



ZONING BOARD OF APPEALS
TOWN HALL WELLESLEY, MA 02181

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OCT 23 8 43 AM '93

ZBA 93-67

Petition of Christine M. Larsen & Douglas Golenbock
95 Fairbanks Avenue

Pursuant to due notice, the Permit Granting Authority held a Public Hearing on Thursday, September 23, 1993 at 8 p.m. in the Great Hall at the Town Hall, 525 Washington Street, Wellesley on the petition of CHRISTINE M. LARSEN AND DOUGLAS GOLENBOCK 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 attached storage shed and construction of a one-story addition approximately 34 feet 7 1/2 inches by 13 feet 5 1/2 inches at the rear of their nonconforming dwelling at 95 FAIRBANKS AVENUE, in a Single Residence District, with less than the required right side yard. Said addition will also have less than the required right side yard.

On September 9, 1993, 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 were Christine Larsen and Douglas Golenbock, who were accompanied by their architect, David Carter. Mr. Carter said his clients would like to expand their kitchen and add a family room at the rear of their home. They would remove the existing storage shed in order to construct the addition, which will be about 6 inches less nonconforming than the existing shed.

Ms. Larsen said that none of their three abutting neighbors have a problem with the petition.

No other person present had any comment on the petition.

Statement of Fact

The subject nonconforming dwelling is located at 95 Fairbanks Avenue, in a Single Residence District, on a 15,427 square foot lot and has a minimum right side yard clearance of 9.3 feet from the right rear corner of the existing shed and a minimum right side yard clearance of 10.7 feet from the right rear corner of the existing garage.

The petitioners are requesting a variance to demolish the existing nonconforming attached storage shed and construct a one-story addition approximately 34 feet 7 1/2 inches by 13 feet 5 1/2 inches at the rear of their dwelling, which will have a minimum right side yard clearance of 9.7 feet.

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A Plot Plan dated August 20, 1993, drawn by Robert N. Backman, Professional Land Surveyor; Floor plans and elevations dated August 15, 1993, drawn by David Carter; and photographs were submitted.

On September 14, 1993, the Planning Board reviewed the petition and voted to recommend approval of the request.

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 Fact.

It is the opinion of this Authority that the proposed demolition of the existing storage shed and construction of the one-story addition conforms to the present lines of the house and will be less nonconforming than the existing structure.

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 for 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 subject to construction in accordance with the Plot Plan and construction sketches submitted as noted in the foregoing Statement of Facts.

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

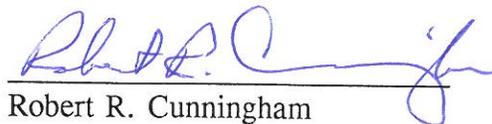
If the rights authorized by this variance are not exercised within one year of the date of grant of said variance, they shall lapse and may be re-established only after notice and a new hearing pursuant to Section XXIV-D of the Zoning Bylaw.

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.

