



ZONING BOARD OF APPEALS  
TOWN HALL WELLESLEY, MA 02181

STEPHEN S. PORTER, Chairman  
JOHN A. DONOVAN, JR.  
ROBERT R. CUNNINGHAM

MARY ANN McDOUGALL  
Executive Secretary  
Telephone  
~~235-1664~~  
431-1019

WILLIAM E. FOLLETTA  
FRANKLIN P. PARKER  
SUMNER H. BABCOCK

OCT 15 9 21 AM '85  
RECEIVED  
TOWN CLERK'S OFFICE  
WELLESLEY MASS.

85-57

Petition of Deborah Anne O'Malley  
15 Boulevard Road

Pursuant to due notice, the Permit Granting Authority held a Public Hearing on Thursday, September 19, 1985 at 8 p.m. in Room 17 of the Town Offices at the Phillips Building, 12 Seaward Road, Wellesley Hills, on the petition of DEBORAH ANN O'MALLEY requesting a variance from the terms of Section XIX and pursuant to Section XXIV-D of the Zoning Bylaws which will allow the construction of two additions to the non-conforming one-story dwelling at 15 BOULEVARD ROAD to include:

- 1) an addition approximately 18' by 26.5' at the rear of the dwelling, leaving less than the required right and left side yards and
- 2) an addition approximately 5' by 9' at the front of the dwelling to contain a porch leaving less than the required right side yard and less than the required front setback from Boulevard Road, and
- 3) a chimney approximately 4' by 8' leaving less than the required left side yard.

On August 20, 1985, 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 was Deborah O'Malley, who stated that she wishes to withdraw the request for a fireplace. She submitted new floor plans but stated that the plot plan dated September 4, 1985, revised 9/17/85 indicates the request.

No others were present favoring or opposing the petition.

Statement of Facts

The property in question is located at 15 Boulevard Road, containing 6,080 square feet of land. The existing one-story dwelling is a non-conforming structure with a left (westerly) side yard of 15.48' and a right (easterly) side yard of 14.25'. A variance was granted in 1980 (ZBA Case # 80-9) allowing a deck at the rear of the dwelling.

The petitioner requests a variance to allow the construction of two additions to the dwelling: 1) an addition approximately 18' by 26.5' at the rear of the dwelling leaving an easterly side yard of 15.47' and a westerly side yard of 14.24'; 2) an addition at the front of the dwelling to contain a porch, leaving a westerly side yard of 18.45' and a front setback of 26.6'. The construction would extend the existing lines of the house but not encroach further on the side lines. The petitioner originally requested a variance for a fireplace on the easterly side of the dwelling but withdrew that request at the Public Hearing.

Petition of Deborah Anne O'Malley  
15 Boulevard Road

OCT 15 1985  
RECEIVED  
TOWN CLERK'S OFFICE  
WILMINGTON, MASS.

A Plot Plan was presented, drawn by H. K. Fitzgerald, Jr., Registered Architect, dated August 17, 1985. A Plan of Land was submitted by Erland S. Townsend, Registered Land Surveyor of Engineers Design Group Inc., Cambridge, dated September 4, 1985 and revised 9/17/85. Construction drawings were presented at the Public Hearing, dated 9/18/85.

The Planning Board, at its regular meeting of September 10, 1985, voted to recommend that the rear addition should not be allowed to encroach further into the side yard than the existing house. The Board had no objection to the requested variance for the front entrance porch.

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 15.48' from the easterly side line and 14.25' from the westerly side line.

It is the opinion of this Authority that the proposed additions conform to the present lines of the house and do not alter the relationship of the house to the lot lines.

