



ZONING BOARD OF APPEALS  
TOWN HALL WELLESLEY, MA 02181

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ZBA 91-15  
Petition of Stanislaw and Irene Sikorski  
6 Harvard Street

Pursuant to due notice, the Permit Granting Authority held a Public Hearing on Thursday, March 28, 1991 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 STANISLAW AND IRENE SIKORSKI requesting a variance from the terms of Section XIX and pursuant to the provisions of Section XXIV-D of the Zoning Bylaw to allow construction of a second story addition, approximately 12 feet 9 inches by 15 feet, above their existing kitchen at the left front corner of their nonconforming dwelling at 6 HARVARD STREET, in a Single Residence District, with less than the required front setback.

On March 11, 1991, the petitioners requested a hearing before this Authority and thereafter due notice of the hearing was given by mailing and publication.

Presenting the case at the hearing were Stanislaw and Irene Sikorski. Mrs. Sikorski said that they wished to enlarge their bedroom above the existing first floor, and would not be coming any closer to the lot line.

No other person present had any comment on the petition.

#### Statement of Facts

The nonconforming dwelling is located at 6 Harvard Street, in a Single Residence District, on a 7,596 square foot lot, with a minimum front yard setback of 19.96 feet.

In December, 1979, the Board of Appeals granted a variance to the Sikorskis to construct a 10.5 foot by 12.8 foot addition between the existing nonconforming garage and the dwelling and a deck attached to the rear of the addition. The addition had a minimum left side yard clearance of 19.54 feet and a minimum front setback of 28.46 feet.

The petitioners are now requesting a variance to construct a second story addition approximately 12 feet 9 inches by 15 feet above the previously approved addition which will have the same minimum setbacks.

A Plot Plan dated June 14, 1990, drawn by John J. Regan, Registered Land Surveyor; construction drawings and elevations; and photographs were submitted.

The Planning Board, on March 18, 1991, voted to offer no comment on this 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 Bylaw 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 either the left side or the front lot line.

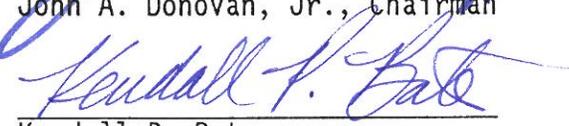
It is the opinion of this Authority that, because of the shape of the lot and the location of the house on the lot, a literal enforcement of the provisions of Section XIX of the Zoning Bylaw would involve a substantial hardship to the petitioners and that desirable relief may be granted without substantially 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 submitted and noted in the foregoing Statement of Facts.

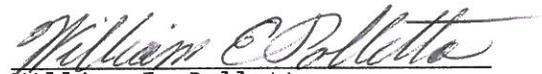
The Inspector of Buildings is hereby authorized to issue a permit for the construction upon his receipt and approval of a building application and construction plans.

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.

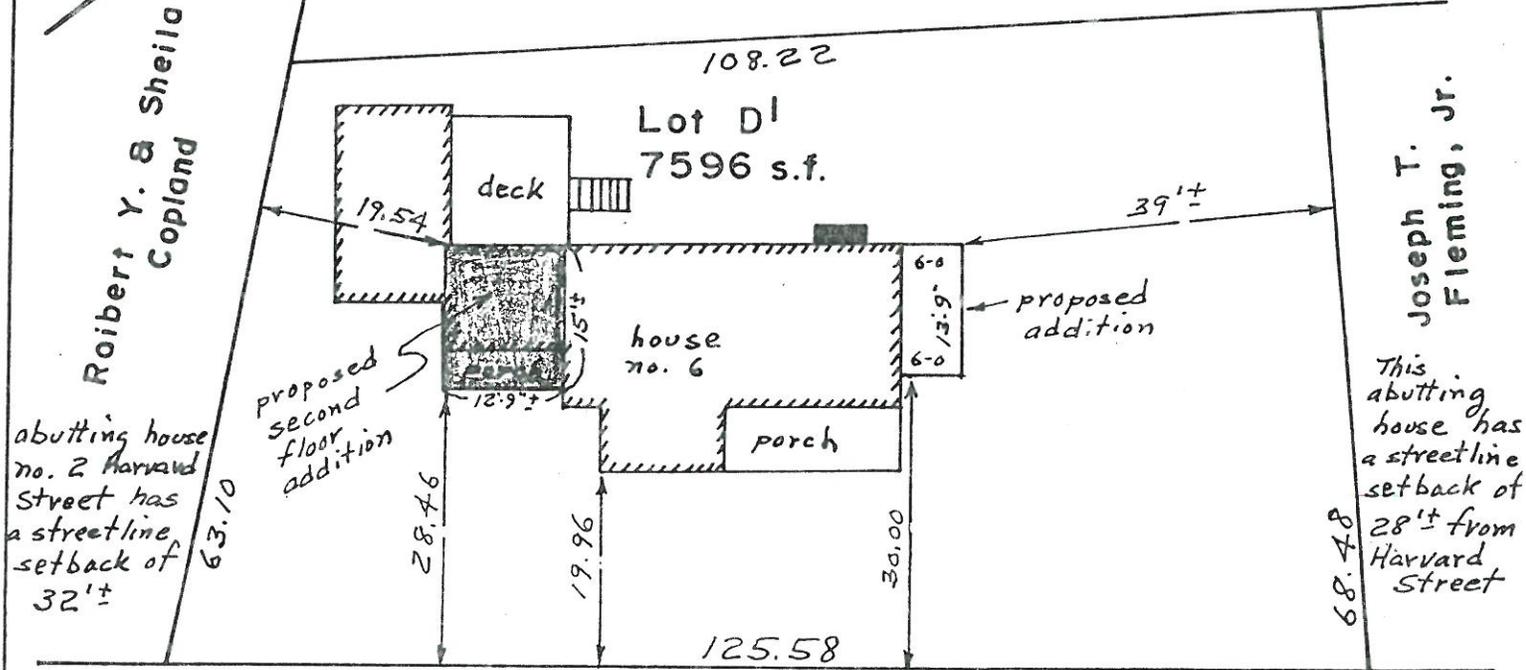
  
John A. Donovan, Jr., Chairman  
  
Kendall P. Bates

cc: Planning Board  
Inspector of Buildings  
edg -

  
William E. Polletta

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Richard M. & Elizabeth Hall



HARVARD

STREET

Note:

Lot coverage will be 1546± s.f. or 20.4%

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*John J. Regan*

PLAN OF LAND  
IN

WELLESLEY MASS.

TO ACCOMPANY THE PETITION OF  
STANISLAW W. & IRENE SIKORSKI  
6 HARVARD STREET  
WELLESLEY

SCALE 1 IN = 20 FT  
JOHN J. REGAN  
NEWTON HIGHLANDS

JUNE 14, 1990  
LAND SURVEYOR  
MASS.