



ZONING BOARD OF APPEALS

TOWN HALL • 525 WASHINGTON STREET • WELLESLEY, MA 02181-5992

JOHN A. DONOVAN
KENDALL P. BATES
WILLIAM E. POLLETTA

ELLEN D. GORDON
EXECUTIVE SECRETARY
TELEPHONE
(617) 431-1019 EXT. 208

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JUN 2 11 21 AM '97
SUMNER H. BABCOCK
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ZBA 97-48
Petition of William J. and Lena R. Walsh
15 Beverly Road

Pursuant to due notice, the Special Permit Granting Authority held a Public Hearing on Thursday, June 19, 1997 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 WILLIAM J. AND LENA R. WALSH requesting a Special Permit/Finding pursuant to the provisions of Section XVII and Section XXV of the Zoning Bylaw that the 2.6 foot by 9 foot expansion the the existing 4.4 foot by 9 foot shed for use as a mudroom, with less than the required left side yard setback, at their nonconforming dwelling with less than the required left and right side yard setbacks, at 15 BEVERLY ROAD, in a Single Residence District, shall not be substantially more detrimental to the neighborhood than the existing nonconforming structure.

On June 2, 1997, 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 was Bill Walsh, who said that they would like to remove the shed and replace it with a mudroom, which would require the 2.6 foot by 9 foot expansion. The proposed mudroom would come no closer to the left side lot line than the existing shed.

No other person present had any comment on the petition.

Statement of Facts

The subject property is located at 15 Beverly Road, in a Single Residence District, on an 8,000 square foot lot, with a minimum right side yard clearance of 17.9 feet and a minimum left side yard clearance of 11.7 feet. There is an existing 4.4 foot by 9 foot shed attached to the left side of the dwelling, which has a minimum left side yard clearance of 12.7 feet.

The petitioners are requesting a Special Permit/Finding to demolish the 4.4 foot by 9 foot shed and construct a 7 foot by 9 foot mudroom, which results in a 2.6 foot by 9 foot expansion to the original structure. The proposed mudroom would have a minimum left side yard clearance of 12.7 feet.

A Plot Plan dated May 19, 1997, drawn by Paul J. Sawtelle, Registered Land Surveyor; Floor Plans and Elevations (A-1, A-2) drawn by Kenneth A. Diranian; and photographs were submitted.

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On June 10, 1997, 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.

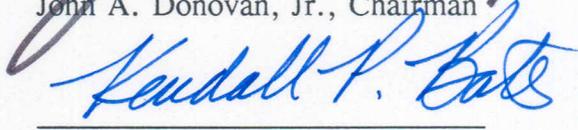
It is the finding of this Authority that the proposed demolition of the existing 4.4 foot by 9 foot shed, and construction of a 7 foot by 9 foot mudroom, with a minimum left side yard clearance of 12.7 feet, will not intensify the existing nonconformance, nor will it create new nonconformity, as the new mudroom will be less of an encroachment on the left side lot line than the existing nonconforming dwelling, nor will it encroach further on the left side lot line than the existing shed.

Therefore, a Special Permit is hereby granted, as voted unanimously by this Authority at the Public Hearing, to demolish the existing shed and construct a 7 foot by 9 foot mudroom, subject to construction in accordance with the submitted plot plan and construction drawings.

