TOWN OF WELLESLEY MASSACHUSETTS

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

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ZBA 91-23
Petition of Laszlo and Judy Reiszner
7 Vista Road

Pursuant to due notice, the Permit Granting Authority held a Public Hearing on Thursday, May 23, 1991 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 LASZLO AND JUDY REISZNER 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 an 8 foot extension to their nonconforming porch with less than the required left side yard at 7 VISTA ROAD, in a Single Residence District. Construction of said extension would change the dimensions of said porch from 22 feet by 12 feet to 22 feet by 20 feet and would include raising the ridge line of the porch roof approximately 1 foot to accommodate said extension.

On May 6, 1991, 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 Mr. and Mrs. Reiszner. Mr. Reiszner said that would like to extend their existing porch, which is long and narrow, another 8 feet to the rear. The proposed extension will come no closer to the lot line than the existing porch. The abutter on the left side has no objection.

Patty Chabot, 78 Hopkinson Street, was concerned that the raised roof line of the Laszlo porch would increase the water runoff onto her property which is behind and much lower than the Laszlo property. The Board noted that the increased runoff would be negligible, and would run to the left, away from the Chabot property.

No other person present had any comment on the petition.

## Statement of Facts

The nonconforming dwelling is located at 7 Vista Road, in a Single Residence District, on a 9,750 square foot lot, with a minimum left side yard clearance of 10.3 feet.

In 1976, the Board of Appeals granted a variance to the present owners to allow completion of a partially constructed enlargement approximately 9 feet by 12 feet to the existing porch with a minimum side yard clearance of 10.3 feet (ZBA 76-60).

The petitioners are now seeking a variance to construct a further 8 foot expansion of said porch, which will increase the dimensions of the porch from 22 feet by 12 feet to 22 feet by 20 feet, with a minimum left side yard clearance of 10.3 feet.

A Plot Plan dated April 12, 1991, drawn by Sidney Vaughn, Registered Land Surveyor; construction sketches and elevations; and photographs were submitted.

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The Planning Board reviewed the petition on May 16, 1991 and voted to recommend denial of the variance request.

## 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 porch expansion conforms to the present lines of the house and does 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 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 for the 8 foot expansion of the nonconforming porch including the raising of the ridge line of the existing porch roof approximately 1 foot in accordance with the Plot Plan and construction sketches 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.

John A. Donovan, Jr., Chairman

Kendall P. Bates

Robert R. Cunningham

cc: Planning Board
Inspector of Buildings
edg

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## INSTRUCTIONS

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**TO BUILDER:**

1. Concrete forms must be surveyed and location certified **before** pouring concrete.
2. If blocks are used, survey must be made after first course is in place.
3. **DO NOT POUR** foundation walls or continue laying blocks until this completed form has been filed with the Building Department and Building Permit card has been issued.

**TO REGISTERED LAND SURVEYOR OR CIVIL ENGINEER:**

1. Original certification must be drawn in **INK**, our duplicate copy acceptable using carbon. No Xerox copies of this form will be accepted.
2. Indicate Board of Appeals variance, if any.
3. Locate all existing foundations and form locations. Give distances from lot lines and other buildings, at the nearest point.
4. Locate sewage disposal system, if any.
5. Show all building extensions outside foundations, including cantilevers. Porches, decks, chimneys, projecting windows are subject to yard setback regulations.

**ZONING CERTIFICATION FORM MUST BE COMPLETED BY A REGISTERED LAND SURVEYOR OR CIVIL ENGINEER.**

# ZONING CERTIFICATION FORM

**Building Permit No.** _____

Street VISTA RD. No. 7

Builder _____

Address _____

Owner LASZLO REISZNER

Address 7 VISTA RD., WELLESLEY

Building dimensions 8.0 X 21.15 (AVERAGE)

Distances:

Adjoining Bldgs. 16.3'

Front Yard _____ Rear Yard 47.2'

Side Yard 10.3' Side Yard 41.1'

Area of Lot 9750 SQ. FT.

PROPOSED PORCH ADDITION SHOWN IN RED.
EXISTING COVERAGES:
HOUSE; 1105 SQ. FT. 11.3 %
GARAGE ; 277 SQ. FT. 3%
PROPOSED PORCH ADDITION ; 169.2 SQ. FT.
FINAL TOTAL COVERAGE 16 %




**COMPLETE INSTRUCTIONS ON REVERSE SIDE OF DUPLICATE COPY**

**ORIGINAL**

**FOR BUILDING DEPARTMENT USE ONLY**

Stamped & Signed By: Sidney R. Vaughan
Reg. Land Surveyor or Civil Engineer

Date APRIL 12, 1991 Address CHENEY ENGINEERING CO., INC. 32 JUNCTION ST., NEEDHAM, MASS