77-54

TOWN OF WELLESLEY MASSACHUSETTS

ZONING BOARD OF APPEALS

FRANCIS L. SWIFT, Chairman
HENRY H. THAYER
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WILLIAM E. POLLETTA
WILLIAM F. CULLINANE
FRANKLIN P. PARKER

KATHARINE E. TOY
Administrative Secretary
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235-1664

Petition of John D. and Charline Sullivan

Pursuant to due notice the Permit Granting Authority held a public hearing in the hearing room on the second floor of the Town Hall at 8:20 p.m. on November 3, 1977, on the petition of John D. and Charline Sullivan, requesting a variance from the terms of Section XIX of the Zoning By-law which will allow the petitioners to construct an addition on the front of their dwelling at 11 Intervale Road, with a side yard less than the required twenty feet. The petitioners further request a variance which will allow them to construct a deck on the side of their dwelling with a side yard less than the required twenty feet. Said requests were made under the provisions of Section XXIV-D of the Zoning By-law.

On October 18, 1977, the petitioners filed their request for a hearing before this Board and thereafter due notice of the hearing was given by mailing and publication.

John D. Sullivan spoke in support of the request at the hearing.

Statement of Facts

The property involved is located within a Single Residence District requiring a minimum lot area of 10,000 square feet. The house involved was built in 1922, prior to the enactment of the side yard requirement of twenty feet, on a lot containing 6,036 square feet.

The petitioners seek permission to construct an addition 7'1" x 9'0" on the northeasterly corner of the house and a sundeck approximately 13'0" x 9' on the southeasterly corner of the house. It was stated at the hearing that the addition on the front corner of the house will provide a front hall closet and additional space in the master bedroom for a closet. Additional closet space is greatly needed as the house now has only two closets and the basement is not dry enough for storage. The sundeck, it was stated, has been designed to follow the line of the landscaping in the yard so that, if built, it will not be visible from the neighbor's yard.

It was pointed out that while the addition on the front of the house will be only 16' from the side lot line, it will fill in an open space and continue the line of the existing house. The sundeck will be only 6½' from the lot line, if built, at the nearest point, but the major portion of it will be at least 10' from the line. Due to the size of the lot and the width of the lot, it is not possible to construct an addition of any size which will conform with the Zoning By-law. Substantial hardship, it is felt, will result if the requested variance is not granted.

Decision

It is the opinion of this Board after making a careful study of

the plans and evidence submitted as well as viewing the locus, that there is a real need for the proposed addition which will provided added closet space in the house and the deck, as designed, will be screened and will not prove detrimental to surrounding properties.

The lot is very narrow, with a frontage of only 60' and narrowing down to 54.97' in the rear. The house is located less than twenty feet from both ~~both~~ side lot lines which leaves no space available to construct an addition which will conform with the Zoning By-law.

Therefore, it is the unanimous opinion of this Board that owing to circumstances relating to the shape of the lot involved, a literal enforcement of the provisions of Section XIX of the Zoning By-law would involve substantial hardship to the petitioners. It is the further opinion of this Board that desirable relief may be granted without substantial detriment to the public good and without nullifying or substantially derogating from the intent or purpose of the Zoning By-law.

Accordingly, the requested variance is granted and the Building Inspector is authorized to issue a permit for the proposed addition and sundeck as shown on the plan submitted and on file with this Board.

Francis L. Swift

Francis L. Swift

William O. Hewett

William O. Hewett

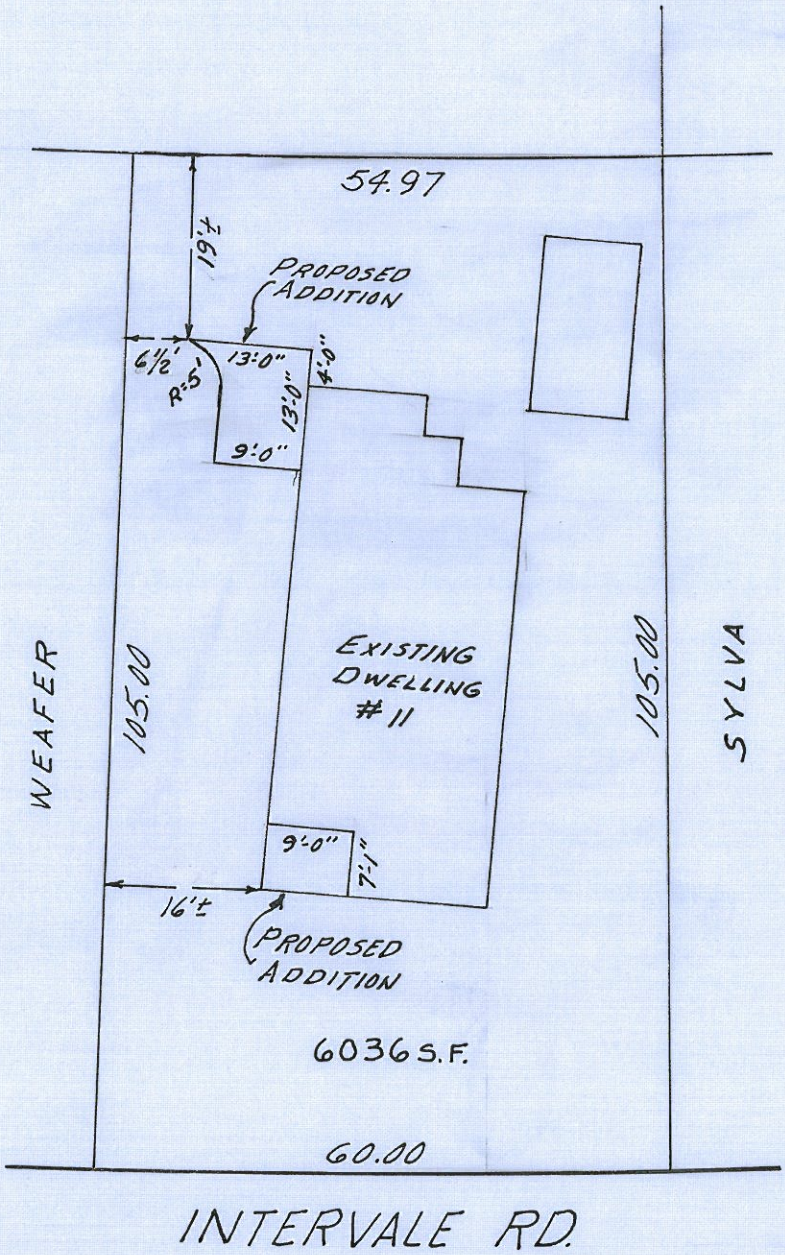
William F. Cullinane

William F. Cullinane

Filed with Town Clerk _____

DEC 18 10 41 AM '71
WESTERN MASS.
TOWN CLERK'S OFFICE
RECEIVED

Copies of the decision and all plans referred to in the decision have been filed with the Town Clerk



COMMONWEALTH OF MASSACHUSETTS
CHARLES D. THOMPSON
No. 14675
REGISTERED LAND SURVEYOR

Charles D. Thompson

PLAN OF LAND IN WELLESLEY MASS.

SCALE: 1 IN. = 20 FT.

SEPT. 21, 1977

EVERETT M. BROOKS CO.
NEWTONVILLE

CIVIL ENG'RS.
MASS.

13276