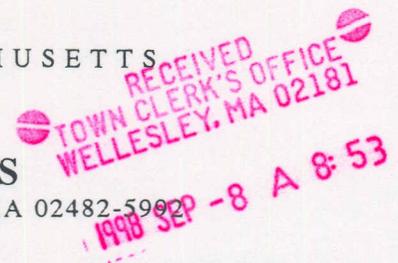


**ZONING BOARD OF APPEALS**

TOWN HALL • 525 WASHINGTON STREET • WELLESLEY, MA 02482-5992

JOHN A. DONOVAN
KENDALL P. BATES
WILLIAM E. POLLETTAELLEN D. GORDON
EXECUTIVE SECRETARY
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ROBERT A. BASTILLE
CYNTHIA S. HIBBARD

ZBA 98-73

Petition of Robert H. and Jennifer D. Bortnick
9 Leewood Road

Pursuant to due notice, the Special Permit Granting Authority held a Public Hearing on Thursday, August 20, 1998 at 8 p.m. in the Great Hall at the Town Hall, 525 Washington Street, Wellesley, on the petition of ROBERT H. AND JENNIFER D. BORTNICK requesting a Special Permit/Finding pursuant to the provisions of Section XVII and Section XXV of the Zoning Bylaw that the construction of a 26.4 foot by 25.5 foot two-story addition, with less than the required right side yard setback, at their nonconforming dwelling with less than the required right side yard setback, at 9 LEEWOOD ROAD, in a Single Residence District, shall not be substantially more detrimental to the neighborhood than the existing nonconforming structure.

On August 3, 1998, 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 Robert Bortnick, who said that they would like to build a two-story addition which would contain a family room and mudroom on the first floor and a bedroom and bath on the second floor. The addition has been located behind the existing house, as it is the least visible portion of the property. The bulk of the addition will be 17.3 feet from the right side line, and will be screened from the street by the garage.

The Board noted that the proposed addition would be less nonconforming than the existing structure.

No other person present had any comment on the petition.

Statment of Facts

The subject property is located at 9 Leewood Road, in a Single Residence District, on 10,000 square foot lot, and has a minimum right side yard clearance of 12.9 feet.

The petitioners are requesting a Special Permit/Finding that the construction of a 26.4 foot by 25.5 foot two-story addition, with a minimum right side yard clearance of 12.26 feet, shall not be substantially more detrimental to the neighborhood than the existing nonconforming structure.

A Plot Plan dated July 28, 1998, drawn by Ronald R. Turchi, Registered Professional Land Surveyor; Floor Plans and Elevations drawn by The Galante Architecture Studio; and photographs were submitted.

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 finding of this Authority that the construction of the two-story 26.4 foot by 25.5 foot addition will not be substantially more detrimental to the neighborhood than the existing nonconforming structure, as it will neither intensify the existing nonconformance, nor will it create additional nonconformity.

Therefore, a Special Permit is granted, as voted unanimously by this Authority at the Public Hearing, for the two-story addition, subject to construction in accordance with the submitted plot plan and construction drawings.

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

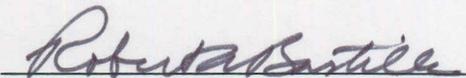
cc: Planning Board
Inspector of Buildings
edg



