

ZONING BOARD OF APPEALS
TOWN HALL WELLESLEY, MA 02181JOHN A. DONOVAN, JR., Chairman
ROBERT R. CUNNINGHAM
KENDALL P. BATESELLEN D. GORDON
Executive Secretary
Telephone
431-1019 X208

Jun 13 10 39 AM '96

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WELLESLEY
WILLIAM E. POLLETTA
FRANKLIN P. PARKER
SUMNER H. BARCOCKZBA 96-33
Petition of John D. and Ann-Mara Lanza
61 Oakland Street

Pursuant to due notice, the Permit Granting Authority held a Public Hearing on Thursday, May 30, 1996 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 JOHN AND ANN-MARA 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 construction of an attached two-car garage, approximately 23.58 feet by 24.50 feet, with less than the required left side and rear yard setbacks, with a fenced deck of the same dimensions above said garage, at their premises at 61 OAKLAND STREET, in a Single Residence District.

On May 13, 1996, 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 were John and Ann-Mara Lanza. Mr. Lanza said that they had come before the Board last October, and had received permission to demolish an existing garage and replace it with a 19 foot by 19 foot detached garage. Although they would have preferred to attach the garage to the house, they could not determine how to connect the garage without blocking a dining room window. Their architect has designed a plan to attach an enlarged garage to the house while saving the window. As the lot is small, the deck will provide additional space without additional land coverage.

The Board noted that the site appeared to be low and questioned whether the Lanzas would have a water problem. The Lanzas replied that the drop is between 2 and 3 feet, but they have planned to install an outside drain with gravel. If necessary, they would put a drain in the garage. The land falls off in both directions, so water would be carried away from the structure.

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 and contains a conforming one and one-half story dwelling. In September, 1995, the petitioners requested and were granted a variance (ZBA 95-67) to demolish a detached nonconforming garage and construct a detached 19 foot by 19 foot garage which would have a minimum rear yard clearance of 6.2 feet and a minimum left side yard clearance of 10 feet.

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The approved detached garage was never constructed. The petitioners are now requesting a variance to construct an attached 23.58 foot by 24.50 foot garage, which would have a minimum left side yard clearance of 10 feet and a minimum rear yard clearance of 6.1 feet. A fenced deck of the same dimensions would be constructed above the garage.

The following plot plans were submitted: Existing Conditions Plan of Land, dated 7/26/95; Proposed Site Plan of Land, dated 9/5/95; and Proposed Site Plan of Land, dated 4/16/96; all drawn by Stephen W. Cartwright, Professional Land Surveyor. Unsigned existing and proposed floor plans and elevations dated 4/22/96, and photographs were submitted.

The Board received letters in support of the petition from Stephen and Deborah Bullerjahn, 39 Grantland Street; Tom and Alison Fields, 15 Oakland Circle; and Mike and Amy Preston, 6 Oakland Circle.

On May 23, 1996, the Planning Board reviewed the petition and voted to offer no comment.

Decision

This Authority has made a careful study of the materials submitted and the information presented at the hearing. The proposed attached garage will not conform to the current Zoning Bylaw, as noted in the foregoing Statement of Facts.

It is the opinion of this Authority that because of the shape of the lot and its location on two streets with frontages on two sides, 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.

At the Public Hearing, this Authority voted unanimously to grant the requested variance. Therefore, the requested variance to construct the proposed attached garage and deck above said garage is granted subject to construction in accordance with the plot plan dated 4/16/96 and the construction drawings dated 4/22/96.

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 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.

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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 A. Bastille

