



ZONING BOARD OF APPEALS  
TOWN HALL WELLESLEY, MA 02181

JOHN A. DONOVAN, JR., Chairman  
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WILLIAM E. POLLETTA  
FRANKLIN P. PARKER  
SUMNER H. BABCOCK

ZBA 90-42  
Petition of Susan L. Gannon  
37 Martin Road

Pursuant to due notice, the Permit Granting Authority held a Public Hearing on Thursday, May 24, 1990 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 SUSAN L. GANNON, requesting a variance from the terms of Section XIX and pursuant to the provisions of Section XXIV-D of the Zoning Bylaw to allow the enclosure of an existing screened porch, approximately 8 feet by 14 feet, at her non-conforming dwelling, at 37 MARTIN ROAD, in a Single Residence District, with less than the required right side yard.

On May 7, 1990, 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 Susan Gannon, who said she would like to enclose and heat her screened porch.

No other person present had any comment on the petition.

Statement of Facts

The non-conforming dwelling is located at 37 Martin Road, in a Single Residence District, on a 10,001 square foot lot, with a minimum right side yard clearance of 13.75 feet.

The petitioner is requesting a variance to enclose an existing screened porch, approximately 8 feet by 14 feet, with a minimum right side yard clearance of 13.75 feet.

A Plot Plan dated April 23, 1990, drawn by Alphonso D. Haley; construction drawings and elevations; and photographs were submitted.

The Planning Board, on May 15, 1990, voted to oppose the granting of the variance.

Decision

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

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It is the opinion of this Authority that the proposed enclosure of the existing screened porch conforms to the present lines of the house and does not alter the relationship of the house to the right 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 petitioner, and that desirable relief may be granted without substantially derogating from the intent or purpose of the Zoning Bylaw.

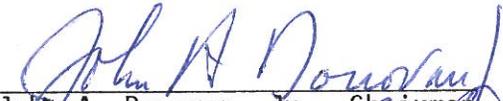
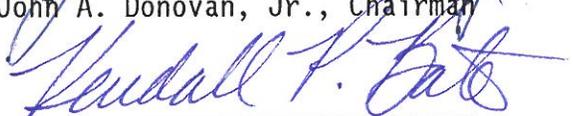
Therefore, the requested variance is granted to enclose the existing screened porch subject to construction in accordance with the Plot Plan and construction drawings submitted and noted in the foregoing Statement of Facts.

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

  
Robert R. Cunningham

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PROPOSED ADDITION  
IN  
WELLESLEY, MASS.

MIDDLESEX SURVEY INC. LAND SURVEYORS  
131 PARK STREET NORTH READING, MASS.

SCALE: 1" = 20' DATE: APRIL 23, 1990



May 7 1 28 PM '90

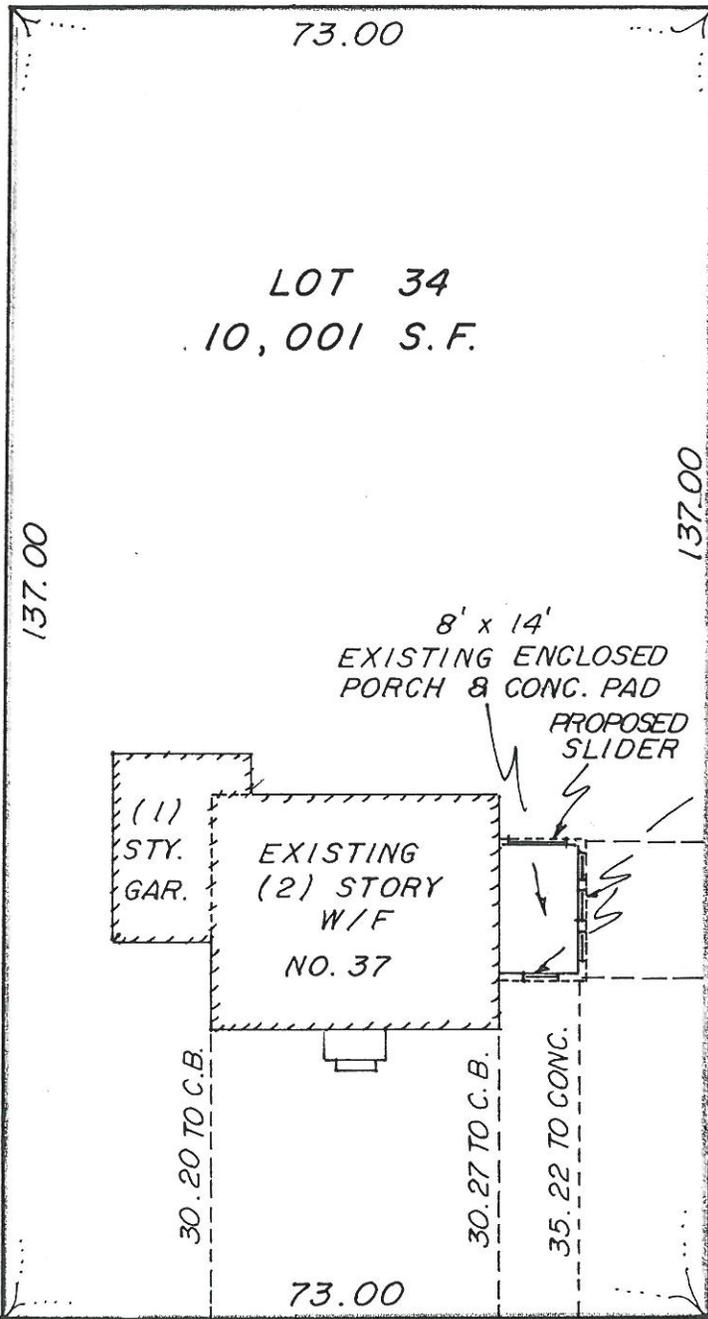
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LOT 35

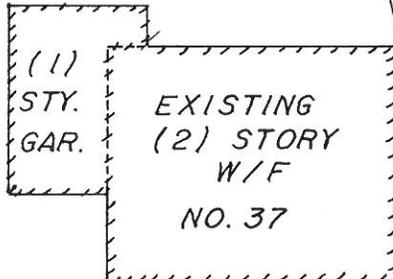
LOT 33

LOT 34  
10,001 S.F.

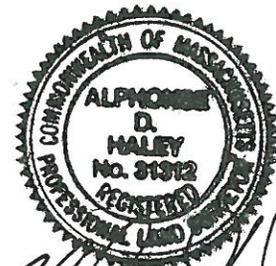
NOTE: OFFSETS SHOWN ARE  
THE CALCULATED RESULTS  
OF AN INSTRUMENT  
SURVEY.



PROPOSED  
4 DOUBLE HUNG  
WINDOWS



13.75 TO EX. CONC. PAD  
13.89 TO PROPOSED FINISH  
13.85 TO EX. CONC. PAD  
13.99 TO PROPOSED FINISH



*Alphonse D. Haley*  
DATE: 4-23-90 R.L.S.

← 392' TO PILGRIM  
ROAD

MARTIN ROAD