



ZONING BOARD OF APPEALS
TOWN HALL WELLESLEY, MA 02181

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WELLESLEY TOWN OFFICE
WELLESLEY, MASS.
DEC 3 1 53 PM '87
WILLIAM E. POLLETTA
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SUMNER H. BABCOCK

ZBA 87-84

Petition of Florence and Ghafoor Sheikh
34 River Ridge

Pursuant to due notice, the Permit Granting Authority held a Public Hearing on Thursday, November 19, 1987 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 FLORENCE AND GHAFUOR SHEIKH requesting a variance from the terms of Section XIX and pursuant to Section XXIV-D of the Zoning Bylaw which will allow construction of a two-story addition to their non-conforming dwelling at 34 River Ridge, in a Single Residence District, said addition to consist of a first floor family room approximately 13 feet 8 inches by 8 feet 7 inches, and two bedrooms and one bath on the second floor approximately 29 feet by 14 feet 1 inch in total area. This addition would be located on the right side and rear of the dwelling, leaving less than the required right side yard.

On November 2, 1987, the petitioners requested a hearing before this Board and thereafter due notice of the hearing was given by mailing and publication.

Presenting the case was Ghafoor Sheikh who was accompanied by his wife, Florence. Mr. Sheikh stated that in 1985 a variance was granted for an addition on the front right side of the dwelling and that the present request was to add on in the rear and the second floor, extending the same structural line of the existing house.

Mr. Sheikh presented five letters from abutters expressing favor of the petition. No others were present expressing favor or opposition to the request.

Statement of Facts

The non-conforming dwelling is located at 34 River Ridge on a 3,300 square foot lot in a Single Residence District, with a left side yard of 6 feet and a right side yard of 4.2 feet.

On April 4, 1985 a variance was granted to construct a one floor addition approximately 14.1 feet by 8.6 feet at the right front corner of the house, conforming to the existing lines of the house and not encroaching any further to the side line than the existing house.

The petitioners are presently requesting a variance to construct an addition as described above to be located at the right rear of the dwelling leaving less than the required right side yard, but conforming to the existing lines of the house and not encroaching any further to the side line than the existing house.

A Plot Plan dated July 23, 1987, drawn by George N. Giunta, Registered Land Surveyor, construction plans and elevations drawn by Walter Adams, and photographs of the house were submitted.

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The Planning Board, in a letter of November 12, 1987, opposed the granting of the variance as it represented a further encroachment to an inadequate side yard.

Decision

This Authority has made a careful study of the evidence presented. The subject house does not conform to the present Zoning Laws as noted in the foregoing Statement of Facts.

It is the opinion of this Authority that the proposed addition of a first floor family room approximately 13 feet 8 inches by 8 feet 7 inches and the second floor addition of approximately 29 feet by 14 feet 1 inch conform to the present lines of the house and do not alter the relationship of the house to the right side line.

It is the further opinion of this Authority that, because of the location of the house on the lot, a literal enforcement of the provisions of Section XIX 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 subject to construction in accordance with the Plot Plan and construction plans as submitted, coming no closer than 4.2 feet to the right side line.

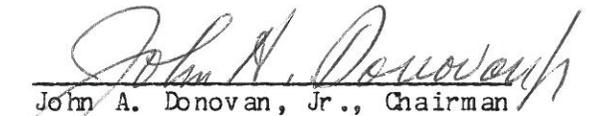
The Inspector of Buildings is hereby authorized to issue a permit for the construction upon his receipt and approval of a building application and construction plans.

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.

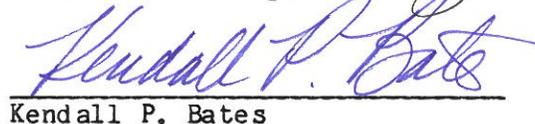
APPEALS FROM THIS DECISION, IF ANY, SHALL BE MADE PURSUANT TO GENERAL LAWS, CHAPTER 40A, SECTION 17, AND SHALL BE FILED WITHIN 20 DAYS AFTER THE DATE OF FILING OF THIS DECISION IN THE OFFICE OF THE TOWN CLERK.

cc: Planning Board
Inspector of Buildings

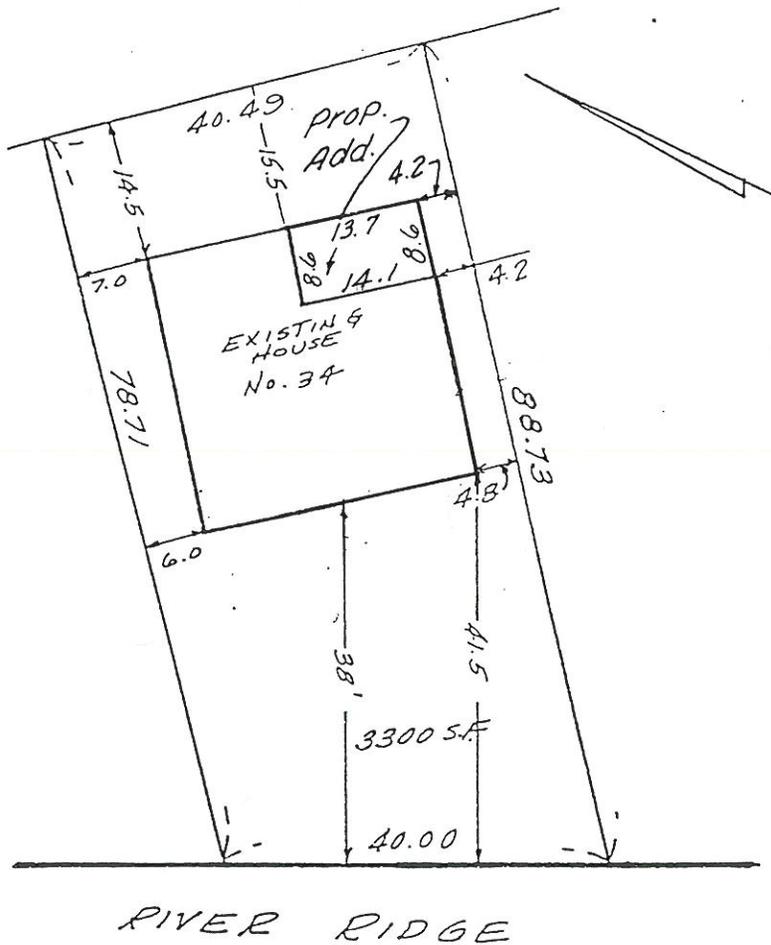
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John A. Donovan, Jr., Chairman


Robert R. Cunningham


Kendall P. Bates

DEC 3 1 53 PM '87
RECEIVED
TOWN CLERK'S OFFICE
WILLETSLEY MASS.



PLOT PLAN OF LAND
IN
WELLESLEY — MASS.

July 23, 1987 Scale: 1" = 20'
NEEDHAM SURVEY ASSOC.
76 NEHOIDEN ST.
NEEDHAM, MASS.



NOV 2 11 06 AM '87
RECEIVED
TOWN CLERK'S OFFICE
WELLESLEY, MASS.