



ZONING BOARD OF APPEALS
TOWN HALL WELLESLEY, MA 02181

JOHN A. DONOVAN, JR., Chairman
ROBERT R. CUNNINGHAM
KENDALL P. BATES

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FEB 10 10 50 AM '93
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ZBA 93-3
Petition of Suzanne Kavanagh
3 Burke Lane

Pursuant to due notice, the Special Permit Granting Authority held a Public Hearing on Thursday, January 28, 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 SUZANNE KAVANAGH requesting a Special Permit/Special Permit Finding pursuant to the provisions of Section XVII and Section XXV of the Zoning Bylaw that the following additions to her pre-existing nonconforming dwelling with less than the required front and right side yard setbacks at 3 BURKE LANE, in a Single Residence District, shall not intensify the existing nonconformities or create additional ones:

1. A two-story addition approximately 18 feet by 23.5 feet at the rear of the nonconforming dwelling.
2. A deck approximately 14 feet by 6 feet at the rear of the nonconforming dwelling.

Both additions comply with all zoning requirements.

On January 11, 1993, the petitioner 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 Suzanne Kavanagh, who asked for permission to construct the conforming addition and deck at the rear of her house. The house is on an acre of land, but is situated close to the front corner of the property.

No other person present had any comment on the petition.

Statement of Facts

The subject nonconforming dwelling is located on a 40,252 square foot lot, at 3 Burke Lane, in a Single Residence District. Said dwelling has a minimum front yard clearance of 8.7 feet and a minimum right side yard clearance of 12 feet.

The petitioner is requesting a Special Permit/Special Permit Finding to construct a two-story addition approximately 18 feet by 23.5 feet at the rear of her nonconforming dwelling. Said addition will have a conforming right side yard setback of 25.6 feet, a conforming left side yard setback of 107.5 feet and a conforming rear yard setback of 198 feet.

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A Special Permit/Special Permit Finding is also requested for construction of a deck behind the aforesaid addition. Said deck would measure approximately 14 feet by 6 feet, and would have a conforming right side yard setback of 26.5 feet, a conforming left side yard setback of 110.5 feet and a conforming rear yard setback of 192 feet.

A Plot Plan dated December 21, 1992, drawn by George N. Giunta, Registered Land Surveyor; floor plans and elevations; and photographs were submitted.

On January 26, 1993, the Planning Board reviewed the petition and voted to offer no objection to the granting of the Special Permits for the additions.

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 as both the proposed two-story addition and the deck conform to all current zoning requirements, said additions will not intensify the existing nonconformities or result in additional ones.

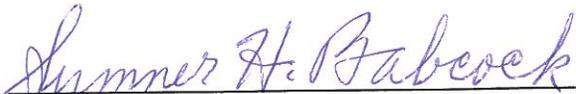
Therefore, a Special Permit is granted for the proposed two-story addition and deck, subject to construction in accordance with the Plot Plan and construction sketches submitted as noted in the foregoing Statement of Facts.

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

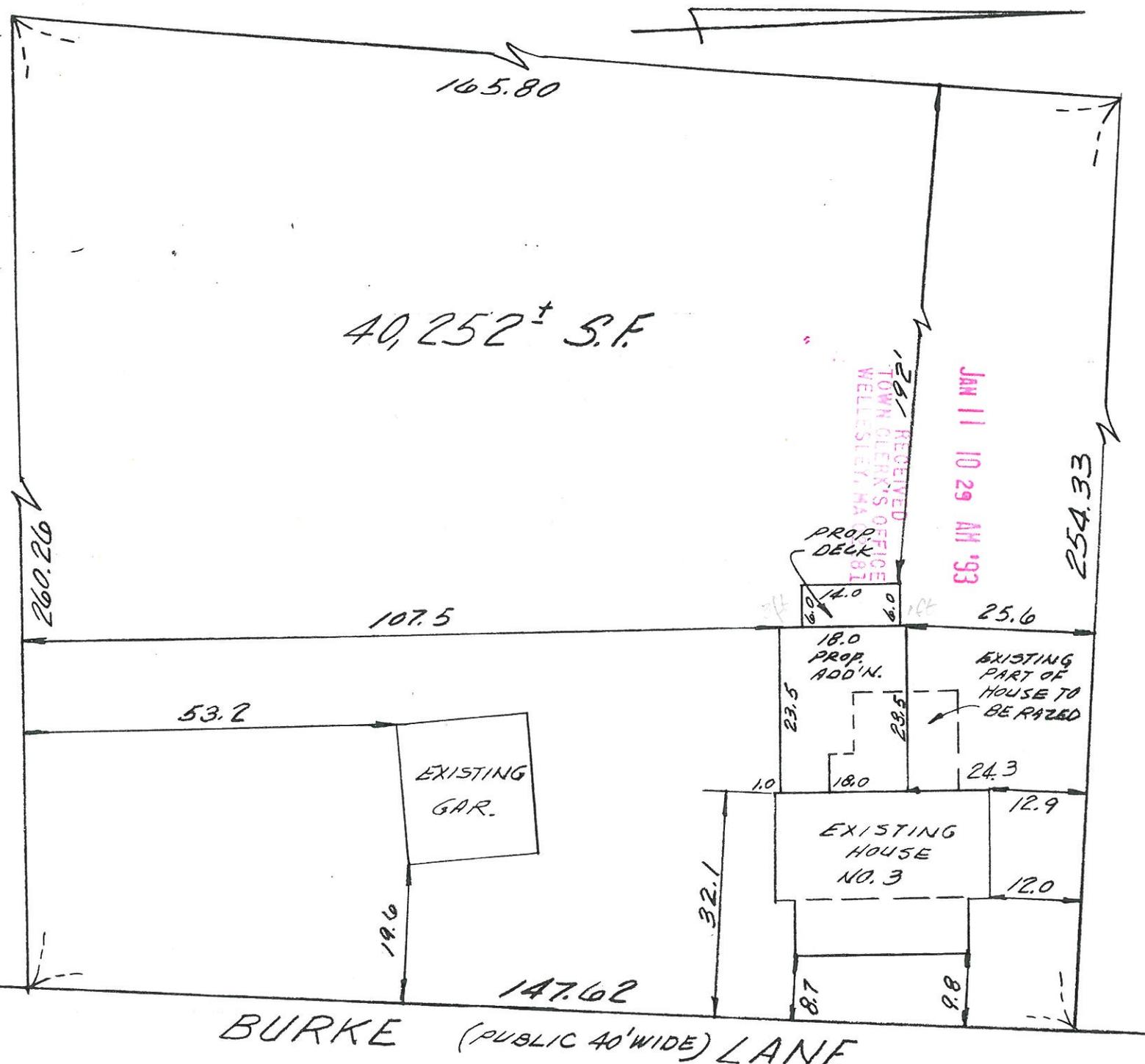
APPEALS FROM THIS DECISION,
IF ANY, SHALL BE MADE PURSUANT
TO GENERAL LAWS, CHAPTER 40A,
SECTION 17, AND SHALL BE FILED
WITHIN 20 DAYS AFTER THE DATE
OF FILING OF THIS DECISION IN
THE OFFICE OF THE TOWN CLERK.

cc: Planning Board
Inspector of Buildings
edg


Kendall P. Bates, Acting Chairman


Sumner H. Babcock


William E. Polletta



PLOT PLAN OF LAND
IN
WELLESLEY — MASS.

DEC. 21, 1992 SCALE 1" = 20'
NEEDHAM SURVEY ASSOCIATES, INC.
281 CHESTNUT ST
NEEDHAM, MASS.