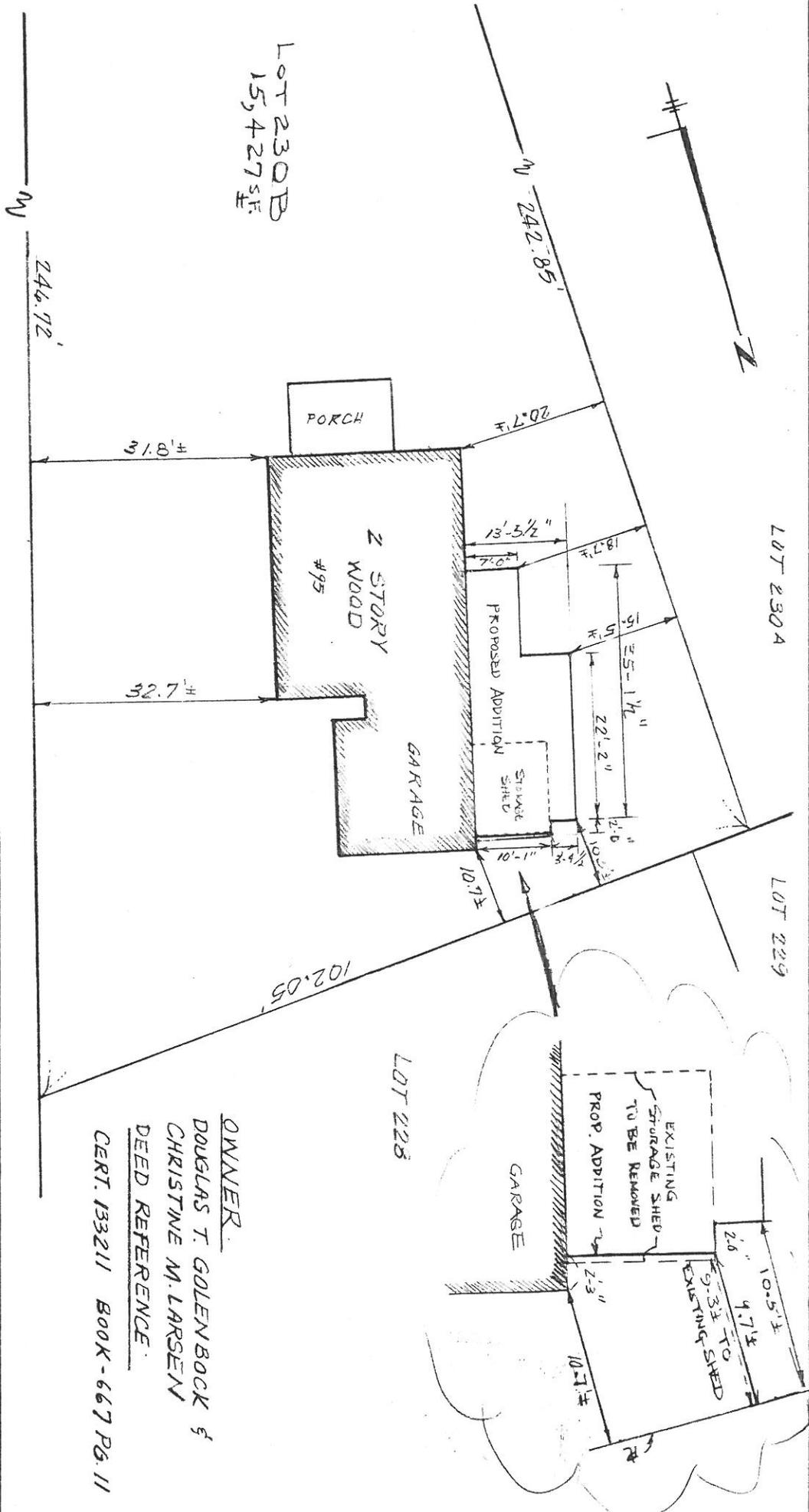
cc: Planning Board
Inspector of Buildings


John A. Donovan, Jr., Chairman


Kendall P. Bates


Robert R. Cunningham

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TOWN CLERK'S OFFICE
FELLESLEY, WA 02101
OCT 6 8 43 AM '93



LOT 230B
15,427 SF

FAIRBANKS AVENUE

I CERTIFY THAT THIS PLAN WAS PREPARED FROM AN ACTUAL FIELD SURVEY ON THE GROUND.

DATE MAY 29, 1993
ROBERT N. BACKMAN P.L.S.

PLAN OF LAND
95 FAIRBANKS AVENUE, WELLESLEY
NORFOLK COUNTY, MASS.

— PLOT PLAN —

OWNER:
DOUGLAS T. GOLENBOK &
CHRISTINE M. LARSEN
DEED REFERENCE:
CERT. 133211 BOOK-667 Pg. 11



SCALE: 1"=20'	DATE: 8-19-93	TOR. NO. 3693
CALC. GEB.	DRAWN: GKH	CHECKED:
YUNITZ ENGINEERING CO., INC. CONSULTING ENGINEERS 11 TECHNICAL PARK DRIVE HOLBROOK, MASS 02343 TEL: 767-1400 FAX: 767-5873		
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