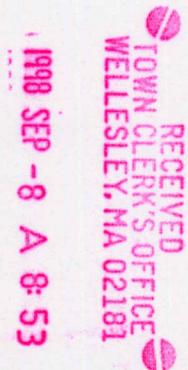
Kendall P. Bates, Acting Chairman



William E. Polletta



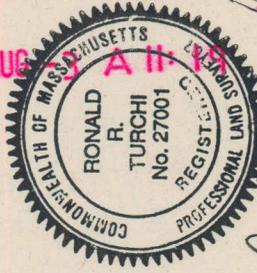
Robert A. Bastille



NOTES:
 EXISTING COVERAGE=.12
 PROPOSED COVERAGE=.16
 FOR ZBA USE ONLY

RECEIVED
 TOWN CLERK'S OFFICE
 WELLESLEY, MA 02181

1998 AUG 11



Ronald R. Turchi
 7-28-98

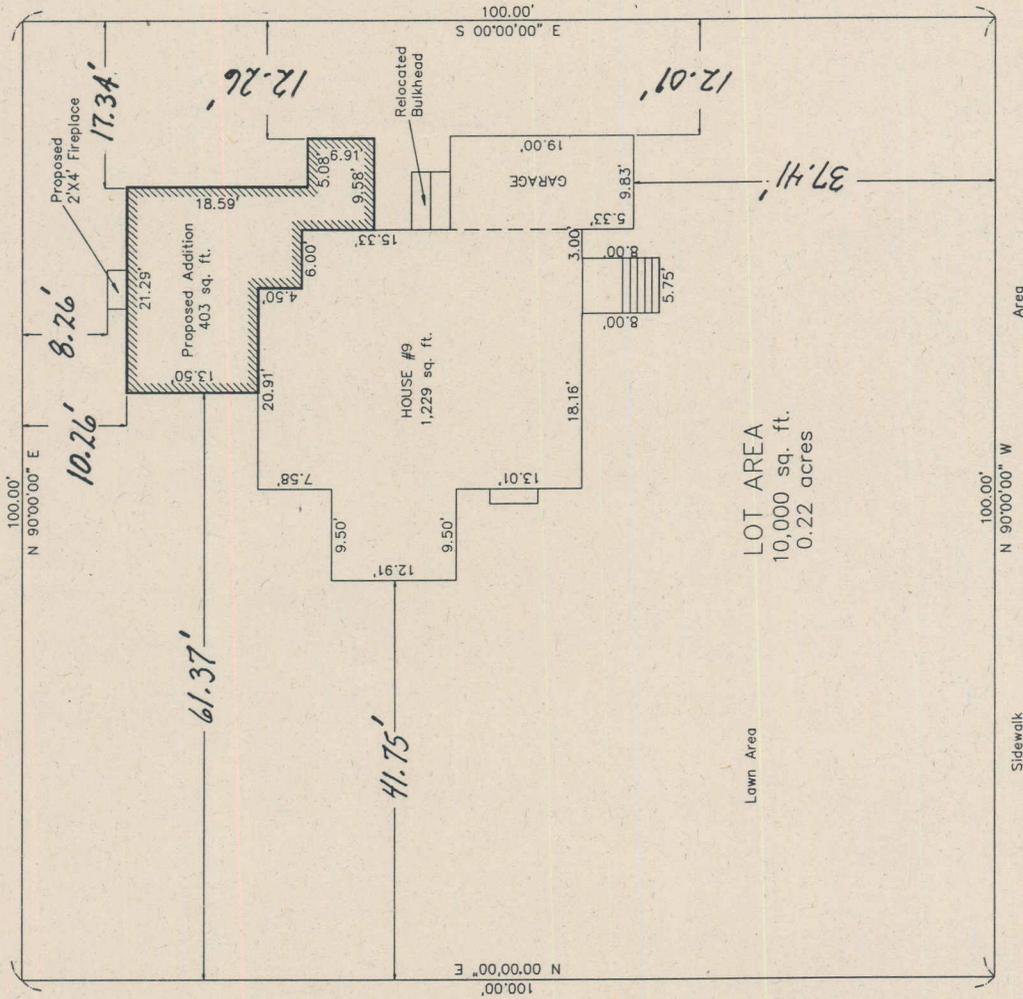
PLOT PLAN
 9 LEEWOOD ROAD
 WELLESLEY, MA 02482

OWNER: ROBERT BORDNICK
 9 LEEWOOD ROAD
 WELLESLEY, MA 02482

PREPARED BY:

WLS ASSOCIATES
 75 COTTAGE STREET
 NATICK, MA 01760
 (508) 653-4365

SCALE 1"=20'



LOT AREA
 10,000 sq. ft.
 0.22 acres

LEEWOOD ROAD