



ZONING BOARD OF APPEALS

TOWN HALL • 525 WASHINGTON STREET • WELLESLEY, MA 02181

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Nov 1 8 15 AM '96
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ZBA 96-72

Petition of Gerald S. and Eileen Kramer
16 Bluebird Road

Pursuant to due notice, the Permit Granting Authority held a Public Hearing on Thursday, October 24, 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 GERALD S. AND EILEEN KRAMER 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 3.6 foot by 22 foot garage expansion with less than the required left side yard setback, at their conforming dwelling at 16 BLUEBIRD ROAD, in a Single Residence District.

On October 7, 1996, 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 was Gerald Kramer, who said that they have lived in their home for 30 years. They have three children. Their two sons are autistic, and presently live in a group home in Townsend. When the Kramers bring them home for weekend visits, there are difficulties in the transition from the car into the house. They need a direct passageway from the garage into the back door. The garage is very narrow and houses a large chimney. In order to expand the garage to gain additional space for the passageway, it is necessary to add 3.6 feet to the left side of the garage, which will encroach into the left side yard setback.

The Board noted that a letter in support of the petition had been received from the Glasses, the left side abutters, and that the Planning Board had no objection to granting the variance.

No other person present had any comment on the petition.

Statement of Facts

The subject conforming property is located at 16 Bluebird Road, in a Single Residence District, on a 10,000 square foot lot.

The petitioners are requesting a variance to construct a 3.6 foot by 22 foot garage expansion, which would leave a minimum left side yard clearance of 17 feet.

A Plot Plan dated 8/23/96, drawn by Malcolm E. Austin, Registered Professional Land Surveyor; Floor Plans and Elevations dated August 12, 1996, revised August 15, 1996, drawn

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WELLESLEY, MA 02158

by Wellesley Design Services; and photographs, were submitted.

A letter in support of the petition was received from Arthur and Sharon Glass, 14 Bluebird Road, the left side abutters.

On October 15, 1996, the Planning Board reviewed the petition and voted to recommend no comment as it does not appear, in this instance, that there alternatives for the applicants.

Decision

This Authority has made a careful study of the materials submitted and the information presented at the hearing. The subject dwelling conforms to the current Zoning Bylaw. The 3.6 foot by 22 foot garage expansion would render the dwelling nonconforming in regard to the left side yard clearance.

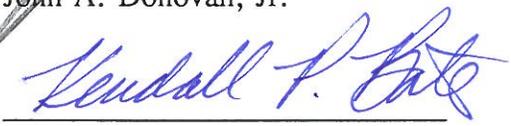
It is the opinion of this Authority that because of the shape of the lot, the location of the house on the lot, and the unique personal situation of the petitioners, a literal enforcement of the provisions of Section XIX of the Zoning Bylaw would involve a substantial hardship to the petitioners, and that desirable relief may be granted without substantially derogating from the intent or purpose of the Zoning Bylaw.

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

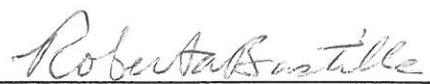
The Inspector of Buildings is hereby authorized to issue a permit for the construction upon receipt and approval of a building application and detailed construction plans.

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.


John A. Donovan, Jr.

