



MASSACHUSETTS  
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WELLESLEY, MA 02181  
OCT 6 9 34 AM '88

ZONING BOARD OF APPEALS  
TOWN HALL WELLESLEY, MA 02181

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ZBA 88-83

Petition of James R. Chapman, Trustee  
20 Rockland Street

Pursuant to due notice, the Permit Granting Authority held a Public Hearing on Thursday, September 22, 1988 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 JAMES R. CHAPMAN, TRUSTEE requesting a variance from the terms of Section XIX and pursuant to Section XXIV-D of the Zoning Bylaw to allow enclosure of an existing porch approximately 12 feet by 24.3 feet at his non-conforming dwelling at 20 ROCKLAND STREET, in a Single Residence District, with less than the required left side yard.

On September 6, 1988, the petitioner requested 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 James R. Chapman, who was accompanied by Gloria and Robert Zalosh, the prospective purchasers of the property. Mr. Chapman said that he had received a variance to build the porch about 10 years ago. The Zaloshes are purchasing the property and wish to enclose the porch. There will be no further encroachment due to the enclosure.

No other persons present had any comment on the petition.

#### Statement of Facts

The non-conforming dwelling is located at 20 Rockland Street, in a Single Residence District, on an 11,692 square foot lot with a minimum left side yard clearance of 10.55 feet. The house was built in 1924, prior to the 20 foot side yard requirement. A variance was granted in November, 1977 to build a screened porch approximately 12.3 feet by 26.3 feet (ZBA 77-50).

The petitioner is now requesting a variance to enclose said porch which, when actually constructed in 1977 had a length of 24.3 feet rather than the 26.3 feet granted and a width of 12 feet rather than 12.3 feet and leaves a left side yard of 10.55 feet.

A Plot Plan dated August 22, 1988, drawn by John J. Regan, Registered Land Surveyor; construction plans dated August 26, 1988, drawn by D. Michael Collins & Associates; and photographs were submitted.

The Planning Board, on September 13, 1988, voted to oppose the variance request.

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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 Bylaws as noted in the foregoing Statement of Facts.

It is opinion of this Authority that the proposed enclosure of the existing porch conforms to the present lines of the house and does not alter the relationship of the house to 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 XXIV-D 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 porch subject to construction in accordance with the Plot Plan and construction plans as submitted and described the 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.

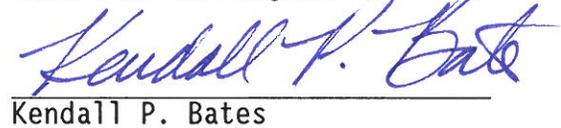
If the rights authorized by a variance are not exercised within one year of the date of grant of such variance, they shall lapse, and may be re-established only after notice and a new hearing pursuant to Section XXIV-D of the Zoning Bylaw.

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

  
Robert R. Cunningham

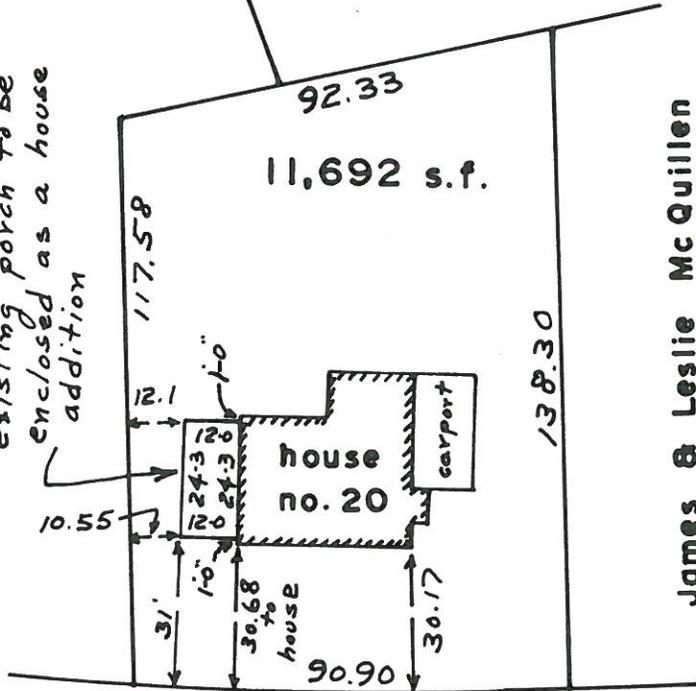
  
Kendall P. Bates

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John D. & Pamela Lloyd  
9 45 AM '88

David & Helene Walker

existing porch to be  
enclosed as a house  
addition



James & Leslie McQuillen

## ROCKLAND STREET

Note:

Lot coverage is  
1779± s.f. or 15.2%



*John J. Regan*

# PLAN OF LAND IN WELLESLEY MASS.

TO ACCOMPANY THE PETITION OF  
JAMES R. & ARLINE L. CHAPMAN  
20 ROCKLAND STREET  
WELLESLEY

SCALE 1 IN = 40 FT  
JOHN J. REGAN  
NEWTON HIGHLANDS

AUGUST 22, 1988  
LAND SURVEYOR  
MASS.