TOWN OF WELLESLEY MASSACHUSETTS

ZONING BOARD OF APPEALS
TOWN HALL WELLESLEY, MA 02181

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ZBA 92-8
Petition of Alvorado and Donna Stoddard
24 Garrison Road

Pursuant to due notice, the Permit Granting Authority held a Public Hearing on Thursday, February 20, 1992 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 ALVORADO AND DONNA STODDARD 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 porch and bulkhead and construction of a one-story addition approximately 26 feet by 19 feet with less than the required left side yard; and construction of a deck approximately 24 feet by 10 feet with less than the required left side yard at their nonconforming property with less than the required front setback and left and right side yard setbacks at 24 GARRISON ROAD, in a Single Residence District.

On February 3, 1992, the petitioners requested 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 Alvorado Stoddard, who was accompanied by his wife, Donna, and their architect, Hezekiah Pratt. Mr. Stoddard said that the addition was for a much needed family room. Their abutters have no objection to the proposal.

No other person present had any comment on the petition.

Statement of Facts

The subject nonconforming dwelling is located at 24 Garrison Road, in a Single Residence District, on a 10,000 square foot lot, with a minimum front setback of 29.6 feet, a minimum right side yard clearance of 9.2 feet and a minimum left side yard clearance of 15.2 feet.

The petitioners are requesting a variance to demolish an existing nonconforming porch and a bulkhead, and construct a one-story addition, approximately 19 feet by 26 feet, which would leave a minimum left side yard clearance of 15.7 feet; and a deck approximately 10 feet by 24 feet, which would leave a minimum left side yard clearance of 16.2 feet.

A Plot Plan dated January 7, 1992, drawn by Nathan Rossman, Registered Land Surveyor; construction drawings and elevations; and photographs were submitted.

On February 11, 1992, the Planning Board reviewed the petition and voted to offer no objection to the granting of the variance.

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Decision

This Authority has made a careful study of the materials presented. The subject house does not conform to the current Zoning Bylaws as noted in the foregoing Statement of Facts.

It is the opinion of this Authority that the proposed one-story addition and deck conform to the present lines of the house, and, in fact, will be less of an encroachment on the left side lot line than the existing house.

It is the opinion of this Authority 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 to demolish the existing porch and bulkhead, and construct the proposed one-story addition and deck subject to construction in accordance with the plot plan and construction drawings 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 detailed construction plans.

If the rights authorized by this 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.

John A. Donovan, Jr., Chairman

Kendall P. Bates

Franklin P. Parker

cc: Planning Board
Inspector of Buildings
edg

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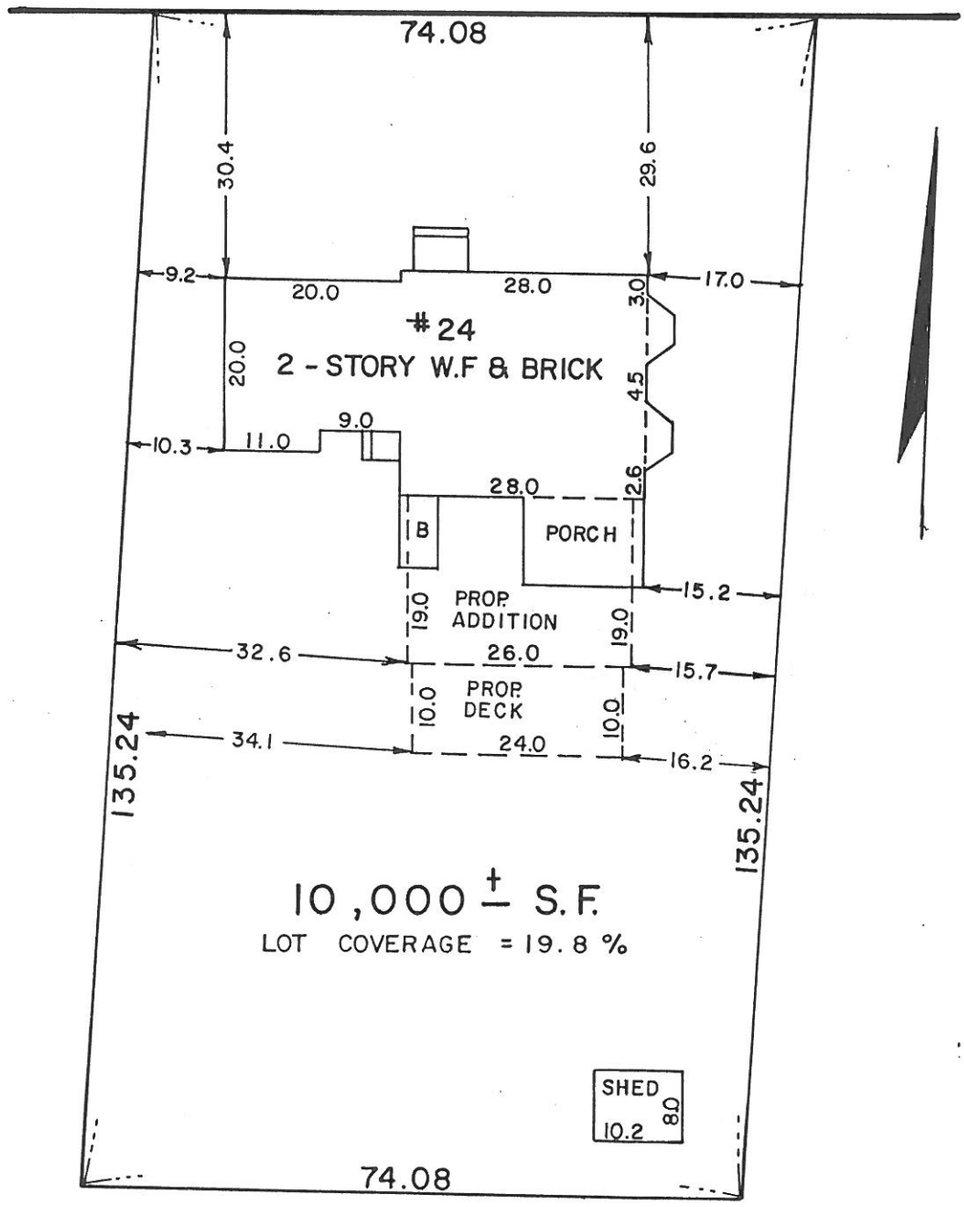
GARRISON ROAD



PLAN OF LAND
IN

WELLESLEY, MASS.

SCALE : 1" = 20'
MASS BAY SURVEY, INC.

JAN 7, 1992
NEWTON, MASS.

Nathan Rosenman