



ZONING BOARD OF APPEALS
TOWN HALL WELLESLEY, MA 02181

JOHN A. DONOVAN, JR., Chairman
ROBERT R. CUNNINGHAM
KENDALL P. BATES

ELLEN D. GORDON
Executive Secretary
Telephone
431-1019 X208

Oct 16 11 04 AM '95

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ZBA 95-67

Petition of John D. and Ann-Mara S. Lanza
61 Oakland Street

Pursuant to due notice, the Permit Granting Authority held a Public Hearing on Thursday, September 28, 1995 at 8 p.m. in the Selectmen's Meeting Room (Conference Room B) at the Town Hall, 525 Washington Street on the petition of JOHN D. AND ANN-MARA S. LANZA 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 nonconforming garage and construction of a new two-car, detached one-story garage approximately 19 feet by 19 feet with less than the required left and rear yard setbacks at their premises at 61 OAKLAND STREET, in a Single Residence District.

On September 11, 1995, the petitioners filed a request for 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 John Lanza, who was accompanied by Stephen Cartwright, his land surveyor. The Board was of the opinion that the facts of the case were self-evident and needed no discussion.

No other person present had any comment on the petition.

Statement of Facts

The subject property is located at 61 Oakland Street, in a Single Residence District, on a 7,250 square foot lot, which contains a one and one-half story dwelling and a detached nonconforming garage approximately 18.53 feet by 16.50 feet, which has a minimum rear yard clearance of 5.54 feet and a minimum left side yard clearance of 11.6 feet.

The petitioners are requesting a variance to demolish the existing nonconforming garage and construct a new detached two-car, one-story garage, approximately 19 feet by 19 feet, which would have a minimum rear yard clearance of 6.2 feet and a minimum left side yard clearance of 10 feet.

Existing Conditions Plan of Land, dated 7/26/95, and Proposed Site Plan of Land, dated 9/5/95, both drawn by Stephen W. Cartwright, Professional Land Surveyor; Floor Plans and Elevations dated September 5, 1995, drawn by Ann-Mara Lanza; and photographs were submitted.

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Letters in support of the petition were received from Mike and Amy Preston, 6 Oakland Circle, and Stephen and Deborah Bullerjahn, 39 Grantland Road.

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On September 22, 1995, the Planning Board reviewed the petition and voted to offer no objection to the granting of the variance.

Decision

This Authority has made a careful study of the materials submitted. The subject garage is presently nonconforming, and the proposed garage would also be nonconforming, as noted in the foregoing Statement of Facts.

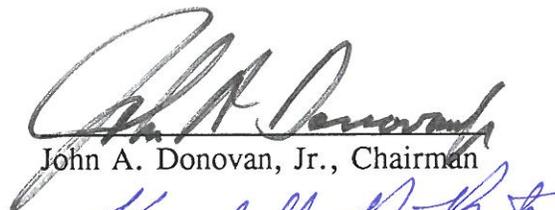
It is the opinion of this Authority that because of the shape of the lot and the location of the structures on the lot, a literal enforcement of the provisions of Section XIX of the Zoning Bylaw would involve a substantial hardship to the petitioners, and that desirable relief may be granted without substantially derogating from the intent or purpose of the Zoning Bylaw.

Therefore, it is the unanimous decision of this Authority to grant the requested variance subject to construction in accordance with the submitted plot plan and construction sketches.

The Inspector of Buildings is hereby authorized to issue a permit for the construction upon 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.