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


John A. Donovan, Jr., Chairman

Kendall P. Bates

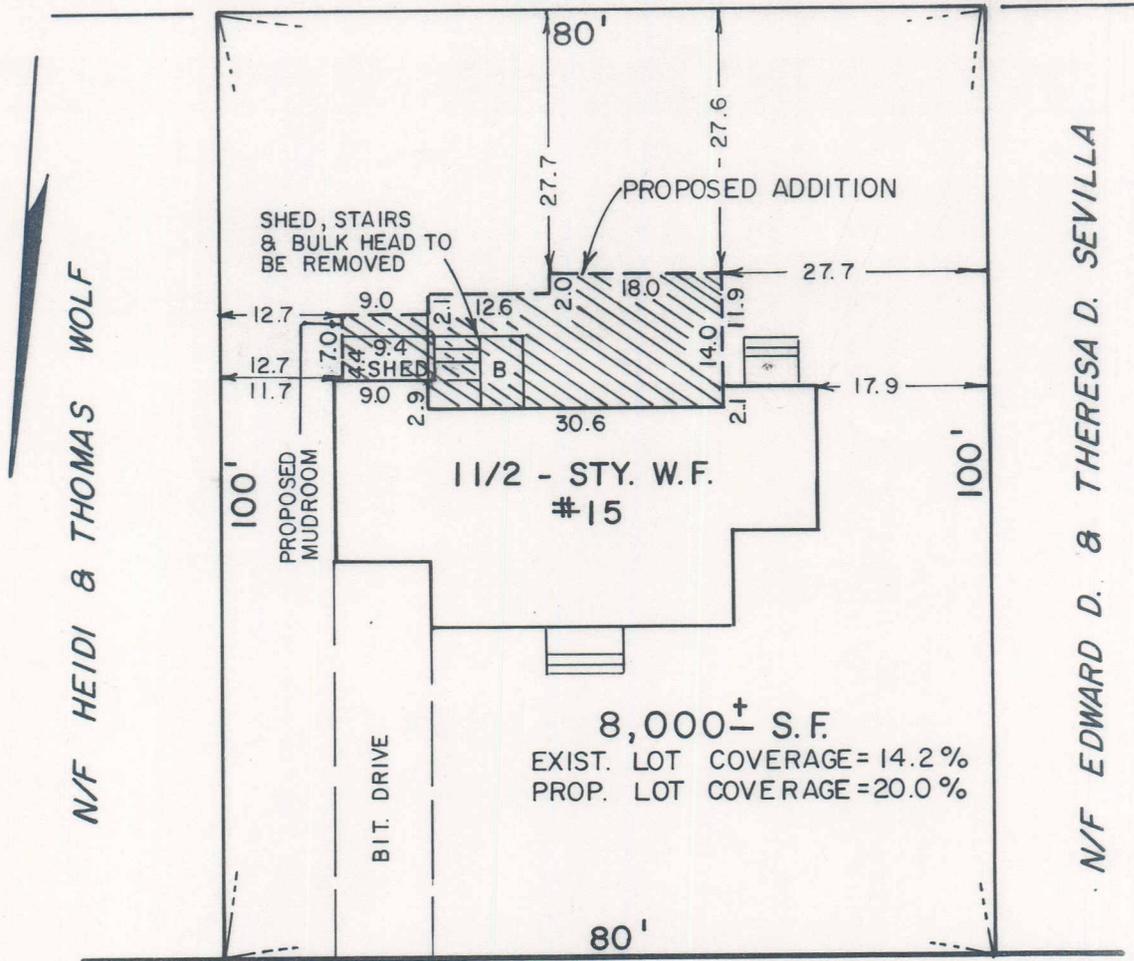

William E. Polletta

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N/F ROBERT P. & MARY ANN
RODRIGUE

N/F MARTIN & LOUISE
BENNETT



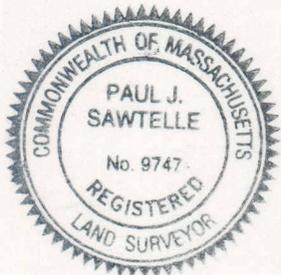
BEVERLY ROAD

ASSESSORS REF.: MAP 180, ROUTE 127
 BUILDING ZONE: 10,000 S.F.
 NORFOLK COUNTY
 DEED REF.: BK 11694 - 740
 PLAN REF.: BK 2107 - 201
 RECORD OWNER:
 WILLIAM & LENA WALSH

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 WELLESLEY, MA 02157
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PLAN OF LAND
IN

WELLESLEY, MASS.



Paul J. Sawtelle

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

MAY 19, 1997
 NEWTON, MASS