughlin
4 Hunting Street

Pursuant to due notice, the Permit Granting Authority held a Public Hearing on Thursday, June 28, 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 FRANCIS B. LAUGHLIN requesting a variance from the terms of Section XIX and pursuant to the provisions of Section XXIV-D of the Zoning Bylaw to allow construction of a second-story railed deck, approximately 22.6 feet by 15 feet on an existing roof at the rear of his non-conforming dwelling at 4 HUNTING STREET, in a Single Residence District, with less than the required left and right side yard setbacks.

On June 11, 1990, 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 Francis Laughlin, who said that he would like to add more outdoor space on the existing flat roof, as the lot is very irregular.

No other person present had any comment on the petition.

Statement of Facts

The non-conforming dwelling is located at 4 Hunting Street, in a Single Residence District, on a 4,184 square foot lot with a minimum left side yard clearance of 10.9 feet of 10.9 feet; a minimum rear yard clearance of 9.6 feet and a minimum right side yard clearance of 14.2 feet.

In March, 1966, the Board of Appeals granted a variance (ZBA 66-4) to Richard and Mary Foley to construct a one-story addition, approximately 15 feet by 22 feet, at the rear of their dwelling with less than the required setbacks.

The petitioner is requesting a variance to construct a railed deck, approximately 15 feet by 22.6 feet, on the flat roof of this above-referenced addition with no change in the non-conforming setbacks of 10.9 from the left side line; 9.6 feet from the rear line; and 14.2 from the right side line. The discrepancy between the 22 foot and 22.6 foot measurement is a discrepancy between the 1966 Plot Plan and the new Plot Plan submitted with the petition. It does not represent an enlargement of the original roof.

A Plot Plan dated May 25, 1990, drawn by Anthony M. Dellorco, Registered Land Surveyor; construction drawings and elevations drawn by the petitioner; and photographs were submitted.

The Planning Board, on June 19, 1990, voted to offer no objection to the request.

ZBA 90-58
Petition of Francis B. Laughlin
4 Hunting 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 the proposed second-story railed deck conforms to the present lines of the house and does not alter the relationship of the house to any existing 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 drawings 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

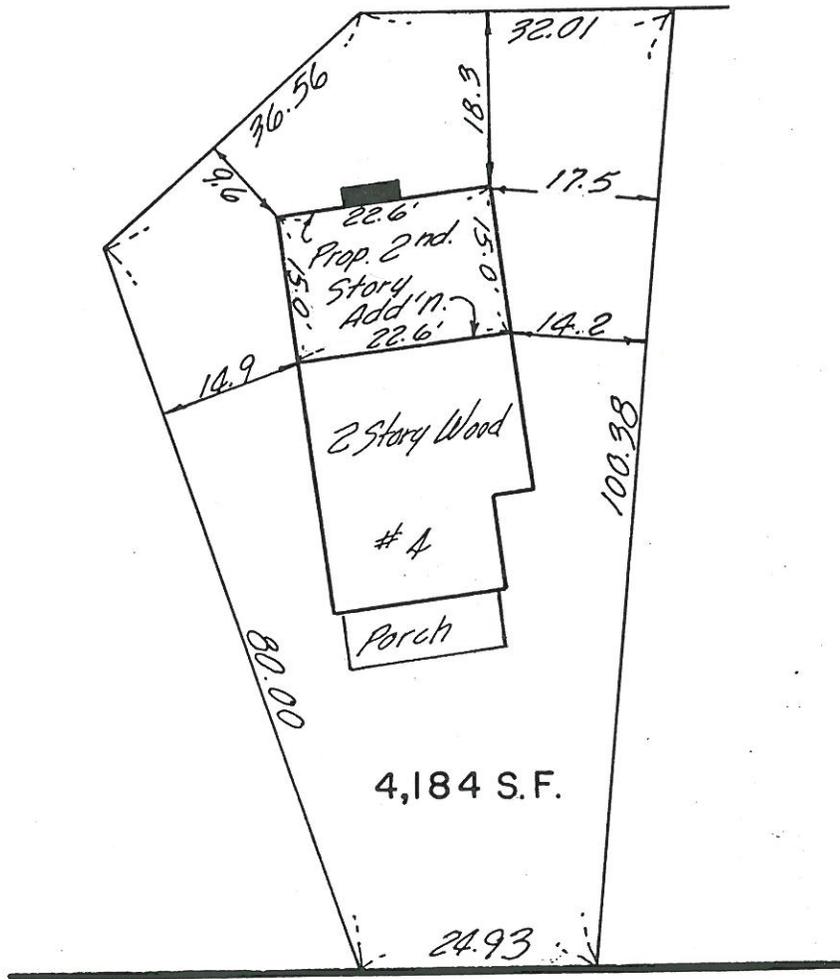

John R. Donovan, Jr., Chairman


Kendall P. Bates


Robert R. Cunningham

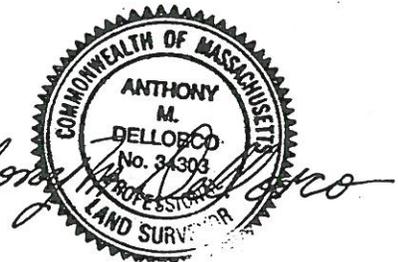
RECEIVED
TOWN CLERK'S OFFICE
WELLESLEY, MA 02181

JUL 19 8 42 AM '90



JUN 11 9 53 AM '90
 RECEIVED OFFICE
 TOWN CLERK'S
 WELLESLEY, MA 02181

HUNTING STREET



PLOT PLAN OF LAND
 IN
WELLESLEY — MASS.

MAY 25, 1990 SCALE 1"=20'

NEEDHAM SURVEY ASSOCIATES, INC.
 281 CHESTNUT ST
 NEEDHAM, MASS.