



ZONING BOARD OF APPEALS  
TOWN HALL WELLESLEY, MA 02181

JOHN A. DONOVAN, JR., Chairman  
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KENDALL P. BATES

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WELLESLEY, MASS.  
JUL 14 9 00 AM '88  
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ZBA 88-52

Petition of Joseph and Adeline Doherty  
14 Oakdale Avenue

Pursuant to due notice, the Permit Granting Authority held a Public Hearing on Thursday, June 23, 1988 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 JOSEPH AND ADELINE DOHERTY requesting a variance from the terms of Section XIX and pursuant to Section XXIV-D of the Zoning Bylaw which will allow construction at their non-conforming dwelling at 14 OAKDALE AVENUE, in a Single Residence District, of a two-story addition approximately 3 feet 3 inches by 23 feet leaving less than the required front setback; a two-story addition approximately 9 feet by 6 feet leaving less than the required left side yard; and a bulkhead approximately 5 1/2 feet by 6 feet leaving less than the required left side yard.

On June 6, 1988 the petitioners requested a hearing before this Board and thereafter due notice of the hearing was given by mailing and publication.

Presenting the case was Joseph Doherty, accompanied by his wife Adeline, who said that they wished to increase the size of their home as their family was increasing and more living space was essential.

No other persons had any comment on the petition.

#### Statement of Facts

The non-conforming dwelling is located at 14 Oakdale Avenue, in a Single Residence District, on a 10,213 square foot lot with a minimum front setback of 20 feet from Oakdale Avenue and a minimum left side yard clearance of 12 feet.

The petitioners are requesting a variance to construct a two-story addition approximately 3 feet 3 inches by 23 feet on the right side of the dwelling, leaving a front setback of 20 feet; a two story addition approximately 9 feet by 6 feet at the left rear side of the dwelling, leaving a left side yard of 12 feet; and a bulkhead approximately 5 1/2 feet by 6 feet at the left rear side of the dwelling, leaving a left side yard of 12 feet.

A Plot Plan, dated May 31, 1988, drawn by George N. Giunta, Registered Land Surveyor; construction plans, dated May 31, 1988, drawn by D. Michael Collins & Associates; and photographs were submitted.

The Planning Board, on June 14, 1988, voted to offer no objection to the variance request, as it appeared that there is no further encroachment on the inadequate yards.

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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 two proposed two-story additions and the proposed bulkhead conform to the present lines of the house and do not alter the relationship of the house to either the front setback or the left side lot line.

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 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 2 two-story additions and the bulkhead subject to construction in accordance with the Plot Plan and construction plans as submitted and described 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.

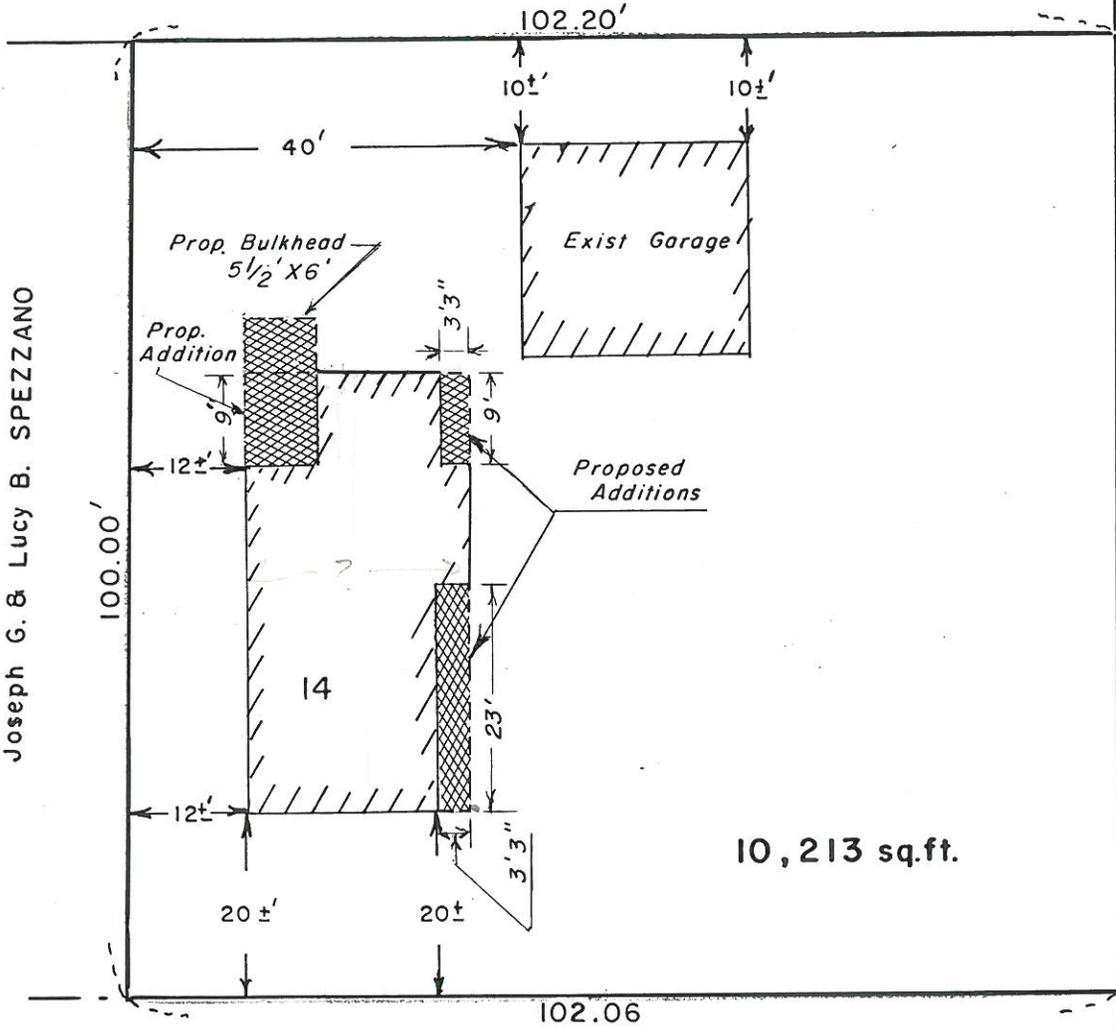
cc: Inspector of Buildings  
Planning Board  
edg

  
John A. Donovan, Jr., Chairman

  
Robert R. Cunningham

  
William E. Polletta

Richard W. BARRY



Joseph G. & Lucy B. SPEZZANO

Allan W.H. & Cynthia L. GRANT

Ota A. & Jarmila RICHTER

OAKDALE AVENUE

JUN 6 9 46 AM '88

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JUN 5 1988



PLAN OF LAND  
in  
WELLESLEY, MASS.

Owned by  
JOSEPH and ADELIN DOHERTY

MAY 31, 1988

SCALE: 1" = 20'