



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

SEP 19 11 41 AM '90

ZBA 90-71
Petition of David R. Harding
18 Durant Road

Pursuant to due notice, the Permit Granting Authority held a Public Hearing on Thursday, August 30, 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 DAVID R. HARDING 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 one-story addition approximately 14 feet by 12 feet at his non-conforming dwelling at 18 DURANT ROAD, in a Single Residence District, with less than the required right side yard.

On August 13, 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 were David and Jan Harding. Mr. Harding said that the request was for the addition of a family room at the rear of their home. The house has less than 1,000 square feet, and space is limited. The addition is an extension of the existing dwelling.

No other person present had any comment on the petition.

Statement of Facts

The non-conforming dwelling is located at 18 Durant Road, in a Single Residence District, on a 7,500 square foot lot, with a minimum right side yard clearance of 17 feet and a minimum front setback of 29 feet.

The petitioner is requesting a variance to construct a one-story addition approximately 14 feet by 12 feet at the right rear corner of the dwelling, which would leave a minimum right side yard clearance of 17 feet.

A Plot Plan, dated August 3, 1990, drawn by Walter R. Ryan, Registered Land Surveyor; construction drawings and elevations, dated August 6, 1990, drawn by K. Chapman of Chapman Design Service; and photographs were submitted.

The Planning Board, on August 21, 1990, voted to recommend that the petition be denied as it represents over-building on an undersized lot.

ZBA 90-71
Petition of David R. Harding
18 Durant Road

Decision

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

It is the opinion of this Authority that the proposed one-story addition conforms to the present lines of the house and does not alter the relationship of the house to the right 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.

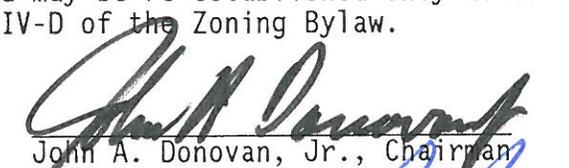
Therefore, the requested variance is granted subject to construction in accordance with the plot plan and construction drawings as submitted and noted in the foregoing Statement of Facts, said addition coming no closer than 17 feet from the right side lot line.

The Inspector of Buildings is hereby authorized to issue a permit for 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.

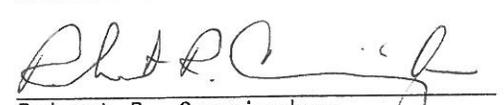
cc: Planning Board
Inspector of Buildings
edg



John A. Donovan, Jr., Chairman



Kendall P. Bates

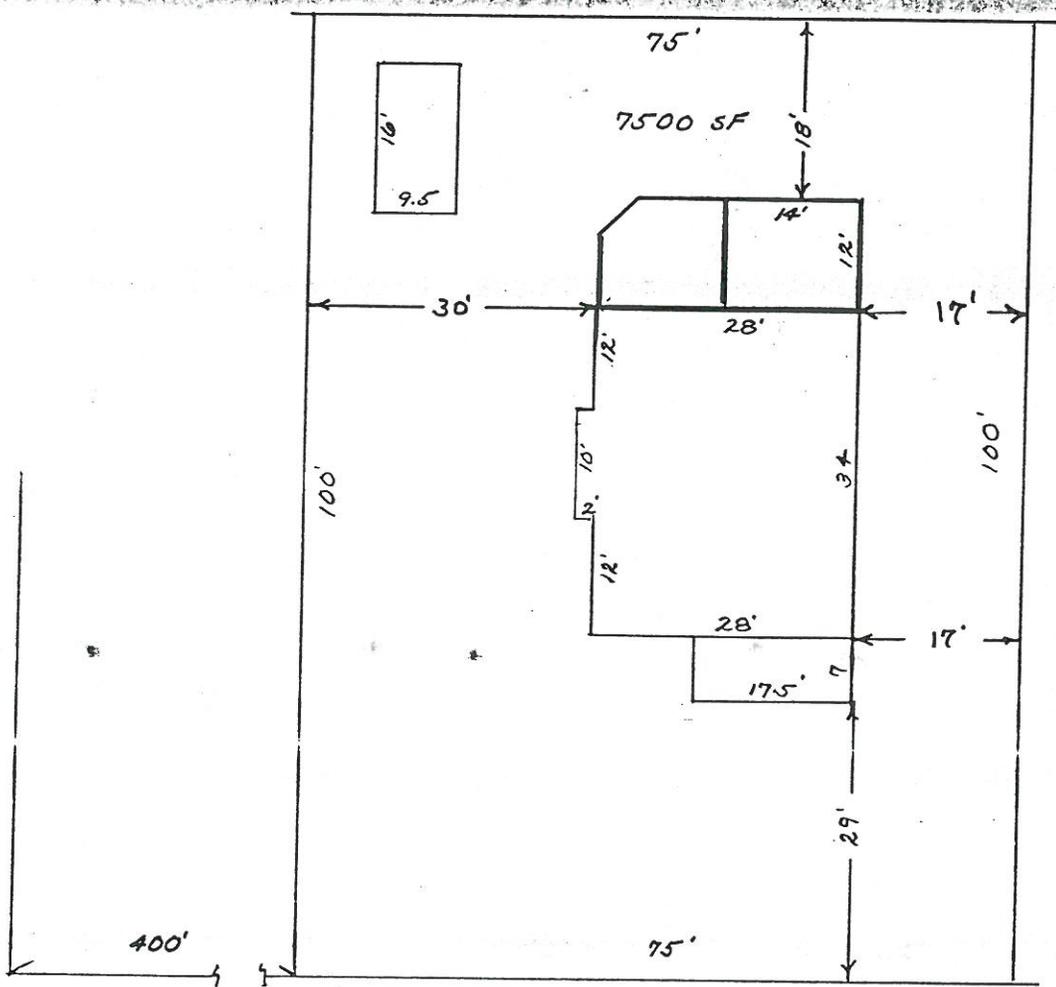


Robert R. Cunningham

RECEIVED
TOWN CLERK'S OFFICE
WELLESLEY, MA 02181

SEP 19 11 34 AM '90

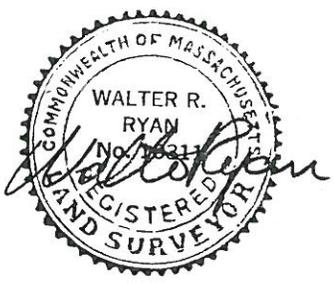
CLAFIN ROAD



DURANT ROAD

RECEIVED
 TOWN CLERK'S OFFICE
 WELLESLEY, MA 02181
 Aug 13 11 04 AM '90

PLAN OF LAND
 IN
 WELLESLEY, MASS.



SCALE 1" = 20' W.R. RYAN PE
 AUGUST 3, 1990