



ZONING BOARD OF APPEALS  
TOWN HALL WELLESLEY, MA 02181

JOHN A. DONOVAN, JR., Chairman  
ROBERT R. CUNNINGHAM  
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ZBA 90-54  
Petition of Craig and Nancy Wilbraham  
5 Inverness Road

Pursuant to due notice, the Permit Granting Authority held a Public Hearing on Thursday, June 28, 1990 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 CRAIG AND NANCY WILBRAHAM requesting a variance from the terms of Section XIX and pursuant to the provisions of Section XXIV-D of the Zoning Bylaw to construct a second story addition, approximately 21.3 feet by 12 feet above an existing kitchen, which would include raising the ridgeline of the kitchen roof approximately 17 feet at their non-conforming dwelling at 5 INVERNESS ROAD, in a Single Residence District, with less than the required right side yard.

On June 11, 1990, the petitioners 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 Craig Wilbraham, who said he wished to add a master bath which would connect to the master bedroom above the kitchen. There would be no change in the existing footprint.

No other person present had any comment on the petition.

Statement of Facts

The non-conforming dwelling is located at 5 Inverness Road, in a Single Residence District, on a 23,049 square foot lot with a minimum left side yard clearance of 15.04 feet and a minimum right side yard clearance of 14.95 feet.

The petitioners are requesting a variance to construct a second-story addition, approximately 12 feet by 21.3 feet above an existing kitchen, which would include raising the ridgeline of the kitchen roof approximately 17 feet. The second story addition would be constructed above the existing foundation and come no closer than 14.95 feet from the right side property line.

A Plot Plan dated May 29, 1990, drawn by Stephen D. DesRoche, Registered Land Surveyor; construction drawings and elevations dated May 29, 1990, drawn by D. Michael Collins; and photographs were submitted.

The Planning Board, on June 19, 1990, voted to oppose the granting of the variance, noting that the addition would significantly increase the bulk of the building within the required right side yard setback.

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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 the opinion of this Authority that the proposed second-story addition conforms to the present lines of the house and does not alter the relationship of the house to the right 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 XIX would involve a substantial hardship to the petitioners and that desirable relief may be granted without substantially derogating from the intent or purpose of the Zoning Bylaw.

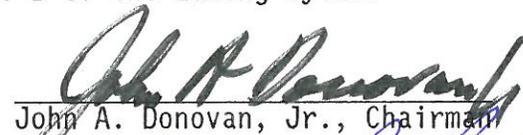
Therefore, the requested variance is granted subject to construction in accordance with the Plot Plan and construction drawings as submitted and described in the foregoing Statement of Facts, said addition coming no closer than 14.95 feet from the right side lot line.

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

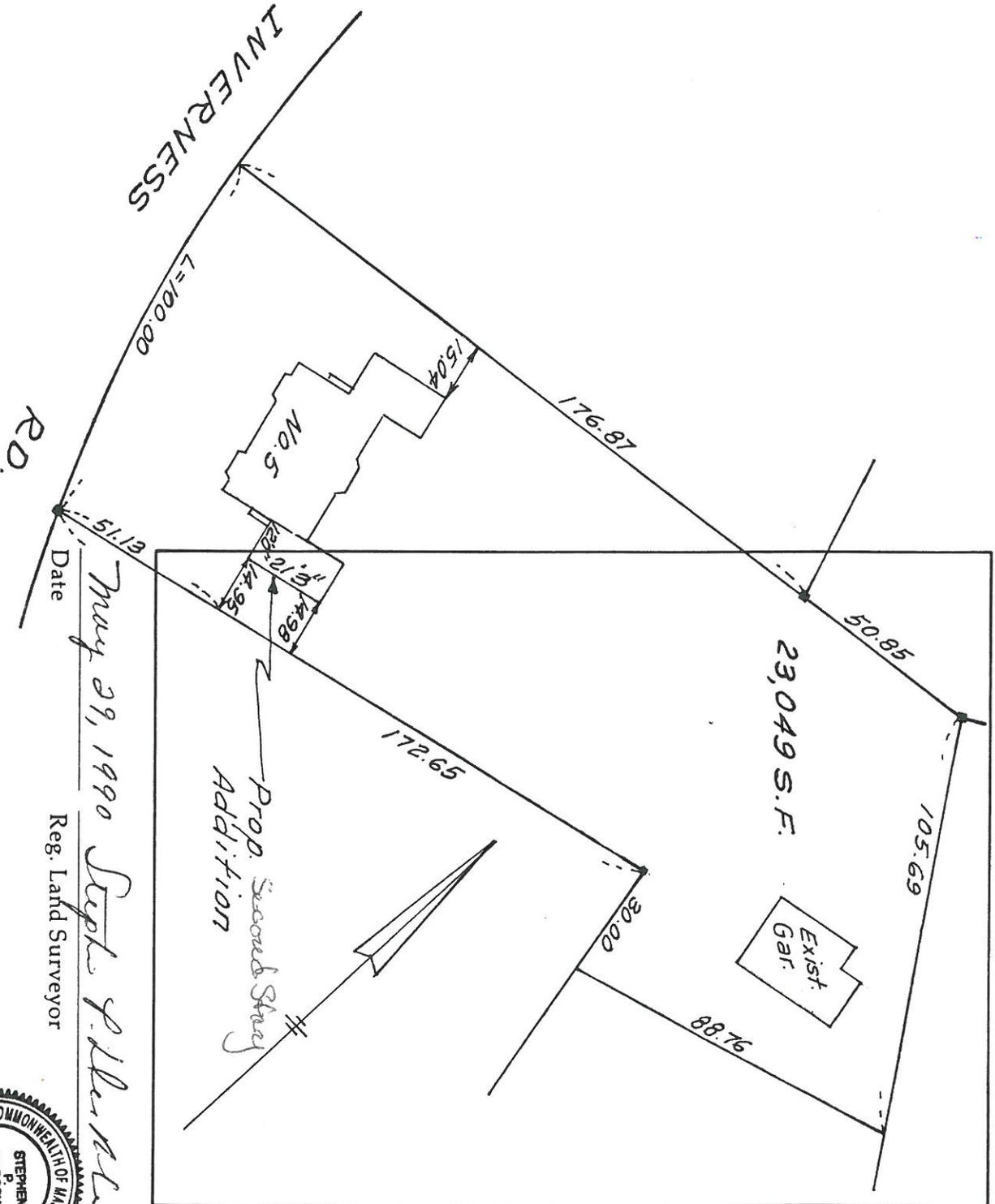
  
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CERTIFIED PLOT PLAN

Date May 29, 1990  
Reg. Land Surveyor Stephen P. Duroche

