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 ZONING BOARD OF APPEALS
 TOWN HALL WELLESLEY, MA 02181

MAY 17 9 04 AM '88

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 KENDALL P. BATES

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ZBA 88-36

 Petition of Claire Fitzgerald-O'Shea
21 Boulevard Road

Pursuant to due notice, the Permit Granting Authority held a Public Hearing on Thursday, April 21, 1988 at 8 p.m. in the Selectmen's Meeting Room (Conference Room B) of the Town Hall, 525 Washington Street, Wellesley on the petition of CLAIRE FITZGERALD-O'SHEA requesting a variance from the terms of Section XIX and pursuant to Section XXIV-D which will allow her to raise the ridge line of her roof approximately 5 feet to accommodate a second floor addition approximately 33 feet by 24 feet 8 inches on her non-conforming dwelling at 21 BOULEVARD ROAD, in a Single Residence District. Said dwelling has less than the required left and right side yards.

On April 4, 1988 the petitioner requested a hearing before this Board and thereafter due notice of the hearing was given by mailing and publication.

Presenting the case was Claire Fitzgerald O'Shea who said that she had purchased her one-bedroom home before she was married. Since her marriage, the space is not sufficient to house the family.

No other persons had any comment on the petition.

Statement of Facts

The non-conforming dwelling is located at 21 Boulevard Road, in a Single Residence District, on a 6,080 square foot lot with a minimum right side yard clearance of 17.61 feet and a minimum left side yard clearance of 13.89 feet. The house, built in 1927, contained 4 rooms. In November, 1962, the Zoning Board of Appeals granted a previous owner, Katheryn E. Rich, a variance to construct an addition at the rear of the property, extending the existing lines of the house. (ZBA 62-35).

The petitioner is presently requesting a variance to raise the ridge line of the roof approximately 5 feet to accommodate a second floor addition approximately 33 feet by 24 feet 8 inches, with less than the required left and right side yards.

A Plot Plan, dated March 21, 1988, drawn by John J. Regan, Registered Land Surveyor; construction plans, undated, drawn by Starline Structures, Inc. and photographs were submitted.

The Planning Board, on April 11, 1988, voted to offer no objection to the petition.

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Petition of Claire Fitzgerald-O'Shea
21 Boulevard Road

Decision

This Authority has made a careful study of the evidence presented. The subject house does not conform to the present Zoning Bylaw as noted in the foregoing Statement of Facts.

It is the opinion of this Authority that the proposed raising of the ridge line of the roof approximately 5 feet to accomodate the addition of a second floor conforms to the present lines of the house and does not alter the relationship of the house to either 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 petitioner and that desirable relief may be granted without substantially derogating from the intent or purpose of the Zoning Bylaw.

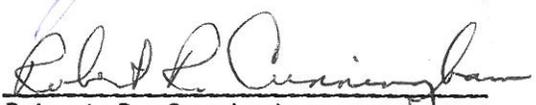
Therefore, the requested variance is granted to raise the ridge line of the roof approximately 5 feet to accomodate the addition of a second floor subject to construction in accordance with the plot plan and construction plans as submitted and noted in the Statement of Facts.

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

If the rights authorized by a variance are not exercised within one year of the date of grant of such 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

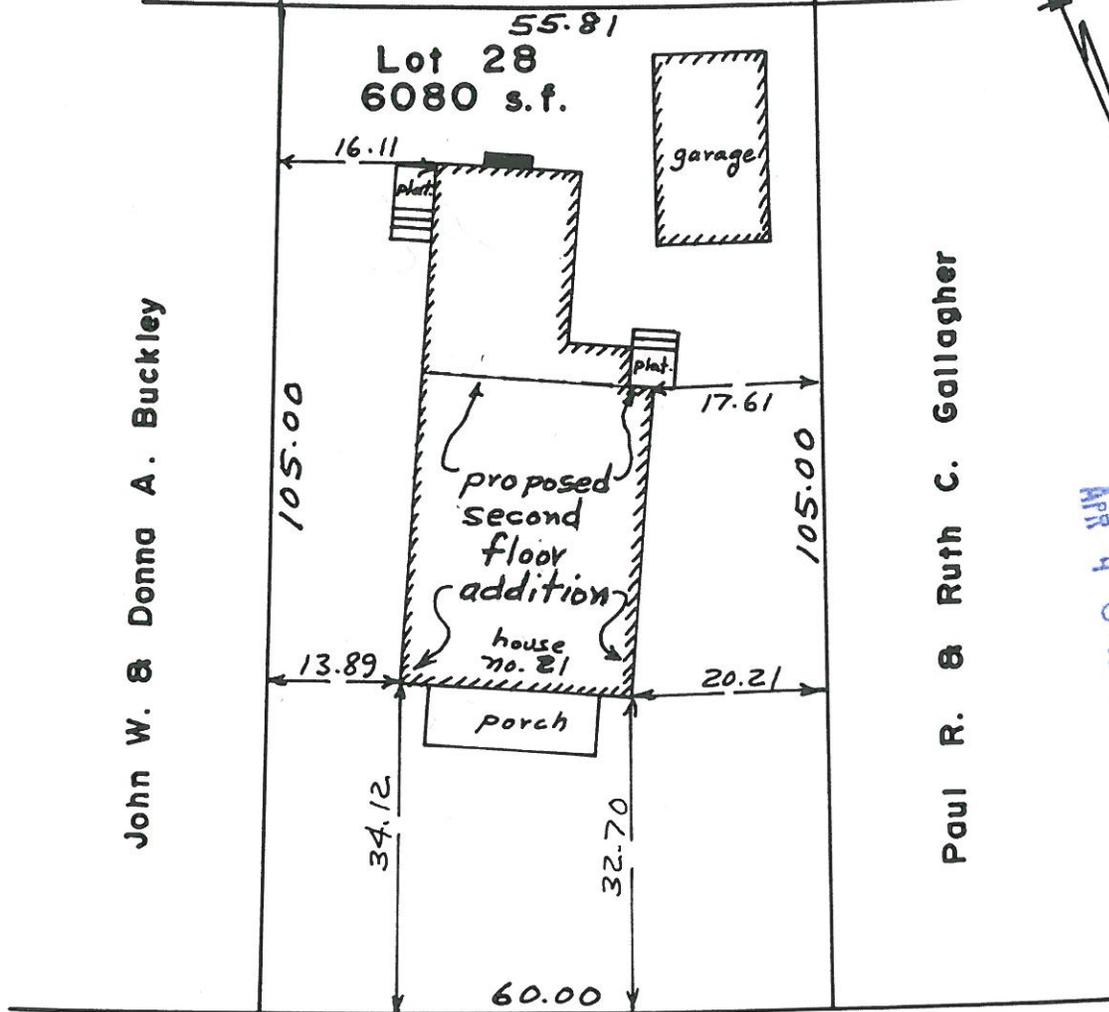

John A. Donovan, Jr., Chairman

Robert R. Cunningham

Kendall P. Bates

Francis A. &
Kathleen M. McLoughlin

Paul & Linda Powers

Cyril C. Jr. & Dianne F.
Sullivan



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Note:
Existing lot
coverage is 1575± s.f.
or 26%

BOULEVARD ROAD

PLAN OF LAND
IN
WELLESLEY MASS.



John J. Regan

TO ACCOMPANY THE PETITION OF
TERENCE & CLAIRE O'SHEA
21 BOULEVARD ROAD
WELLESLEY

SCALE 1 IN = 20 FT
JOHN J. REGAN
NEWTON HIGHLANDS

MARCH 21, 1988
LAND SURVEYOR
MASS.