



ZONING BOARD OF APPEALS  
TOWN HALL WELLESLEY, MA 02181

Oct 6 7 55 AM '94

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

ELLEN D. GORDON  
Executive Secretary  
Telephone  
431-1019 X208

RECEIVED  
TOWN CLERK'S OFFICE  
WELLESLEY, MA 02181

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

ZBA 94-65  
Petition of Randall and Lydia Barrett  
22 Atwood Street

Pursuant to due notice, the Permit Granting Authority held a Public Hearing on Thursday, September 22, 1994 at 8 p.m. in the Selectmen's Meeting Room (Conference Room B) at the Town Hall, 525 Washington Street, Wellesley, on the petition of RANDALL AND LYDIA BARRETT 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 20 feet by 16 feet, with less than the required left side yard, and a deck surrounding the addition, which will be approximately 26.3 feet by 27.6 feet with less than the required left side yard, at their nonconforming dwelling with less than the required left side yard at 22 ATWOOD STREET, in a Single Residence District.

On September 2, 1994, the petitioners filed a request for a hearing before this Authority, and thereafter due notice of the hearing was given by mailing and publication.

Presenting the case at the hearing were Lydia and Randall Barrett. Mrs. Barrett said that they would like to renovate their kitchen, add a family room and a deck at the rear of the house. The house, which was built in 1925, was nonconforming at the time of construction. The proposed addition and deck will not encroach any closer than the existing structure on the left side lot line. Mrs. Barrett submitted a letter of support from Mr. and Mrs. William Thibodeau, 20 Atwood Street, the left side abutters.

The Board noted that the Planning Board had recommended that the left portion of the deck be eliminated. The deck would not protrude any further than the side of the proposed addition on the left side of the house. There does not appear to be any access from the addition to this part of the deck, which makes the need for this portion of the deck questionable.

Mrs. Barrett said that the floor plan and elevations were incorrect. There were supposed to be sliding doors rather than the windows depicted on the plans.

The Board stated that if the windows were to be changed to sliding doors, a new floor plan and elevations would have to be submitted showing the change, which would make the left side of the deck accessible, and would give a reason for its existence.

No other person present had any comment on the petition.

ZBA 94-65  
Petition of Randall and Lydia Barrett  
22 Atwood Street

OCT 6 7 55 AM '94

RECEIVED  
TOWN CLERK'S OFFICE  
WELLESLEY

### Statement of Facts

The subject property is located on a 12,153 square foot lot at 22 Atwood Street, in a Single Residence District, and has a minimum left side yard clearance of 9.6 feet. The petitioners are requesting a variance to construct a one-story addition approximately 20 feet by 16 feet which would have a minimum left side yard clearance of 14.5 feet, and a deck surrounding the addition approximately 26.3 feet by 27.6 feet, which will have a minimum left side yard clearance of 11 feet.

A Plot Plan dated August 26, 1994, drawn by George N. Giunta, Registered Land Surveyor; a Floor Plan dated 8/22/94; Elevations dated 8/31/94; and photographs were submitted.

On September 13, 1994, the Planning Board reviewed the petition and voted to offer no opposition to the request if the portion of the deck that is proposed to be located at the left side of the pre-existing nonconforming dwelling is eliminated from the plan.

On September 28, 1994, the petitioners submitted revised floor plans and elevations showing the replacement of the windows with sliding doors.

### Decision

This Authority has made a careful study of the materials submitted and the information presented at the hearing. The subject dwelling 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 one-story addition and surrounding deck 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 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 to construct the one-story addition and deck subject to conformance with the plot plan and revised floor plan and elevations 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 detailed construction plans.

ZBA 94-65  
Petition of Randall and Lydia Barrett  
22 Atwood Street

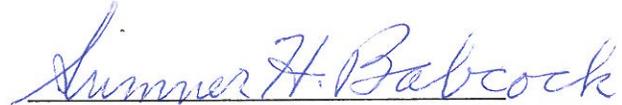
If the rights authorized by this variance are not exercised within one year of the date of grant of said variance, they shall lapse, and may be re-established only after notice and a new hearing pursuant to the provisions of Section XXIV-D of the Zoning Bylaw.

