



ZONING BOARD OF APPEALS
TOWN HALL WELLESLEY, MA 02181

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ZBA 95-4
Petition of Babson College
175 Wellesley Avenue

Pursuant to due notice, the Permit Granting Authority held a Public Hearing on Thursday January 19, 1995 at 8:10 p.m. in the Selectmen's Meeting Room (Conference Room B) at the Town Hall, 525 Washington Street, Wellesley, on the petition of BABSON COLLEGE 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 15.4 feet by 17.3 feet at the left rear corner of its nonconforming dwelling, with less than the required left side yard setback, at 175 WELLESLEY AVENUE, in a Single Residence District. Said addition would also have less than the required left side yard setback.

On January 3, 1994, the petitioner requested a hearing before this Authority, and thereafter due notice of the hearing was given by mailing and publication.

Presenting the case at the hearing was Edward Adelman, Director of Physical Plant for Babson College. Mr. Adelman said that the house is owned by the college, and used to house their Director of Residential Life, Michael McBrien, who was also present. Due to the size of Mr. McBrien's family, Babson is requesting a variance for the single story addition, which would have less than the required left side yard setback.

Mr. Adelman stated that the home was constructed about 17 feet from the left side lot line. The addition will come no closer than the 17.3 foot setback of the existing house. There are no affected abutters as Babson owns all of the surrounding property.

The Board noted that there was a discrepancy between the 17.3 foot setback shown on the plot plan, and the 17.2 foot setback shown on the architectural drawing. Mr. Adelman said that the plot plan showed the correct measurement. The Board agreed that it would require a revision of the drawing to reflect the same 17.3 foot setback as shown on the plot plan.

No other person present had any comment on the petition.

Statement of Facts

The nonconforming dwelling is located at 175 Wellesley Avenue, on a 16,973 square foot lot, in a Single Residence District, and has a minimum left side yard clearance of 17.3 feet.

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The petitioner is requesting a variance to allow construction of a one-story addition approximately 15.4 feet by 17.3 feet, which would have a minimum left side yard clearance of 17.3 feet.

A Plot Plan dated October 31, 1994, drawn by Ralph J. Bibbo, Registered Professional Land Surveyor; Floor Plans and Elevations dated June 8, 1994, revised October 25, 1994, drawn by Stephen Craig Perry, Registered Architect; and photographs were submitted.

On January 10, 1995, the Planning Board reviewed the request and voted to offer no comment on the petition.

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 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 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 to construct the one-story addition in accordance with the submitted plot plan and architectural drawings, on the condition that a revised Site Plan (Number 3 on A-1) showing the left side yard setback as 17.3 feet rather than 17.2 feet shown, be submitted to the office of the Board of Appeals prior to the issuance of any building permit.

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, and subsequent to the petitioner's compliance with the aforementioned condition.

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.

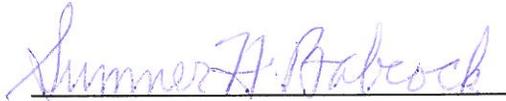
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175 Wellesley Avenue

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



Kendall P. Bates
Kendall P. Bates, Acting Chairman



Sumner H. Babcock
Sumner H. Babcock

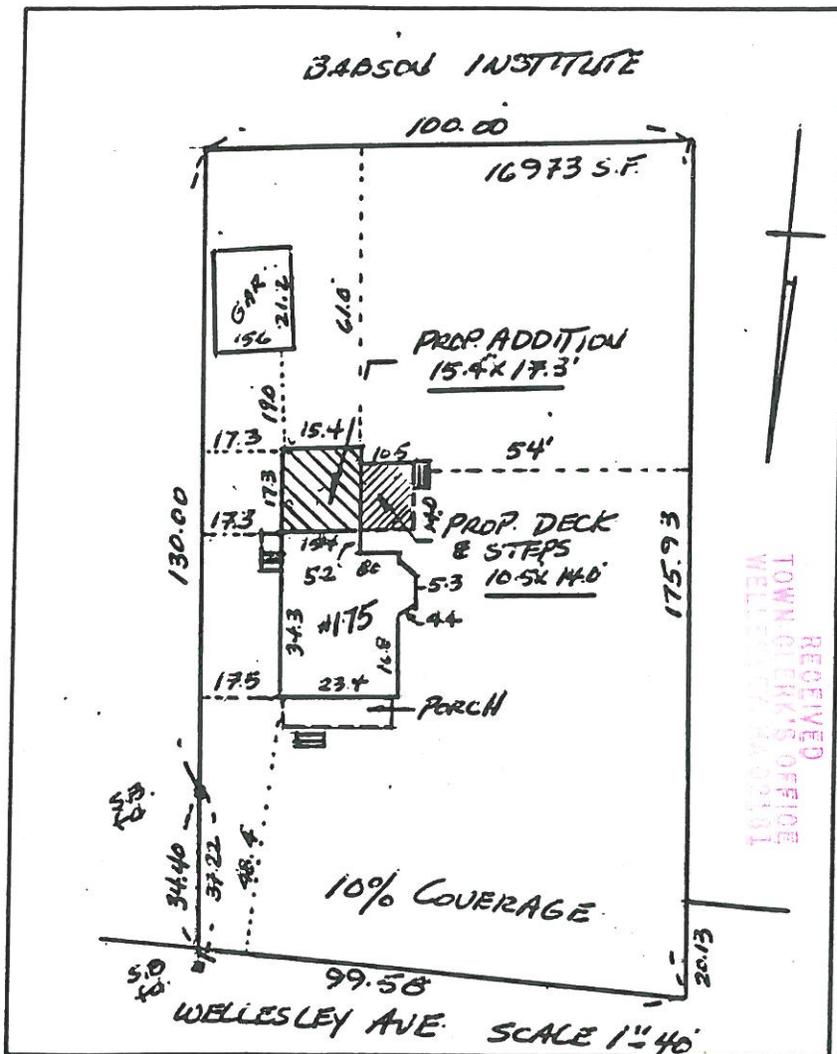


William E. Polletta
William E. Polletta

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PROPOSED CONSTRUCTION

CERTIFIED PLOT PLAN



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WELLESLEY, MASS 02151

JAN 3 10 52 AM '95

Date 10/31/94. Ralph J. Bisbo
Reg. Land Surveyor

10 Hammond Street, Wellesley
Address



Variance Application
Zoning Board of Appeals, Wellesley, Massachusetts
175 Wellesley Avenue