John A. Donovan, Jr., Chairman



Kendall P. Bates



William E. Polletta

cc: Planning Board
Inspector of Buildings
edg

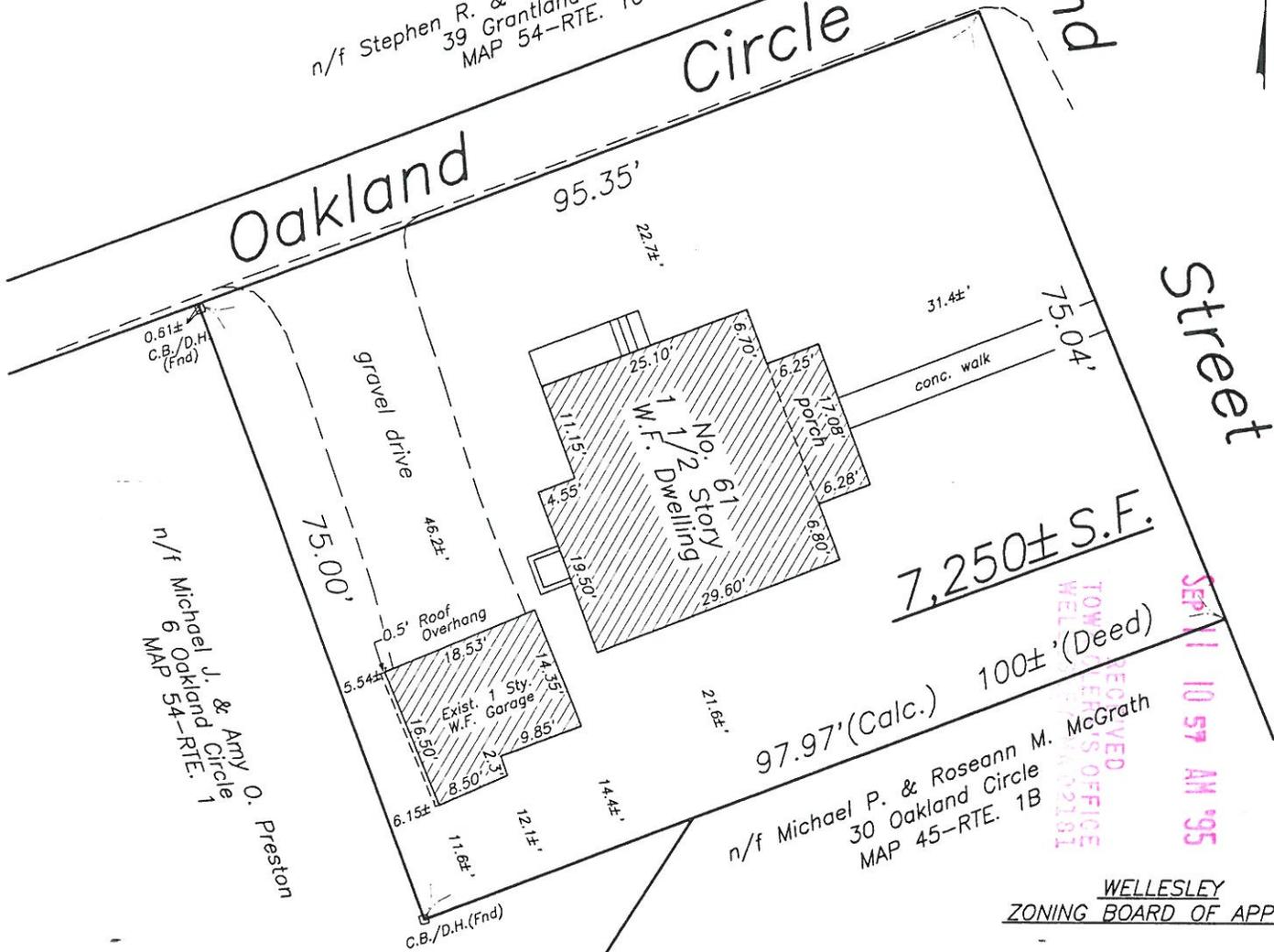
ZONING REQUIREMENTS

Single Residence District
 Minimum Front Yard Setback 30'
 Minimum Side Yard Setback 20'
 Minimum Rear Yard Setback 10'
 Ratio of Building to Lot Area 25%(Max.)

Existing House Footprint 962.8± S.F.
 Existing Garage Footprint 282.3± S.F.
 TOTAL 1245.1± S.F.

Existing Building Coverage 17.2%

n/f Stephen R. & Deborah F. Bullerjahn
 39 Grantland Road
 MAP 54-RTE. 10



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APPLICANT & OWNER
 John D. & Ann-Mara S. Lanza
 61 Oakland Street
 Wellesley, MA 02181
 MAP 45-RTE. 1

NOTE: All offsets shown are to the existing cornerboards of the structure.

Date: _____

Existing Conditions Plan of Land

Applicant: John D. & Ann-Mara S. Lanza	Date: 07/26/95
Title Reference: Norfolk County Registry of Deeds Deed Bk/Pg: 10435/558, See Plan filed with Deed Bk/Pg: 1494/234.	Scale: 1" = 20'
	Job No. 95-044



RAS associates Civil Engineers - Land Surveyors - Land Use Consultants
 30 Carolyn Drive, Plymouth, Massachusetts 02360 (508) 224-9035

