



ZONING BOARD OF APPEALS  
TOWN HALL WELLESLEY, MA 02181

JOHN A. DONOVAN, JR., Chairman  
ROBERT R. CUNNINGHAM  
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SEP 16 3 03 PM '96

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ZBA 96-54  
Petition of Charles B. and Ann C. Fagan  
24 Cavanagh Road

Pursuant to due notice, the Special Permit Granting Authority held a Public Hearing on Thursday, August 22, 1996 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 CHARLES B. AND ANN C. FAGAN requesting a Special Permit/Finding pursuant to the provisions of Section XVII and Section XXV of the Zoning Bylaw that the construction of a one-story addition, approximately 30.5 feet by 16 feet, which will have less than the required left side yard setback, at their nonconforming dwelling with less than the required right and left side yard setbacks, at 24 CAVANAGH ROAD, in a Single Residence District, shall not be substantially more detrimental to the neighborhood than the existing nonconforming structure.

On August 5, 1996, 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 Sean Keenan, the contractor representing Mr. and Mrs. Fagan, who were also present. Mr. Keenan said that the Fagans are requesting to construct a 400 square foot addition, which will contain a bedroom and a bath/laundry, as they are planning to live only on the first floor of their home.

The Board asked if someone else would be living in the rest of the house. Mrs. Fagan replied that the only occupants would be their visiting grandchildren.

No other person present had any comment on the petition:

Statement of Facts

The subject nonconforming dwelling is located at 24 Cavanagh Road, in a Single Residence District, on an 8,450 square foot lot, and has a minimum right side clearance of 13.6 feet and a minimum left side yard clearance of 14.09 feet.

The petitioners are requesting a Special Permit/Finding to construct a one-story addition approximately 30.5 feet by 16 feet, which will have a minimum left side yard clearance of 14.38 feet.

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A plot plan dated June 29, 1996, drawn by Verne T. Porter, Jr., Professional Land Surveyor; unsigned, undated Foundation Plans & Details (A-1), First Floor Framing Plan (A-2), First Floor Layout (A-3), Exterior Elevations (A-4), Roof Rafter Layout & Truss System (A-5), Section (A-6); and photographs were submitted.

On August 20, 1996, the Planning Board reviewed the petition and voted to recommend no objection to the petition.

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 30.5 foot by 16 foot one-story addition will neither intensify the existing nonconformance nor create additional nonconformities as the addition will not encroach into the left side as far as the existing nonconforming dwelling.

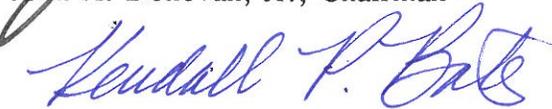
Therefore, a Special Permit is hereby granted, as voted unanimously by this Authority following the Public Hearing, for the one-story addition subject to construction in accordance with the submitted plot plan and construction drawings.

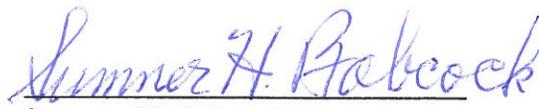
The Inspector of Buildings is hereby authorized to issue a permit for construction upon receipt and approval of a building application and detailed construction plans.