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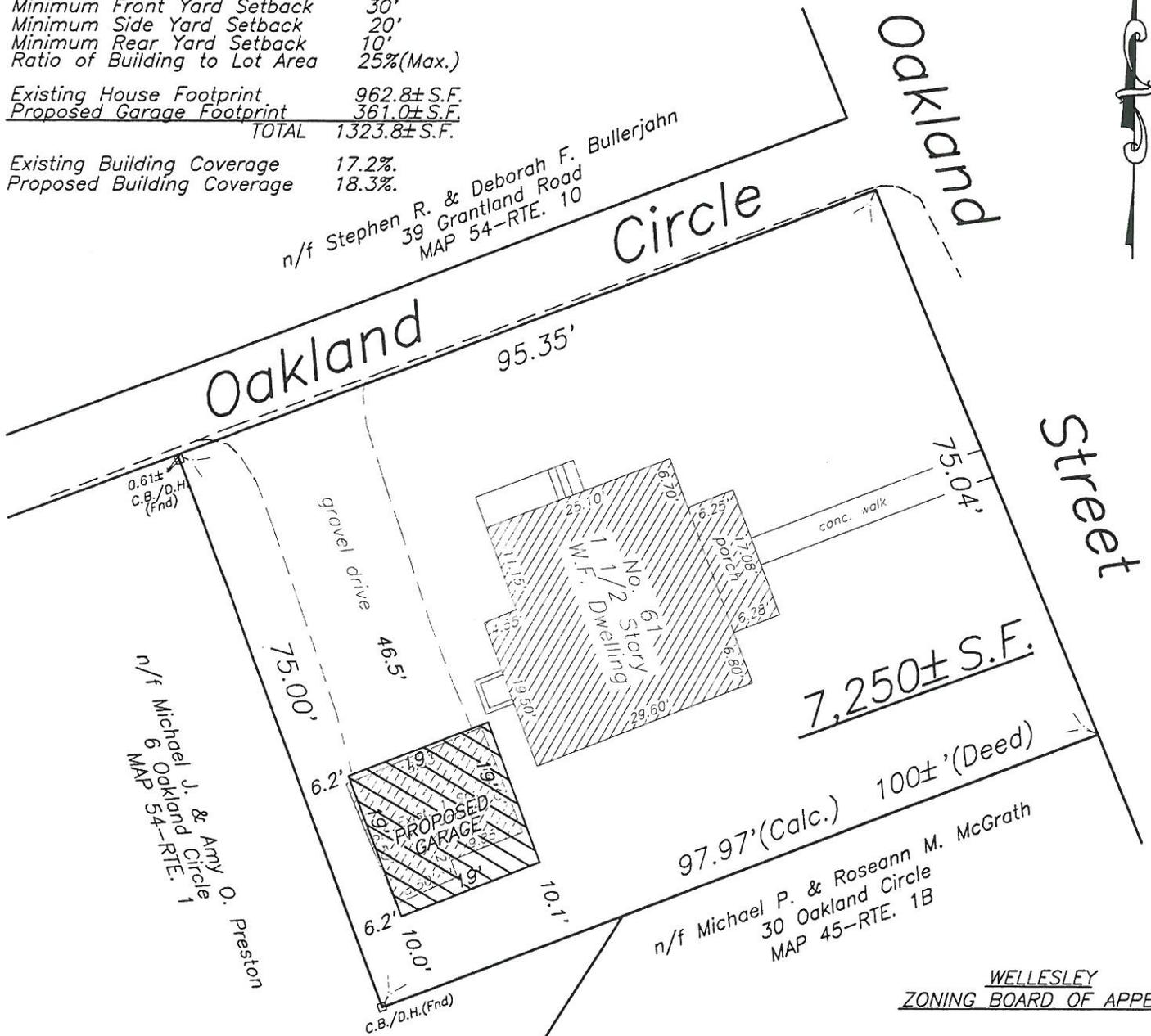
ZONING REQUIREMENTS

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



7,250± S.F.

97.97'(Calc.) 100±'(Deed)

n/f Michael P. & Roseann M. McGrath
 30 Oakland Circle
 MAP 45-RTE. 1B

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 ZONING BOARD OF APPEALS

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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 MAY 13 10 22 AM '95
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Proposed Site Plan of Land

