

TOWN OF WELLESLEY



MASSACHUSETTS

**ZONING BOARD OF APPEALS**

TOWN HALL • 525 WASHINGTON STREET • WELLESLEY, MA 02181-5992

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1998 JUN -2 A 8:06

ZBA 98-41

Petition of Veronica and Giovanni Castellucci  
29 Abbott Road

Pursuant to due notice, the Permit Granting Authority held a Public Hearing on Thursday, May 21, 1998 at 8 p.m. in the Great Hall at the Town Hall, 525 Washington Street, Wellesley, on the petition of VERONICA AND GIOVANNI CASTELLUCCI 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 nonconforming front porch and construction of a new unenclosed 34.6 foot by 8 foot front porch with less than the required setback from ABBOTT ROAD, with an 8 foot by 10 foot extension along the right side of the dwelling, which will have less than the required front setback from both ABBOTT ROAD and CAROLINE STREET, at their nonconforming dwelling with less than the required front setbacks from ABBOTT ROAD and CAROLINE STREET, at 29 ABBOTT ROAD, in a Single Residence District.

On April 30, 1998, 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 Veronica Castellucci, who said that they purchased the house in 1996. In 1993, the Board had granted a variance to construct the porch they were now requesting, but it was never acted upon. The house had a wrap-around porch when it was built in 1850. In 1958, a car went into the porch, which was then taken down and replaced by the existing front porch. The house is very tall, and needs the balance of the wrap-around porch.

Mrs. Castelluci explained that after the plans had been drawn according to the dimensions granted by the previous variance, they realized that the right rear column would bisect the window. They would like an additional 1.2 feet on the right side porch extension to bring the column past the window. A revised plot plan and a revised elevation drawing showing the length of the right side porch at 11.2 feet rather than 10 feet, have been submitted.

The Board commented that the Planning Board had no objection to the request, provided that the porch remain an open porch in perpetuity.

No other person present had any comment on the petition.

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Statement of Facts

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The subject property is located at 29 Abbott Road, in a Single Residence District, on an 8,657 square foot lot, and has a minimum front yard setback of 20 feet from Abbott Road and a minimum front setback of 29.2 feet from Caroline Street.

The original house was constructed in 1850, and probably included a wrap-around porch. In 1958, the prior owner removed the porch and constructed the existing porch, which extends across only a portion of the front of the house. In 1993, the Board granted a variance (ZBA 93-41) to Carroll Stewart to demolish the existing porch and construct an unenclosed front 34.6 foot by 8 foot front porch with a 10 foot by 8 foot extension along the right side of the dwelling. This variance was never exercised.

The petitioners originally requested a variance for an unenclosed front porch and right side extension with the same dimensions as previously granted. The request has been revised to lengthen the right side extension to 11.2 feet, rather than the 10 feet previously granted. The 34.6 foot by 8 foot front porch will have a minimum front setback of 20 feet from Abbott Road; the 11.2 foot by 8 foot right side extension will have a minimum front setback of 21.3 feet from Abbott Road and a minimum 18.3 foot front setback from Caroline Street.

A plot plan dated April 16, 1998, revised May 8, 1998, drawn by George N. Giunta, Registered Land Surveyor; Floor Plans and Elevations dated 4/7/98, drawn by Christopher Hall, Architect; and photographs were submitted.

On May 12, 1998, the Planning Board reviewed the petition and had no objection to the granting of the request provided that the porch remains an open porch in perpetuity.

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 re-instatement of the wrap-around porch has both a historical precedent as well as a prior variance approval, and that the additional 1.2 foot length of the right side porch is not a substantive change from the prior variance.

It is the strong recommendation of this Authority that neither the front porch nor the right side porch extension ever be enclosed.

This Authority is of the opinion 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.

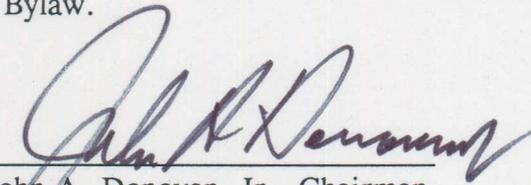
Therefore, the requested variance is granted, as voted unanimously by this Authority at the Public Hearing, to allow demolition of the existing front porch and construction of a new unenclosed 34.6 foot by 8 foot front porch and an 8 foot by 11.2 foot unenclosed right side porch extension, subject to construction in accordance with the submitted revised plot plan and revised construction drawings.

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

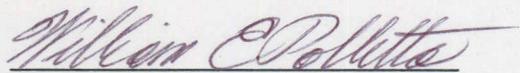
If the rights authorized by this variance are not exercised within one year of the date of grant of said variance, they shall lapse, and may be re-established only after notice and a new hearing pursuant to Section XXIV-D of the Zoning Bylaw.

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.

