



ZONING BOARD OF APPEALS  
TOWN HALL WELLESLEY, MA 02181

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ZBA 95-49  
Petition of Kevin M. and Mary E. Monagle  
11 Vista Road

Pursuant to due notice, the Special Permit Granting Authority held a Public Hearing on Thursday, June 22, 1995 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 KEVIN M. AND MARY E. MONAGLE requesting a Special Permit/Finding pursuant to the provisions of Section XVII and Section XXV of the Zoning Bylaw that the enclosure of their nonconforming porch approximately 19.5 feet by 10 feet, with less than the required left side yard setback, and the incorporation of said porch into the internal structure of their nonconforming dwelling, with less than the required left and right side yard setbacks at 11 VISTA ROAD, in a Single Residence District, shall not be substantially more detrimental to the neighborhood than the existing nonconforming structure. There will be no change in the footprint of the dwelling.

On June 5, 1995, 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 were Kevin and Mary Monagle. Mr. Monagle said that they would like to enclose the porch for use as a family room. The existing awnings would be removed.

No other person present had any comment on the petition.

#### Statement of Facts

The subject nonconforming dwelling is located on a 10,263 square foot lot at 11 Vista Road, in a Single Residence District, and has a minimum right side yard clearance of 16.5 feet and a minimum left side yard clearance of 15.9 feet from the left rear corner of the dwelling.

The petitioners are requesting a Special Permit/Finding that the enclosure of an existing porch approximately 10 feet by 19.5 feet, which has a minimum left side yard clearance of 15.9 feet, for use as a family room, will not be substantially more detrimental to the neighborhood than the existing nonconforming structure.

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A Plot Plan dated May 15, 1995, drawn by Paul J. Sawtelle, Registered Land Surveyor; Floor plans and Elevations dated May 31, 1995, drawn by Kevin Monagle, and photographs were submitted.

On June 20, 1995, the Planning Board reviewed the petition and voted to offer no objection to the request.

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 enclosure of the nonconforming porch for use as a family room will not intensify the existing nonconformance, nor will it create new nonconformities as there will be no change in the footprint of the dwelling.

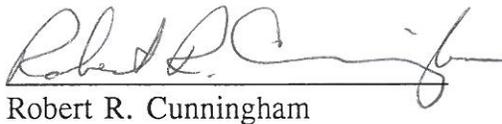
It is the further finding of this Authority that the change of use of the nonconforming porch to a family room will not be substantially more detrimental to the neighborhood than the existing nonconforming porch.

Therefore, a Special Permit is granted for the enclosure of the 10 foot by 19.5 foot porch and incorporation into the internal structure of the dwelling for use as a family room in accordance with the submitted plot plan and construction sketches.

The Inspector of Buildings is hereby authorized to issue a permit for construction upon his 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.

  
John A. Donovan, Jr., Chairman

  
Robert R. Cunningham

  
William E. Polletta

cc: Planning Board  
Inspector of Buildings  
edg

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JUL 7 8 04 AM '95

HOPKINSON STREET

JUN 5 9 17 AM '95

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WELLESLEY, MA 02181

KEVIN & MARY MONAGLE  
10,263 ± S.F.  
LOT COVERAGE = 10.3%

CHANGE OF USE FINDING

# 11  
2-STY. W.F.

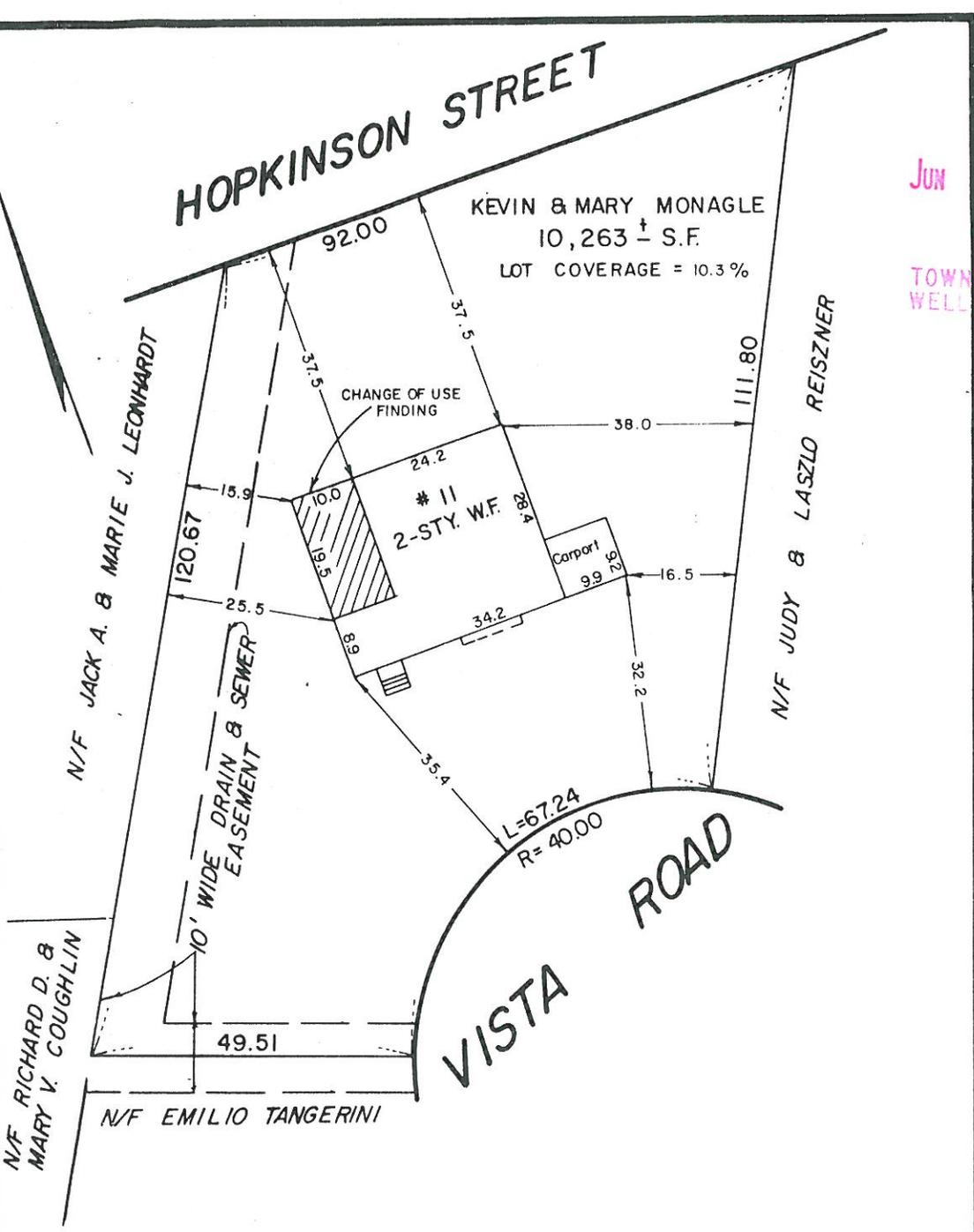
Carport

N/F JACK A. & MARIE J. LEONHARDT

N/F JUDY & LASZLO REISZNER

N/F RICHARD D. & MARY V. COUGHLIN

N/F EMILIO TANGERINI



ASSESSORS REF:  
MAP 077, ROUTE 012

BUILDING ZONE:  
RES. 10,000 S.F.

PLAN OF LAND  
IN

WELLESLEY, MASS.



*Paul J. Savitelle*

SCALE : 1" = 20'  
MASS BAY SURVEY, INC.

MAY 15, 1995  
NEWTON, MASS.