



ZONING BOARD OF APPEALS
TOWN HALL WELLESLEY, MA 02181

JUN 11 10 49 AM '91

JOHN A. DONOVAN, JR., Chairman
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ZBA 91-26
Petition of Diane C. Savage
31 Glen Road

Pursuant to due notice, the Permit Granting Authority held a Public Hearing on Thursday, May 23, 1991 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 DIANE C. SAVAGE requesting a variance from the terms of Section XIX and pursuant to the provisions of Section XXIV-D of the Zoning Bylaw to allow removal of an existing nonconforming porch and stairs and construction of a one-story addition approximately 7 feet 6 inches by 16 feet, with an 18 square foot landing and stairs on the left side of her nonconforming dwelling at 31 GLEN ROAD, in a Single Residence District, with less than the required left side setback and less than the required front setback from MONTVALE ROAD.

On May 6, 1991, 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 were Diane and Robert Savage, who were accompanied by their architect, Steve Gagosian. Mrs. Savage said that they would like to remove the existing porch and construct an addition which would extend about 7 feet to the rear to enlarge their kitchen. The porch is simply a shack stuck on the back of the house. The addition would extend the existing line of the house.

Mr. Savage said that the house is at ground level in the front, but drops off several stories in the back.

No other person present had any comment on the petition.

Statement of Facts

The nonconforming dwelling is located at 31 Glen Road, in a Single Residence District, on an 8,333 square foot lot, with a minimum left side yard clearance of 12.9 feet at the left rear corner of the dwelling and a minimum front yard setback of 14.1 feet from Montvale Road. There is a severe drop of several stories from the front to the rear of the dwelling.

The petitioner is requesting a variance to remove an existing porch and stairs and construct a one-story addition approximately 7 feet 6 inches by 16 feet with an 18 square foot landing and stairs at the left rear corner of the dwelling. Said addition would have a minimum left side yard clearance of 12.2 inches from the left rear corner.

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A Plot Plan dated April 29, 1991, drawn by David D. Lanata, Professional Land Surveyor; floor plans and elevation sketches drawn by Stephen D. Gagosian, Architect; and photographs were submitted.

On May 16, 1991, the Planning Board reviewed the petition and voted to recommend no objection to the granting of the variance based on the topography of the lot.

Decision

This Authority has made a careful study of the evidence presented. The subject house does not conform to the present 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 present lines of the house, and the encroachment of .7 feet on the left side lot line is de minimus and can be allowed.

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 topography of 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.

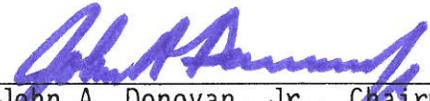
Therefore, the requested variance is granted subject to construction in accordance with the Plot Plan and construction sketches as submitted and noted in the foregoing Statement of Facts.

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.

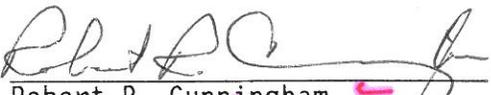
If the rights authorized by this variance are not exercised within one year of the date of grant of this variance, they shall lapse, and may be re-established only after notice and a new hearing pursuant to Section XXIV-D of the Zoning Bylaw.

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.

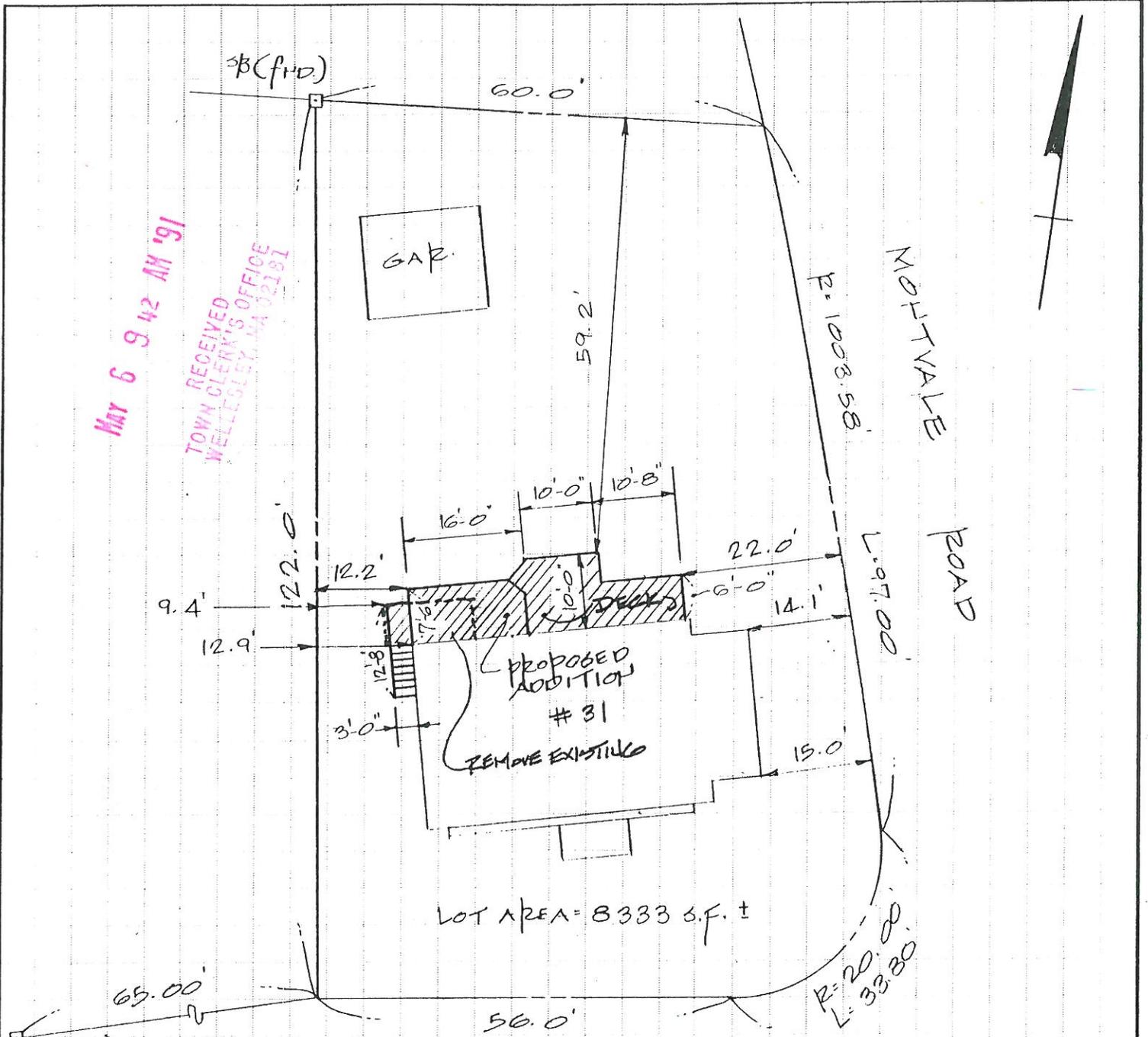
cc: Planning Board
Inspector of Buildings
edg


John A. Donovan, Jr., Chairman


Kendall P. Bates


Robert R. Cunningham

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VARIANCE PLOT PLAN FOR PROPOSED ADDITION 31 GLEN RD. WELLESLEY, MA.

I HEREBY CERTIFY: THAT THIS PLAN IS THE RESULT OF AN ON THE GROUND INSTRUMENT SURVEY.

Handwritten signature of David O. Lamata