Stephen W. Cartwright, PLS

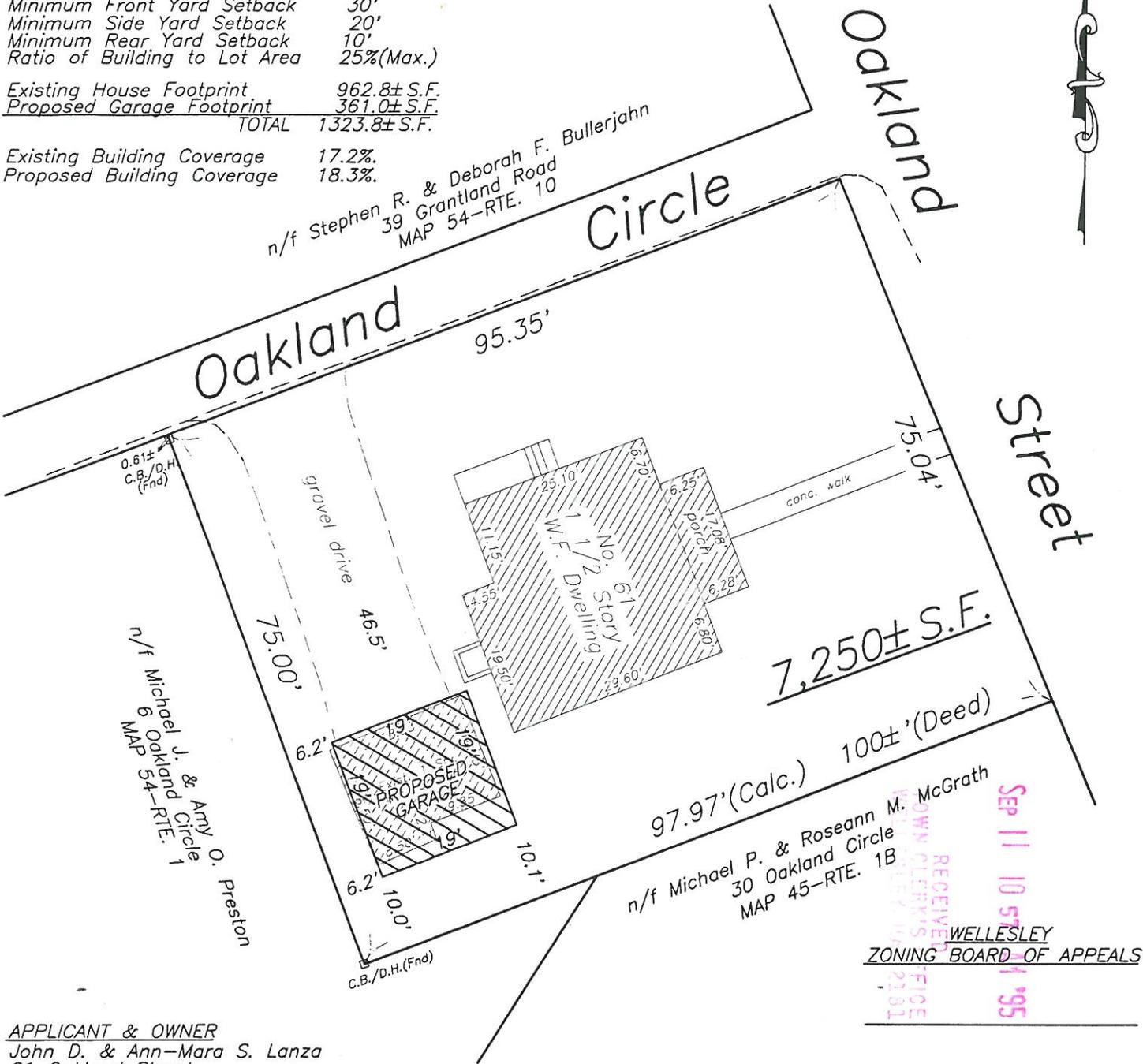
ZONING REQUIREMENTS

Single Residence District
 Minimum Front Yard Setback 30'
 Minimum Side Yard Setback 20'
 Minimum Rear Yard Setback 10'
 Ratio of Building to Lot Area 25%(Max.)

Existing House Footprint 962.8± S.F.
 Proposed Garage Footprint 361.0± S.F.
 TOTAL 1323.8± S.F.

Existing Building Coverage 17.2%
 Proposed Building Coverage 18.3%

n/f Stephen R. & Deborah F. Bullerjahn
 39 Grantland Road
 MAP 54-RTE. 10



APPLICANT & OWNER

John D. & Ann-Mara S. Lanza
 61 Oakland Street
 Wellesley, MA 02181
 MAP 45-RTE. 1

NOTE: All offsets shown are to the proposed cornerboards of the structure.

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Proposed Site Plan of Land

Applicant: John D. & Ann-Mara S. Lanza

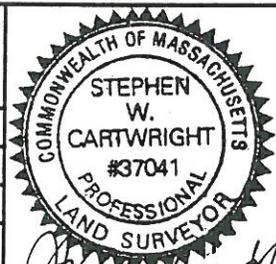
Date: 09/05/95

Title Reference: Norfolk County Registry of Deeds
 Deed Bk/Pg: 10435/558, See Plan filed with Deed Bk/Pg: 1494/234.

Scale: 1" = 20'

Job No. 95-044

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