



ZONING BOARD OF APPEALS
TOWN HALL WELLESLEY, MA 02181

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83-31

Petition of Charles S. and Dorothy R. Amorosino

Pursuant to due notice, the Permit Granting Authority held a Public Hearing in the second floor hearing room of the Town Hall at 8 p.m. on Thursday, June 23, 1983, on the petition of Charles S. and Dorothy R. Amorosino, requesting a variance from the terms of Section XIX of the Zoning Bylaw which will allow the construction of an addition to their dwelling located at 38 SEAWARD ROAD, said addition being approximately 18 feet by 20 feet 8 inches, leaving less than the required right side yard. Said request is pursuant to Section XXIV-D of the Zoning Bylaw.

On June 2, 1983, the petitioner filed a request for 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 Charles and Dorothy Amorosino, who stated that they wish to add a country kitchen-family room to the rear of their recently purchased dwelling. They would maintain the existing lines of the house. The addition would be 16 feet at the closest point, 17 feet at the rear. They stated that the house next door is quite far away, and their backyard abutter is the Maugus Club. If the kitchen conformed to the 20 foot sideline requirements, the kitchen would be too narrow. They stated that the neighbors have no objection to the request.

Other than the petitioners, no one was present favoring or opposing the petition.

Statement of Facts

The property involved is located at 38 Seaward Road, containing 11,295 square feet of land, in a Single Residence District.

The existing dwelling is a legal non-conforming dwelling, coming to 11 feet from the left side lot line at the closest point and 16 feet from the left side lot line at the rear of the dwelling.

The proposed one-story addition, approximately 18 feet by 20 feet 8 inches, would extend the existing lines of the dwelling, coming to 17 feet from the left side line at the rear. The addition would enlarge the existing kitchen to create a country kitchen-family room.

A Plot Plan was submitted, drawn by Charles D. Thompson, Registered Land Surveyor, of Everett M. Brooks Co., Newtonville, dated 4/25/83. A construction sketch of the

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exterior of the dwelling was also submitted.

The Planning Board, at its regular meeting of June 14, 1983, voted to offer no comment on the petition.

Letters of support were received from Frank and Mary Laak, 34 Seaward Road, and Mrs. Avery P. Maher, 45 Seaward Road.

Decision

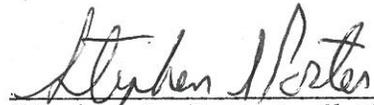
This Authority has made a careful study of the evidence presented. The particular house in question in its location on the lot does not conform to the present Zoning Bylaws. The dwelling comes to 11 feet from the left side lot line.

It is the opinion of this Authority that the proposed one-story addition conforms to the present lines of the house and does not alter the relationship of the house to the right side lot line.

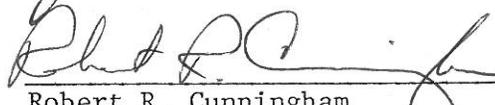
It is the unanimous decision of this Authority that because of the shape of the lot, a literal enforcement of the provisions of Section XIX of the Zoning Bylaw would involve a substantial hardship to the petitioner. It is the further opinion of this Authority that desirable relief may be granted without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

Therefore, the requested variance is granted to construct a one-story addition, approximately 18 feet by 20 feet 8 inches, as shown on the Plot Plan drawn by Charles D. Thompson, Registered Land Surveyor, of Everett M. Brooks Co., dated 4/25/83, coming no closer than 17 feet from the left side lot line.

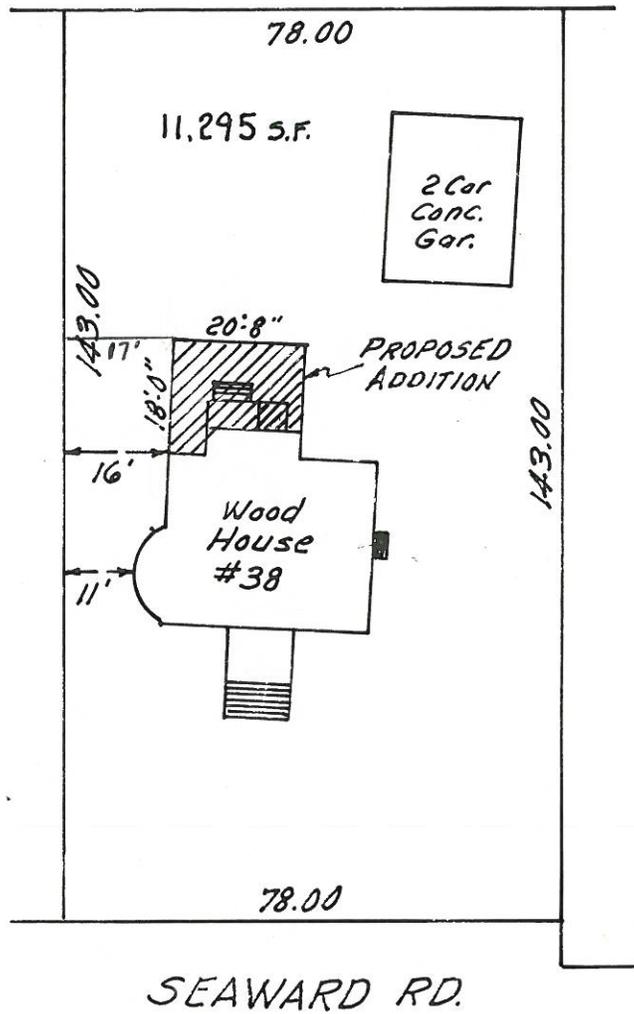
The Inspector of Buildings is hereby authorized to issue a permit for the construction upon his receipt and approval of a building application and construction plans.


Stephen S. Porter, Chairman


John A. Donovan, Jr.


Robert R. Cunningham

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Charles O. Thompson

PLAN OF LAND
IN
WELLESLEY 0 MASS.

SCALE: 1 IN. = 30 FT.
EVERETT M. BROOKS CO.
NEWTONVILLE

APRIL 25, 1983
CIVIL ENGR'S.
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