



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  
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WILLIAM E. POLLETTA  
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SUMNER H. BABCOCK

ZBA 93-57

Petition of Thomas J. and Alison M. Fields  
15 Oakland Circle

Pursuant to due notice, the Permit Granting Authority held a Public Hearing on Thursday, July 15, 1993 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 THOMAS J. AND ALISON M. FIELDS 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 a two-story addition approximately 16 feet by 18 feet at the rear of their nonconforming dwelling at 15 OAKLAND CIRCLE, in a Single Residence District. Said addition will have less than the required left and right side yard setbacks.

On June 28, 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 was Thomas Fields, who said that the family is expanding and that they need another bedroom. The two-story addition is necessary because the house is two stories in the front, but three in the back. The encroachment is only at the rear corners of the addition as the lot tapers on both sides.

No other person present had any comment on the petition.

#### Statement of Facts

The subject nonconforming dwelling is located at 15 Oakland Circle, in a Single Residence District, on a 6,234 square foot lot, with a minimum front setback of 14 feet, a minimum left side yard setback of 18.1 feet and a minimum right side yard setback of 5.4 feet.

The petitioners are requesting a variance to construct a two-story addition approximately 18 feet by 16 feet at the rear of their nonconforming dwelling. Said addition would have a minimum left side setback of 18.9 feet from the left rear corner and a minimum right side yard setback of 18.9 feet from the right rear corner of the addition.

A Plot Plan dated June 17, 1993, drawn by Edward J. Farrell, Professional Land Surveyor; floor plans and elevations dated March 3, 1993, drawn by Theodore & Theodore, Architects; and photographs were submitted.

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On July 13, 1993, the Planning Board reviewed the petition and voted to recommend that the requested relief be granted.

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 Facts.

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

It is the further 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 petitioners, and that desirable relief may be granted without substantially derogating from the intent or purpose of the Zoning Bylaw.

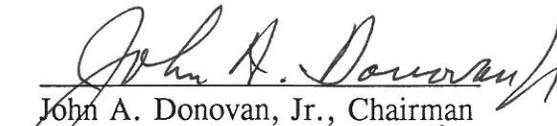
Therefore, the requested variance is granted to construct the proposed two-story addition subject to construction in accordance with the Plot Plan and construction sketches as submitted and noted in the foregoing Statement of Facts.

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.

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

  
Franklin P. Parker

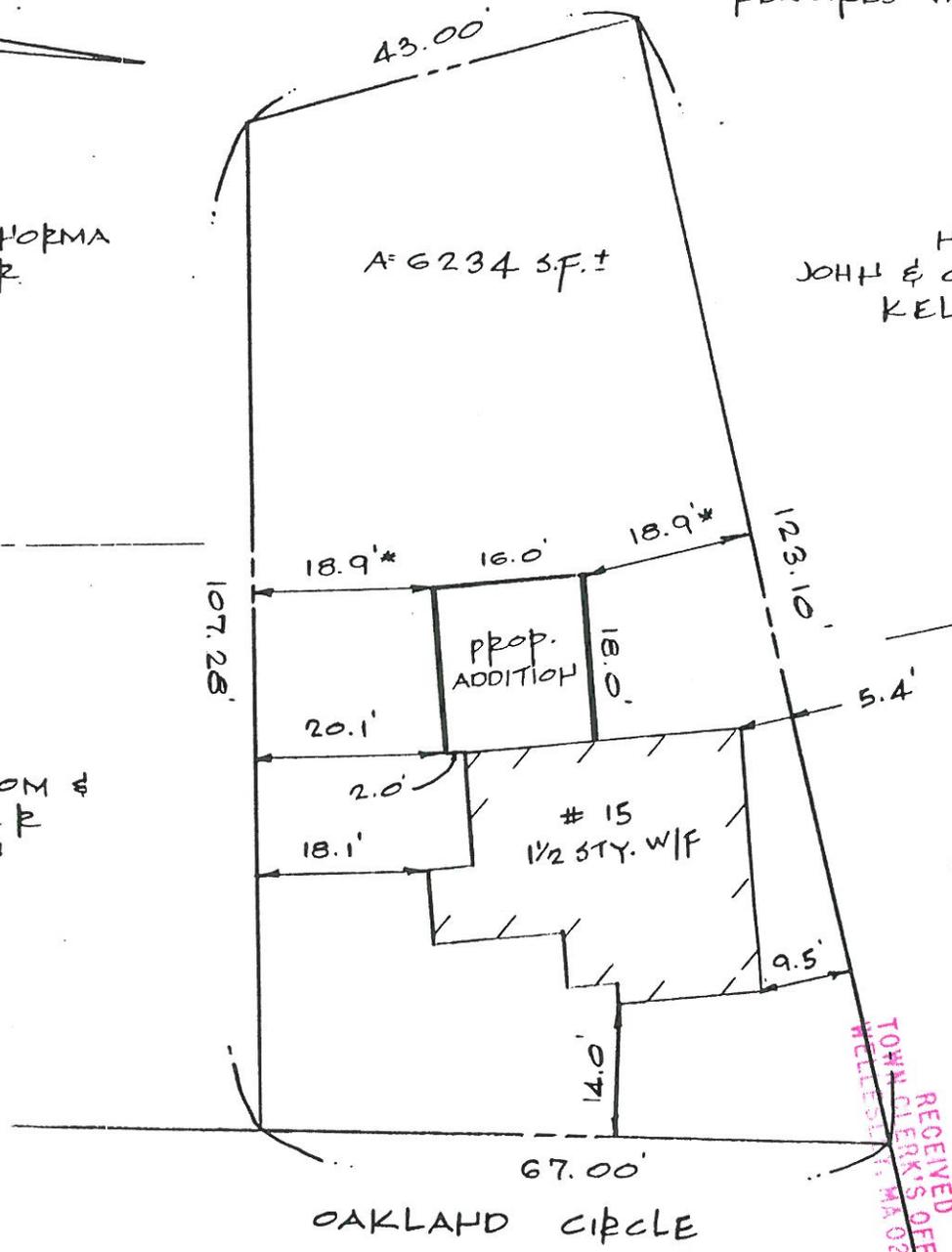
\* REQUIRES VARIANCE

H/F  
CHARLES & NORMA  
KAMAR

H/F  
JOHN & COLLETTE  
KELLOGG

H/F MALCOM &  
JEFFIFER  
MAHAN

H/F  
GREGG &  
KRISTI  
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### PLOT PLAN FOR

PROPOSED ADDITION  
15 OAKLAND CIRCLE WELLESLEY, MA.  
SCALE: 1" = 20'      JUNE 17, 1993

### NOTES

EXIST. BLDG. COVERAGE = 13%  
PROP. BLDG. COVERAGE = 18%

OWNER'S

THOMAS & ALISON FIELDS



*Edward J. Farrell*

EDWARD J. FARRELL  
PROFESSIONAL LAND SURVEYOR

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WOBURN, MASSACHUSETTS 01801  
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