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

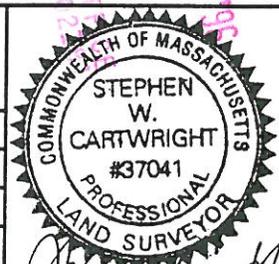
Date: 09/05/95

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

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



Stephen W. Cartwright, PLS

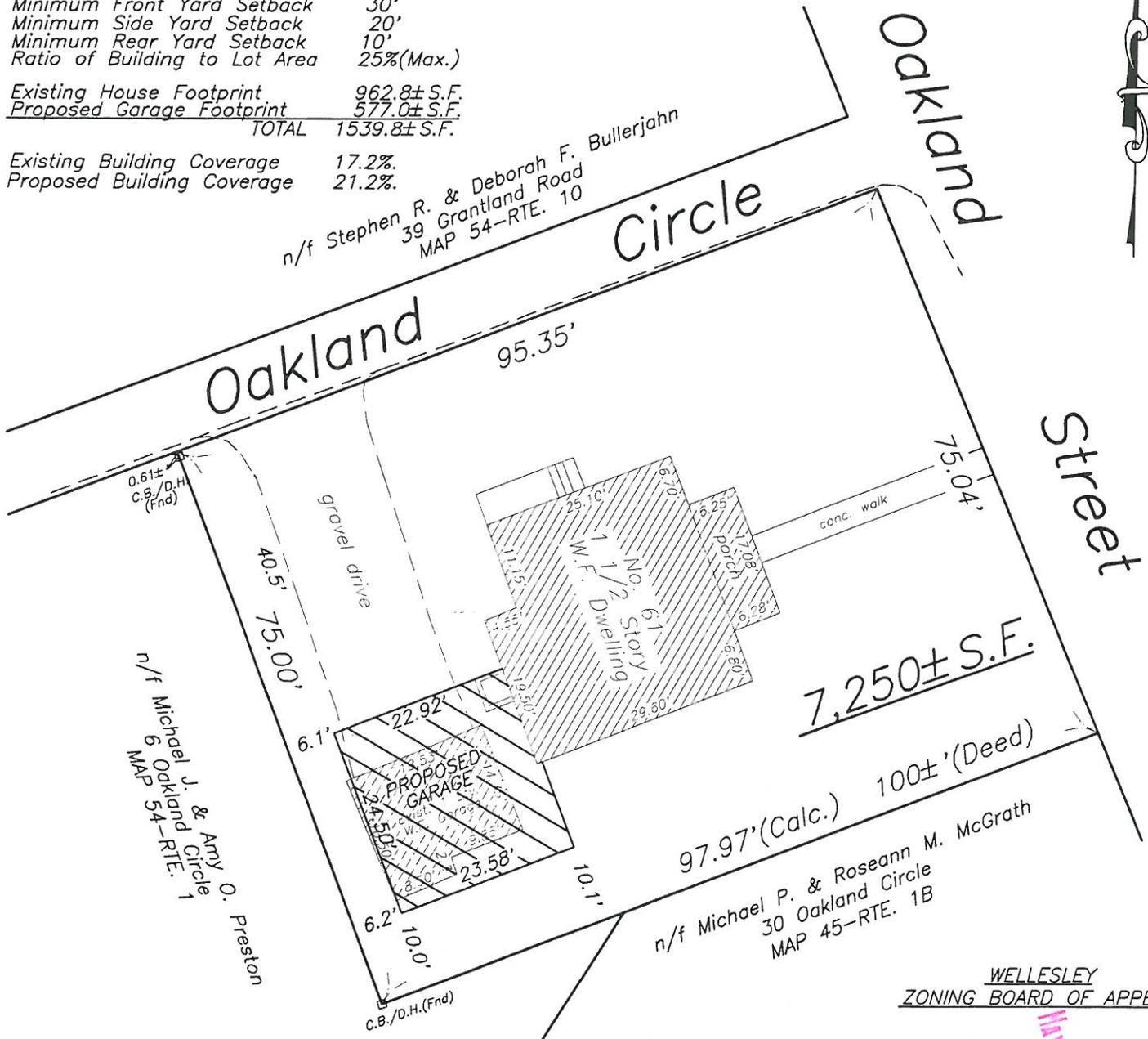
ZONING REQUIREMENTS

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 577.0± S.F.
 TOTAL 1539.8± S.F.

Existing Building Coverage 17.2%
 Proposed Building Coverage 21.2%

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.

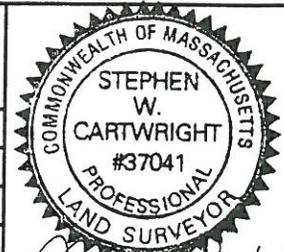
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Proposed Site Plan of Land

Applicant: John D. & Ann-Mara S. Lanza	Date: 04/16/96
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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