



ZONING BOARD OF APPEALS
TOWN HALL WELLESLEY, MA 02181

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ZBA 95-78

Petition of Jamie M. Hutchinson
231 Weston Road

Pursuant to due notice, the Permit Granting Authority held a Public Hearing on Thursday, November 30, 1995 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 JAMIE M. HUTCHINSON requesting a variance from the terms of Section XIX and pursuant to the provisions of Section XXIV-D of the Zoning Bylaw to allow demolition of an existing detached nonconforming garage and shed, and construction of a new detached garage approximately 20 feet by 24 feet, which will have less than the required right and rear yard setbacks, at her premises at 231 WESTON ROAD, in a Single Residence District.

On November 13, 1995, the petitioner 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 was Jamie Hutchinson, who was accompanied by her contractor, Russell Santoro. Mr. Santoro said that the new garage would use the same amount of footprint as the existing garage and shed, but the location would be changed to make the new two-car garage more conforming than the existing one.

Ms. Hutchinson added that the existing shed is currently being used to garage a car.

The Board noted that the Planning Board had recommended denial of the request, but in the opinion of the Board, the proposed construction would be an improvement to the property.

No other person present had any comment on the petition.

Statement of Facts

The subject garage is located at 231 Weston Road on an 8,544 square foot lot, in a Single Residence District, which contains a conforming dwelling and a nonconforming detached garage and shed approximately 20 feet by 24 feet, which has no setback from the right side lot line and a minimum rear yard clearance.

The petitioner is requesting a variance to demolish the existing garage and shed; and construct a new detached garage approximately 20 feet by 24 feet, which would have a minimum right side clearance of 3.2 feet from the right front corner, and a minimum rear yard clearance of 4.1 feet from the left rear corner. The left front corner would have a separation of 7.57 feet from the right rear corner of the dwelling.

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A Plot Plan dated 11/6/95, drawn by Alexander V. Zaleski, Professional Land Surveyor; Existing and Proposed elevations; and photographs were submitted.

On November 21, 1995, the Planning Board reviewed the petition, and recommended that the request be denied, as proposed placement of the new structure 3.2 feet from the right side lot line is unacceptable.

Decision

This Authority has made a careful study of the materials submitted and the information presented at the hearing. The subject garage does not conform to the current Zoning Bylaw, as noted in the foregoing Statement of Facts.

It is the opinion of this Authority that because of the shape of the lot and the location of the garage 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.

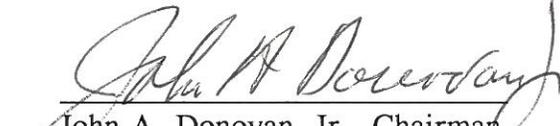
It is the unanimous decision of this Authority to grant the requested variance to demolish the existing garage and shed and to construct a new detached garage subject to construction in accordance with the submitted plot plan and elevation drawings.

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.

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 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

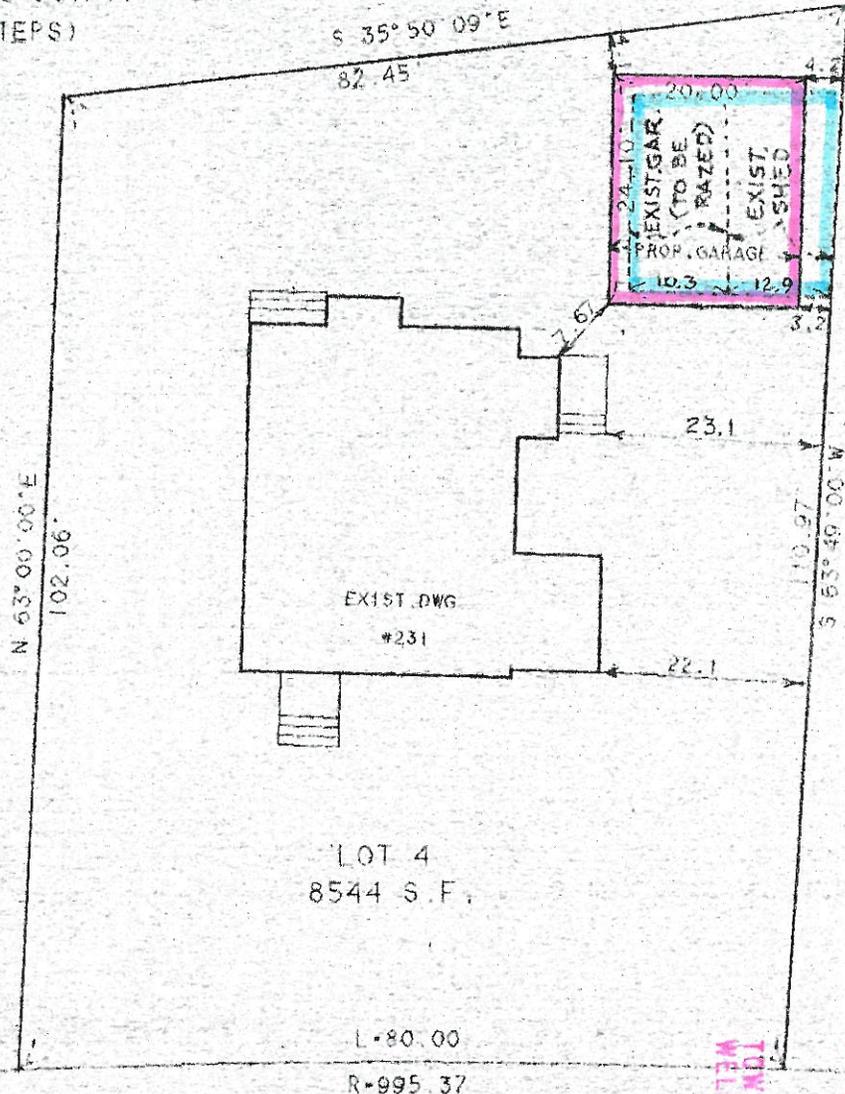
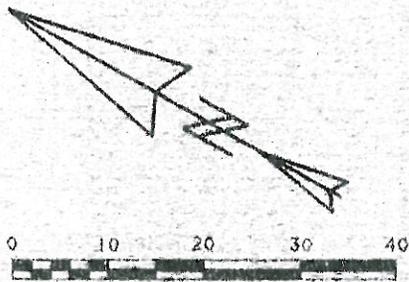

Robert A. Bastille

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EXISTING FOOTPRINT 1743 SQ. FT. • 20.4% LOT COVERAGE
 PROPOSED FOOTPRINT 1738 SQ. FT. • 20.3% LOT COVERAGE
 (INCL. DECK, GARAGE, STEPS)



11/6/95



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WESTON (Public) RD.

PLAN OF LAND IN WELLESLEY, MA

SCALE 1" = 20' DATE: 11.6.95
 ALEXANDER V. ZALESKI, PLS
 248 MARKED TREE RD., NEEDHAM, MA 02192