

TOWN OF WELLESLEY



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ZONING BOARD OF APPEALS  
TOWN HALL WELLESLEY, MA 02181

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ZBA 88-81  
The Whitney Group, Ltd.  
153 Edmunds Road

Pursuant to due notice, the Permit Granting Authority held a Public Hearing on Thursday, September 22, 1988 at 8 p.m. in the Selectmen's Meeting Room (Conference Room B) of the Town Hall, 525 Washington Street, Wellesley, on the petition of THE WHITNEY GROUP, LTD. requesting a variance from the terms of Section XIX and pursuant to Section XXIV-D of the Zoning Bylaw to allow construction of a semi-circular main entrance canopy with a width of 10 feet and projecting 6.5 feet from the dwelling at 153 EDMUNDS ROAD, in a Single Residence District. A variance is requested as the canopy will project more than the 5 feet allowed and will leave less than the required front setback, as the closest front setback of a dwelling within 500 feet of said property is 46 feet.

On September 6, 1988, the petitioner requested a hearing before this Board and thereafter due notice of the hearing was given by mailing and publication.

Presenting the case at the hearing was Carolyn Shea, Vice President of the Whitney Group, Ltd., who was accompanied by Arshag Merguerian, architect for the project. Ms. Shea said that the Whitney Group had purchased the property, which was in poor condition, with the intention of reconstructing it in the style and quality appropriate to the neighborhood. The construction of the canopy entrance is an integral part of the design. Ms. Shea submitted copies of a petition signed by neighbors and abutters in support of the petition.

Mr. Merguerian located the dwelling on a site plan showing the setbacks of the adjacent homes. He said the canopy would provide cover for the front steps from the elements.

No other persons present had any comment on the petition.

#### Statement of Facts

The dwelling in question is located at 153 Edmunds Road, in a Single Residence District, on a 25,522 square foot lot with a front setback of 46.73 feet. The front yards of existing buildings within 500 feet of the subject dwelling are all greater than 30 feet, the minimum depth being 46 feet.

The petitioner is requesting a variance for a semi-circular entrance canopy with a width of 10 feet and a projection of 6.5 feet. Section XIX of the Zoning Bylaw allows "a covered or uncovered, enclosed or unenclosed entrance porch on the first floor which neither exceeds a total area of 50 square feet nor projects more than five feet from the face of the building..." The petitioner is also requesting a variance from the front setback requirements as the proposed canopy will leave a

ZBA 88-81  
Petition of The Whitney Group, Ltd.  
153 Edmunds Road

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front setback of 40 feet while the minimum front setback of the closest dwelling within 500 feet is 46 feet.

A Plot Plan dated August 16, 1988, revised August 26, 1988, drawn by Daniel J. Morrissey, Professional Land Surveyor; a setback comparison of homes within 500 feet of the dwelling dated August 9, 1988, drawn by Daniel J. Morrissey, Professional Land Surveyor; construction plans and elevations dated June, 1988, drawn by Arshag Merguerian; and photographs were submitted.

The Planning Board, on September 13, 1988, voted to offer no objection to the variance request.

Decision

This Authority has made a careful study of the evidence presented. The subject house presently conforms to the Zoning Bylaws.

It is the opinion of this Authority that because of 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 to construct a semi-circular entrance canopy approximately 10 feet wide with a diameter of 6.5 feet subject to construction in accordance with the Plot Plan and construction plans as submitted and detailed in the foregoing Statement of Facts.

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

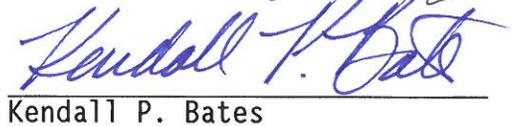
If the rights authorized by a variance are not exercised within one year of the date of grant of such variance, they shall lapse, and may be re-established only after notice and a new hearing pursuant to Section XXIV-D of the Zoning Bylaw.

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.