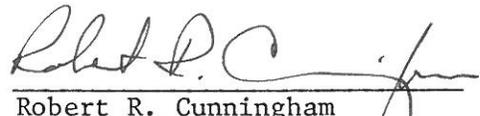
It is the opinion of this Authority that, because of the shape of the lot and the location of the house on the lot, a literal enforcement of the provisions of Section XIX of the Zoning Bylaw would involve a substantial hardship to the petitioner. It is the further opinion of this Authority that desirable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

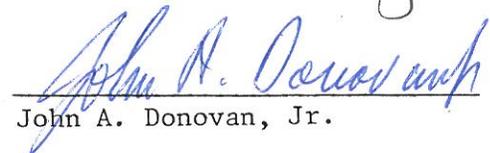
Therefore, the requested variance is granted to construct the additions at 15 Boulevard Road as shown on the plot plan drawn by Erland S. Townsend, Registered Land Surveyor, Engineers Design Group Inc., Cambridge, dated September 4, 1985, revised 9/17/85, coming no closer than 15.47 feet from the easterly side line and 14.24 feet from the westerly side line at the rear and 18.45 feet from the westerly side line in the front and 26.6 feet from the street 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.

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.

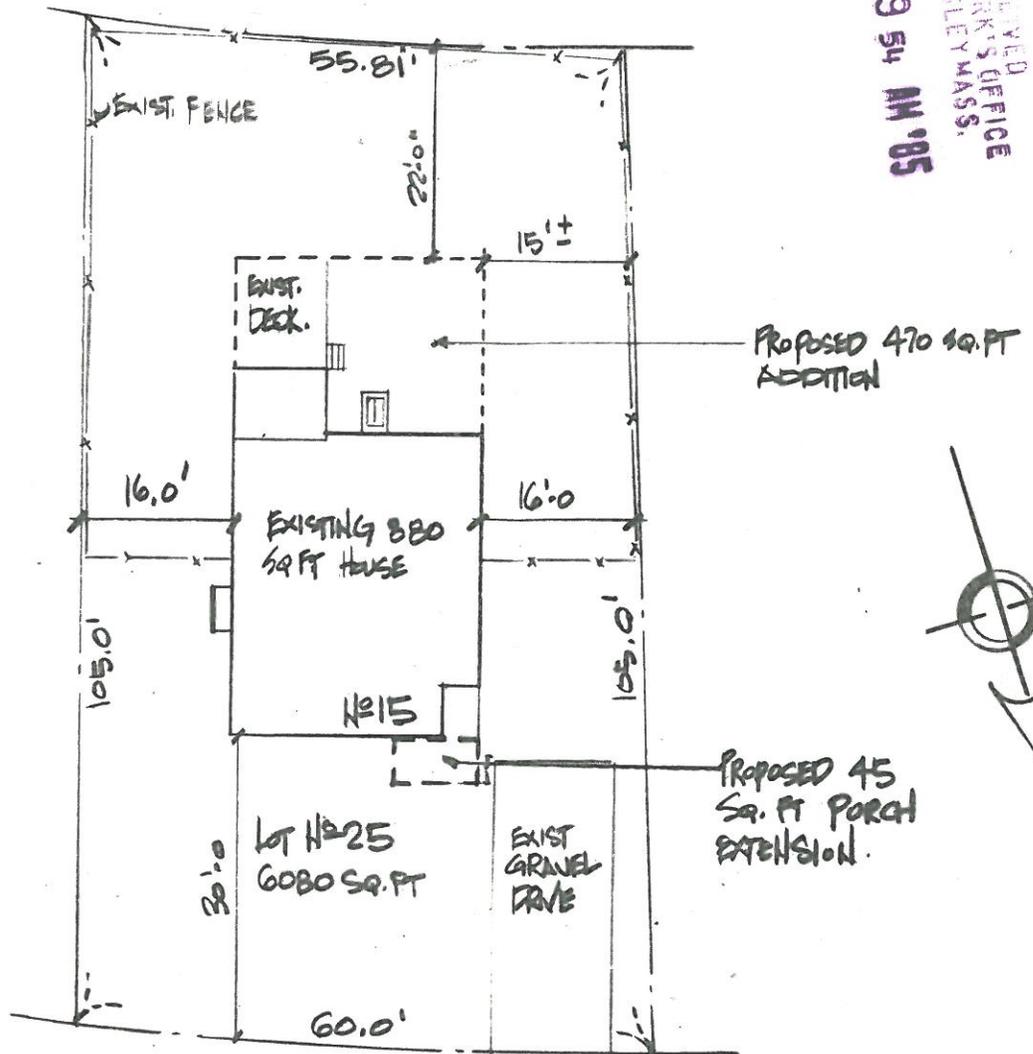
  
Stephen S. Porter, Chairman

  
Robert R. Cunningham

  
John A. Donovan, Jr.

cc: Planning Board  
Building Inspector

RECEIVED OFFICE  
TOWN CLERK'S OFFICE,  
WELLESLEY MASS.  
AUG 20 9 54 AM '85



Boulevard Road

I, H.K. FITZGERALD JR CERTIFY THAT THE INFORMATION SHOWN ON THIS PLAN WAS COMPILED FROM A DEED AND PLAN REGISTERED AT THE NORFOLK REGISTRY OF DEEDS NB 335 DATED JAN 26 1979 AND PLANS ON FILE WITH WITH THE TOWN OF WELLESLEY, MA

H.K. FITZGERALD JR.



PLAN OF LAND  
IN  
WELLESLEY MA.

AUG 17 1985  
SCALE = 1"=200'

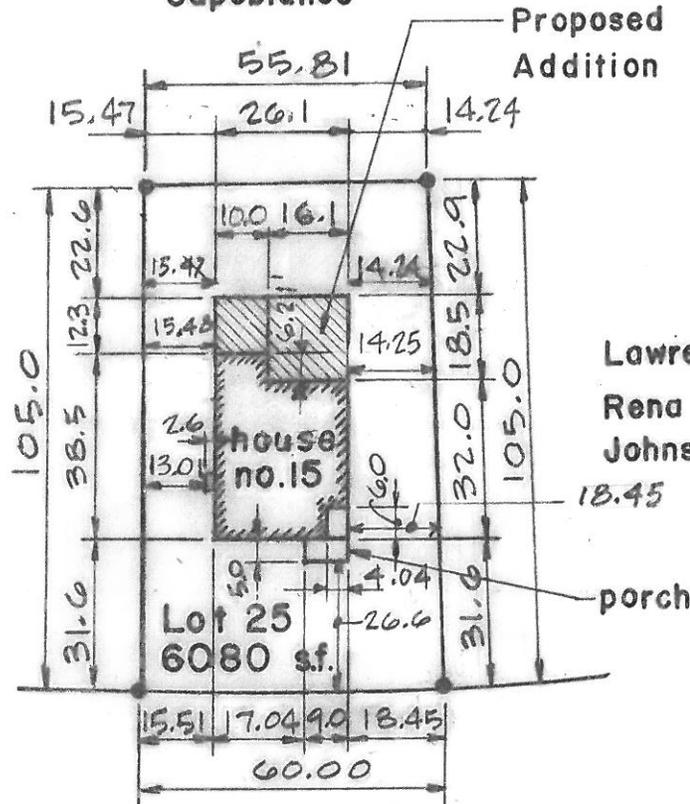


Florence A. Capobianco

Proposed Addition

Paul R. & Ruth C. Gallagher

Lawrence E. & Rena M. Johnson



BOULEVARD ROAD



PLAN OF LAND  
IN  
WELLESLEY MASS.

TO ACCOMPANY THE PETITION FOR

DEBORAH O'MALLEY  
15 BOULEVARD ROAD  
WELLESLEY

REC'D  
REVISED - 9/17/85

SCALE 1 IN. = 40 FT.  
ENGINEERS DESIGN GROUP INC.  
CAMBRIDGE

SEPT. 4, 1985  
ENGINEERS  
MASS.