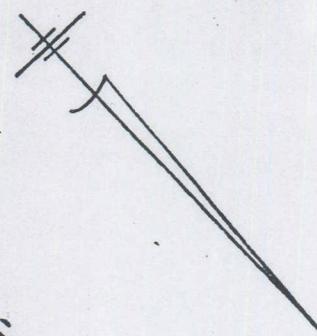
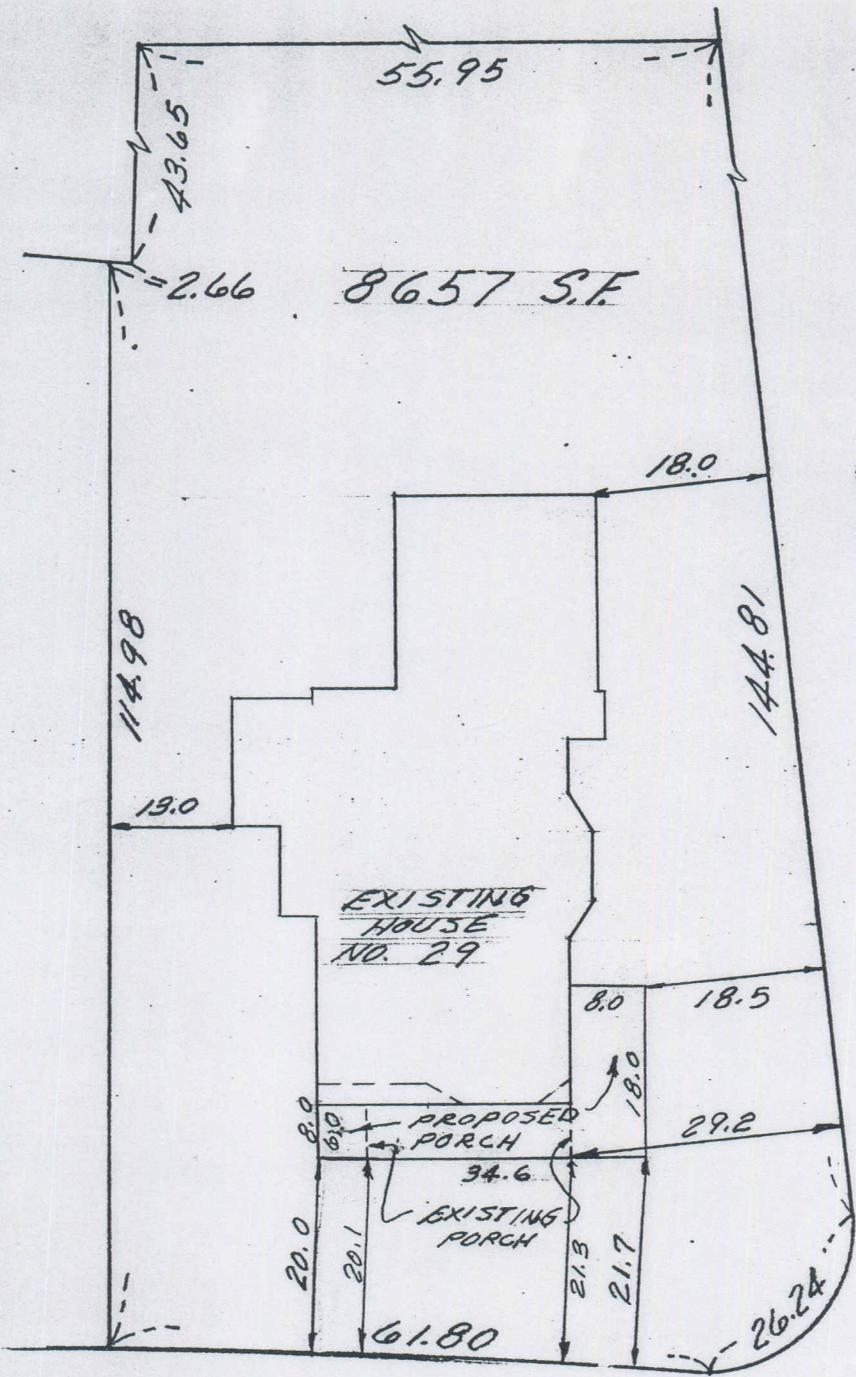
cc: Planning Board  
Inspector of Buildings  
edg

  
John A. Donovan, Jr., Chairman

  
Kendall P. Bates

  
William E. Polletta

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S.T.  
 1998 APR 30 A 10-51  
 CAROLINE WILSON

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ABBOTT ROAD

PLOT PLAN OF LAND  
 IN  
**WELLESLEY — MASS**

APRIL 28, 1993 SCALE 1" = 20'  
 REV. APRIL 16, 1998  
 NEEDHAM SURVEY ASSOCIATES, INC.  
 281 CHESTNUT ST  
 NEEDHAM, MASS.



EXISTING LOT COV. = 22.45%  
 PROPOSED LOT COV. = 24.4%