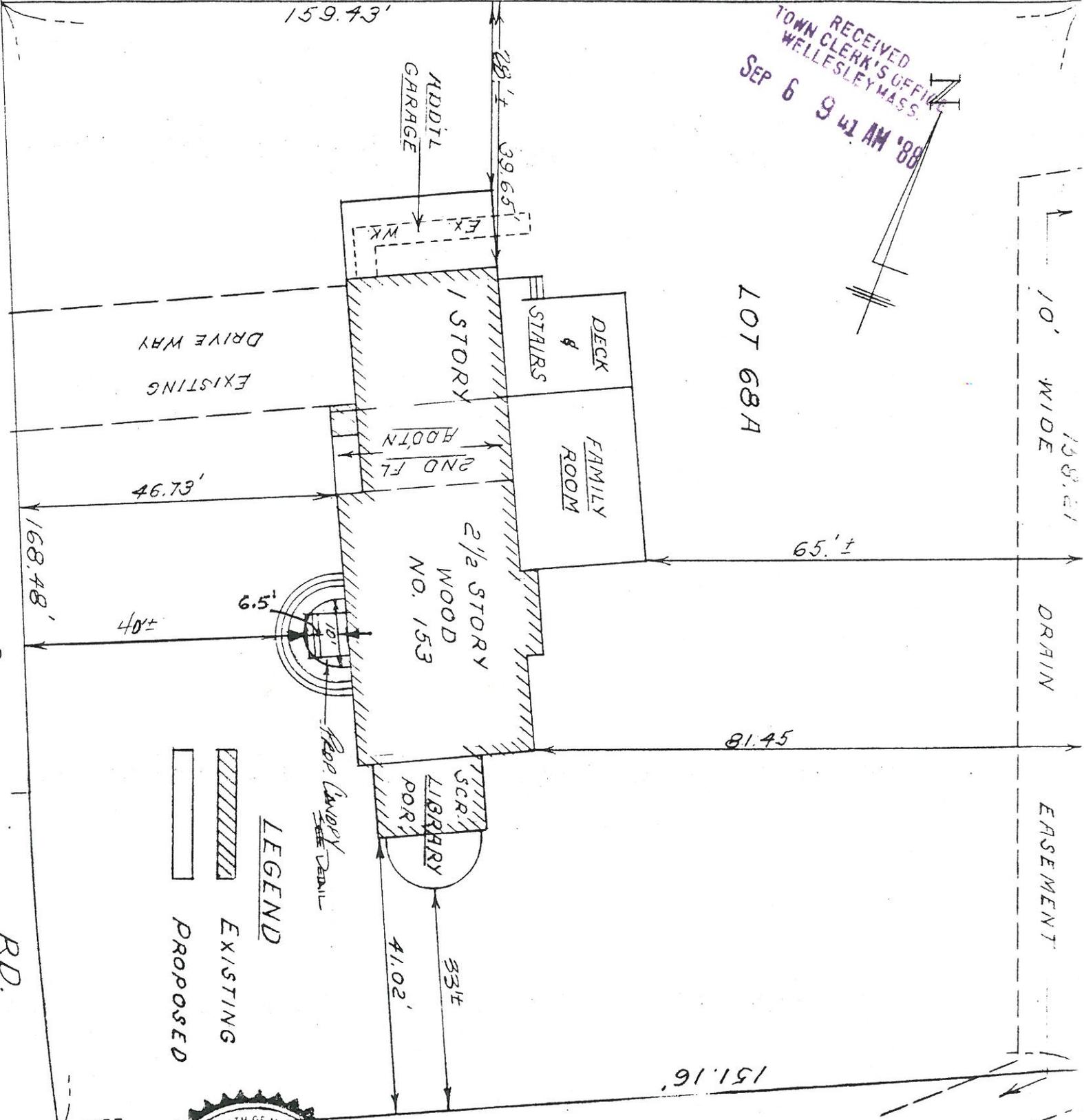
cc: Planning Board  
Inspector of Buildings  
edg

  
John A. Donovan, Jr., Chairman

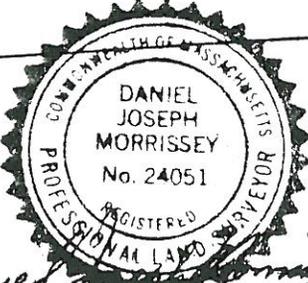
  
Robert R. Cunningham

  
Kendall P. Bates

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**LEGEND**  
EXISTING  
PROPOSED



**YUNTS ENGINEERING COMPANY, INC.**  
11 Industrial Park Drive  
Malden, MA 02148

SCALE 1" = 20' JOB NO. 13488  
DATE 8-16-88 DRAWN J.P.W. REV. 8-26-88

*Daniel Morrissey*