Kendall P. Bates

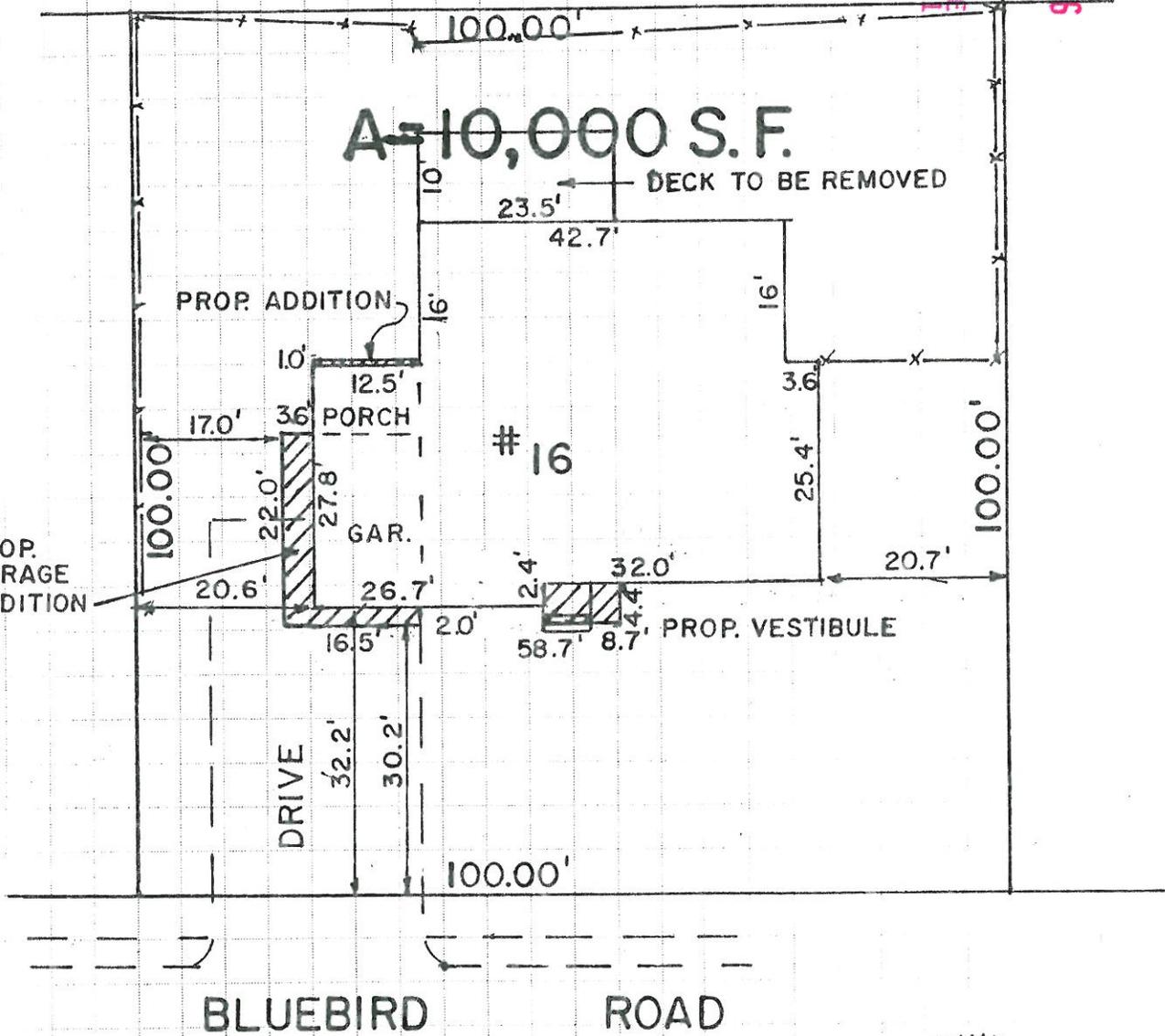
cc: Planning Board
edg Inspector of Buildings


Robert A. Bastille

MALCOLM E. AUSTIN ASSOCIATES
 61 Brock Street
 STOUGHTON, MA 02072

JOB _____
 SHEET NO. _____ OF _____
 CALCULATED BY _____ DATE _____
 CHECKED BY _____ DATE _____
 SCALE _____

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 WELLESLEY, MA 02181
 Oct 7 9 00 AM '96



EXISTING LOT COVERAGE	2473.3 S.F.	24.7%
PROP. LOT COVERAGE	2368.9 S.F.	23.7%



Malcolm E. Austin

8-23-96