



ZONING BOARD OF APPEALS

TOWN HALL • 525 WASHINGTON STREET • WELLESLEY, MA 02181

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SEP 20 12 34 PM '96

ZBA 96-67
Petition of Anne Epifano
10 Sessions Street

Pursuant to due notice, the Permit Granting Authority held a Public Hearing on Thursday, September 19, 1996 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 ANNE EPIFANO 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 7.58 feet by 5.04 feet with less than the required left side yard setback, at the rear of her nonconforming dwelling with less than the required left side yard setback, at 10 SESSIONS STREET, in a Single Residence District.

On September 3, 1996, 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 Anne Epifano, who said that she would like to extend her kitchen, which is now 10 feet by 6 feet, an additional 4 feet, so it would be 14 feet by 6 feet. Ms. Epifano said that the addition would hold a dishwasher, counterspace, cabinets, and would make the kitchen more comfortable.

No other person present had any comment on the petition.

Statement of Facts

The subject nonconforming dwelling is located at 10 Sessions Street, in a Single Residence District, on an 11,685 square foot lot, with a minimum left side yard clearance of 12.11 feet.

The petitioner is requesting a variance to construct a one-story addition approximately 7.58 feet by 5.04 feet at the rear of her dwelling, which will have a minimum left side yard clearance of 11.39 feet from the left rear corner.

A Plot Plan dated 9/25/96 drawn by Louis Bruno, Professional Land Surveyor; Floor Plans and Elevations (A-1, A-2) dated 6/22/96, prepared by Stitham Associates; and photographs were submitted.

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On September 17, 1996, the Planning Board reviewed the petition and voted to recommend no objection as the addition is one-story, quite small, continues the "line of the house", and encroaches beyond the existing house only a very minor amount.

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 current lines of the house, and the additional encroachment of .72 feet is de minimus and can be allowed.

It is the further 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.

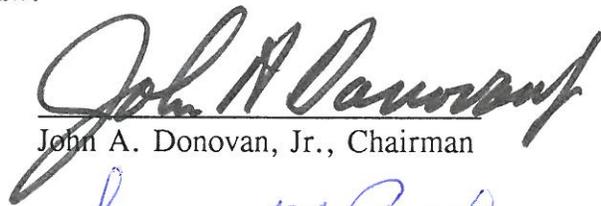
Therefore, the requested variance is granted, as unanimously voted by this Authority at the Public Hearing, to construct the one-story addition in accordance with the submitted plot plan and construction drawings.

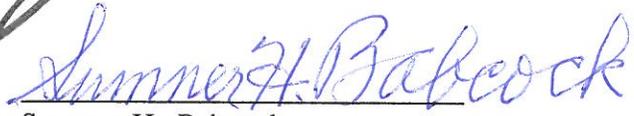
The Inspector of Buildings is hereby authorized to issue a permit for the construction upon his receipt and approval of a building application and detailed construction plans.

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.

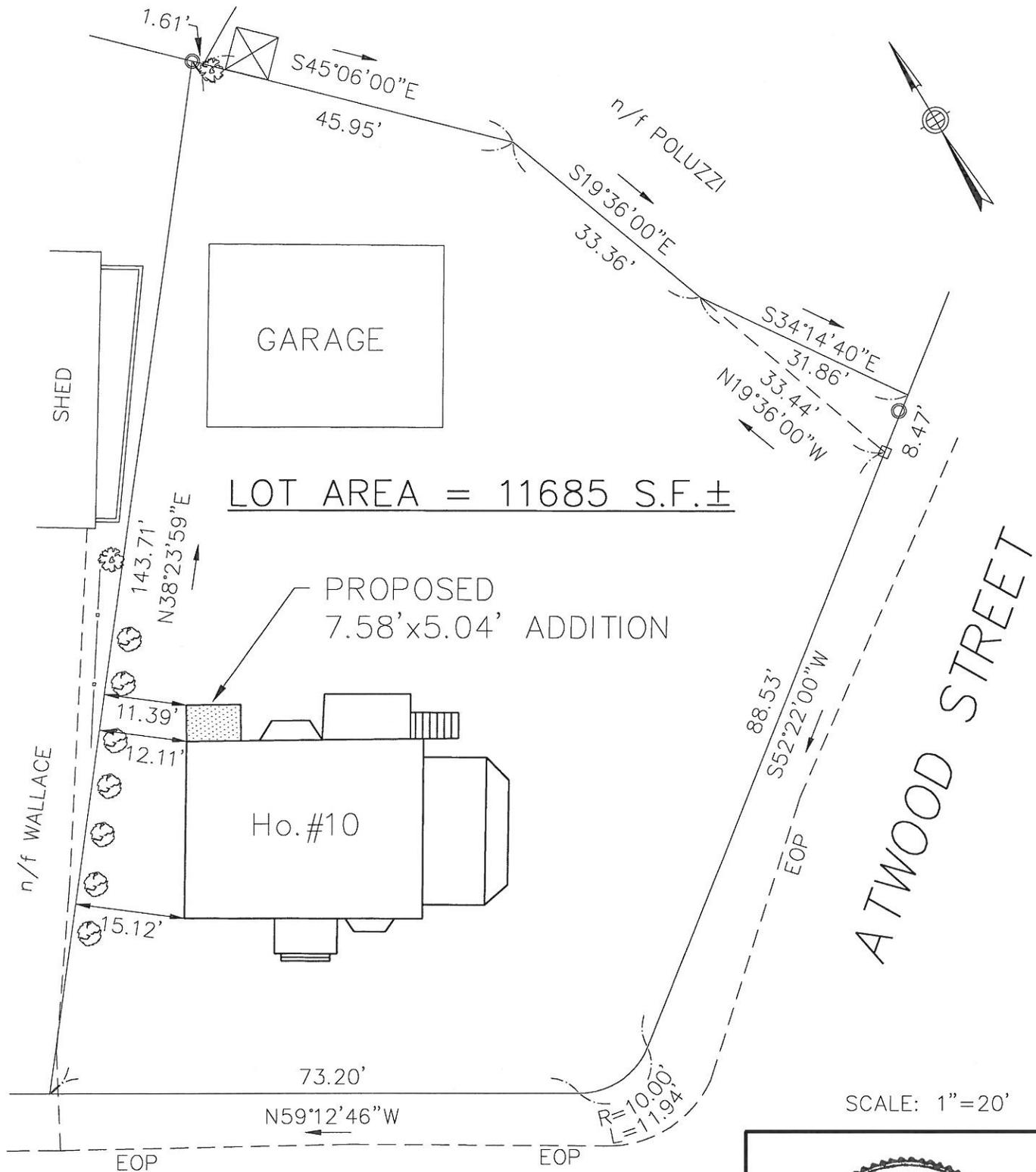
cc: Planning Board
Inspector of Buildings
edg


John A. Donovan, Jr., Chairman


Sumner H. Babcock


Robert A. Bastille

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SCALE: 1"=20'



Louis F. Bruno 9/25/06

GREENMAN-PEDERSEN INC.