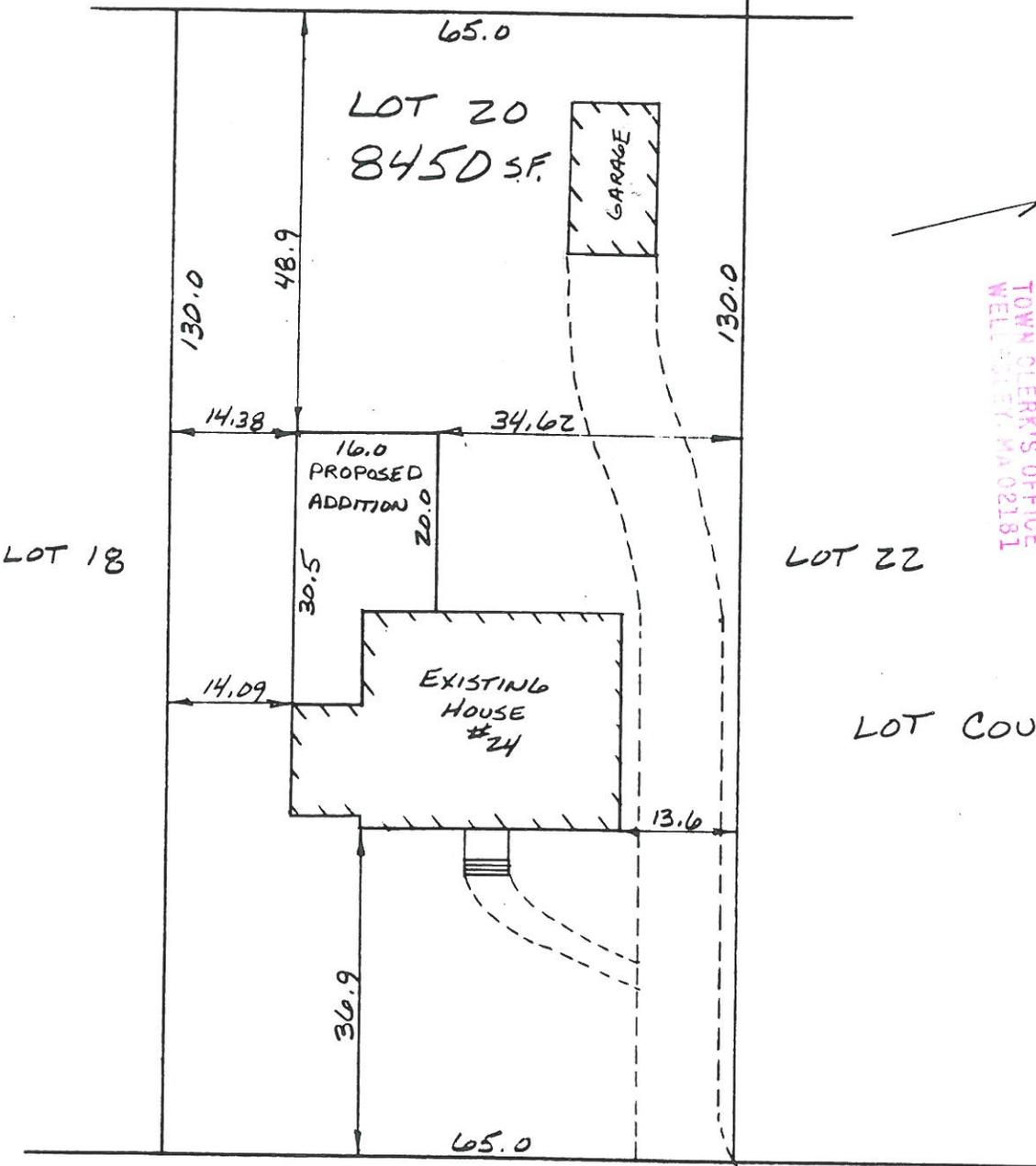
APPEALS FROM THIS DECISION,  
IF ANY, SHALL BE MADE PURSUANT  
TO GENERAL LAWS, CHAPTER 40A,  
SECTION 17, AND SHALL BE FILED  
WITHIN 20 DAYS AFTER THE DATE  
OF FILING OF THIS DECISION IN  
THE OFFICE OF THE TOWN CLERK.

cc: Planning Board  
Inspector of Buildings  
edg

  
John A. Donovan, Jr., Chairman

  
Kendall P. Bates

  
Sumner H. Babcock



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WELLESLEY, MA 02181  
Aug 5 9 45 AM '96

LOT COVERAGE = 16.77%

CAVANAUGH ROAD



PLOT PLAN OF LAND  
24 CAVANAUGH RD. - WELLESLEY, MASS.

Scale : 1" = 20' June 29, 1996  
VERNE T. PORTER, JR. PLS  
154 Needham St. Suite 1 Newton, Mass.