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



Kendall P. Bates  
Kendall P. Bates, Acting Chairman

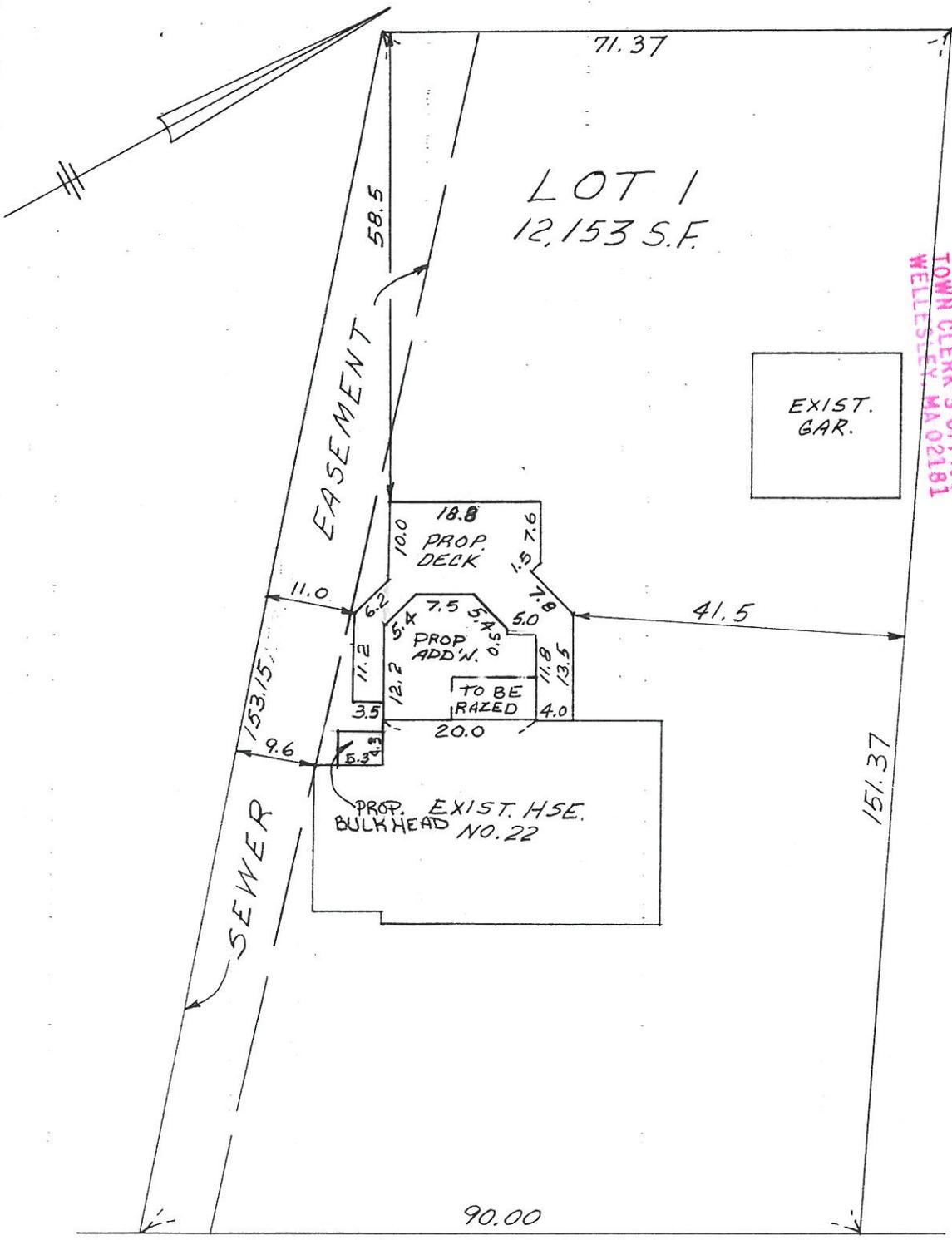


Sumner H. Babcock  
Sumner H. Babcock



William E. Polletta  
William E. Polletta

RECEIVED  
TOWN CLERK'S OFFICE  
WELLESLEY, MA 02181  
OCT 6 7 55 AM '94



RECEIVED  
TOWN CLERK'S OFFICE  
WELLESLEY MA 02181  
SEP 29 07 AM '94

ATWOOD ROAD  
PLOT PLAN OF LAND  
IN  
WELLESLEY MASS.

AUG. 26, 1994 SCALE 1" = 20'

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

