

ZONING BOARD OF APPEALS
TOWN HALL WELLESLEY, MA 02181JOHN A. DONOVAN, JR., Chairman
ROBERT R. CUNNINGHAM
KENDALL P. BATESELLEN D. GORDON
Executive Secretary
Telephone
431-1019 X208JUL 7 8 01 AM '95
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WILLIAM E. POLLETTA
FRANKLIN P. PARKER
SUMNER H. BABCOCK

ZBA 95-45
Petition of Curtis and Tracy P. Krechevsky
5 Wilde Road

Pursuant to due notice, the Permit Granting Authority held a Public Hearing on Thursday, June 22, 1995 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 CURTIS AND TRACY P. KRECHEVSKY 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 2 foot by 16 foot 8 inch expansion to an existing nonconforming 7.75 by 16.67 foot screened porch, with less than the required left side yard, at their nonconforming dwelling with less than the required left and right side yard setbacks at 5 WILDE ROAD, in a Single Residence District.

A Special Permit/Finding is also requested pursuant to the provisions of Section XVII and Section XXV of the Zoning Bylaw that the enclosure of the nonconforming expanded porch for use as a family room would not be substantially more detrimental to the neighborhood than the existing nonconforming structure.

On June 5, 1995, 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 were Curtis and Tracy Krechevsky. Mr. Krechevsky said that they would like to winterize an existing screened porch for use as a family room. There is a chimney which extends about 2 feet into the porch, which makes it very narrow. They would like to expand the porch about the same 2 feet into the left side yard.

The Board noted that the architect's notation on the plans that the dimensions were from "shingle to shingle" was very unusual, as the usual measurement is from the foundation. The shingles extend beyond the foundation; the foundation measurement shown on the plot plan is the one that must be used.

The Krechevskys submitted seven letters from abutters and neighbors in support of the petition.

No other person present had any comment on the petition.

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Statement of Facts

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The subject nonconforming dwelling is located at 5 Wilde Road on an 8,400 square foot lot, in a Single Residence District. The dwelling has a minimum right side yard clearance of 13.28 feet and a minimum left side yard clearance of 16.27 feet.

The petitioners are requesting a variance to construct a 2 foot by 16 foot 8 inch expansion on their nonconforming porch approximately 7.75 feet by 16.67 feet, which has a minimum left side yard clearance of 16.27 feet. The porch expansion would leave a minimum left side yard clearance of 14.27 feet.

A Plot Plan dated May 5, 1995, drawn by Ronald R. Turchi, Registered Professional Land Surveyor; Floor plans and Elevations dated May 4, 1995, drawn by Christopher C. Crowell, Jr.; and photographs were submitted.

On June 20, 1995, the Planning Board reviewed the petition and voted to offer no objection to the request.

The petitioners are also requesting a Finding that the enclosure of the nonconforming expanded porch for use as a family room would not be substantially more detrimental to the neighborhood than the existing nonconforming structure.

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 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 to construct the 2 foot by 16 foot 8 inch porch expansion in accordance with the submitted plot plan and construction sketches.

If the rights authorized by this variance are not exercised within one year of the date of grant of said 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.

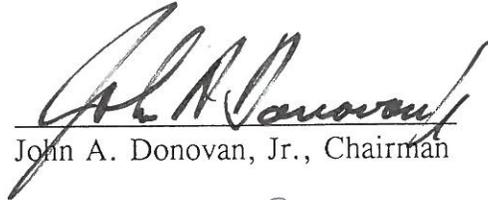
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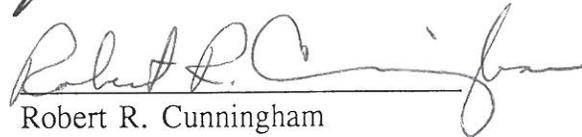
Furthermore, this Authority finds that the enclosure of the existing screened porch with the allowed 2 foot expansion, for use as a family room, shall not be substantially more detrimental to the neighborhood than the existing nonconforming structure, as seven of the neighbors have expressed support for the petition, and no neighbor has expressed opposition.

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


Robert R. Cunningham

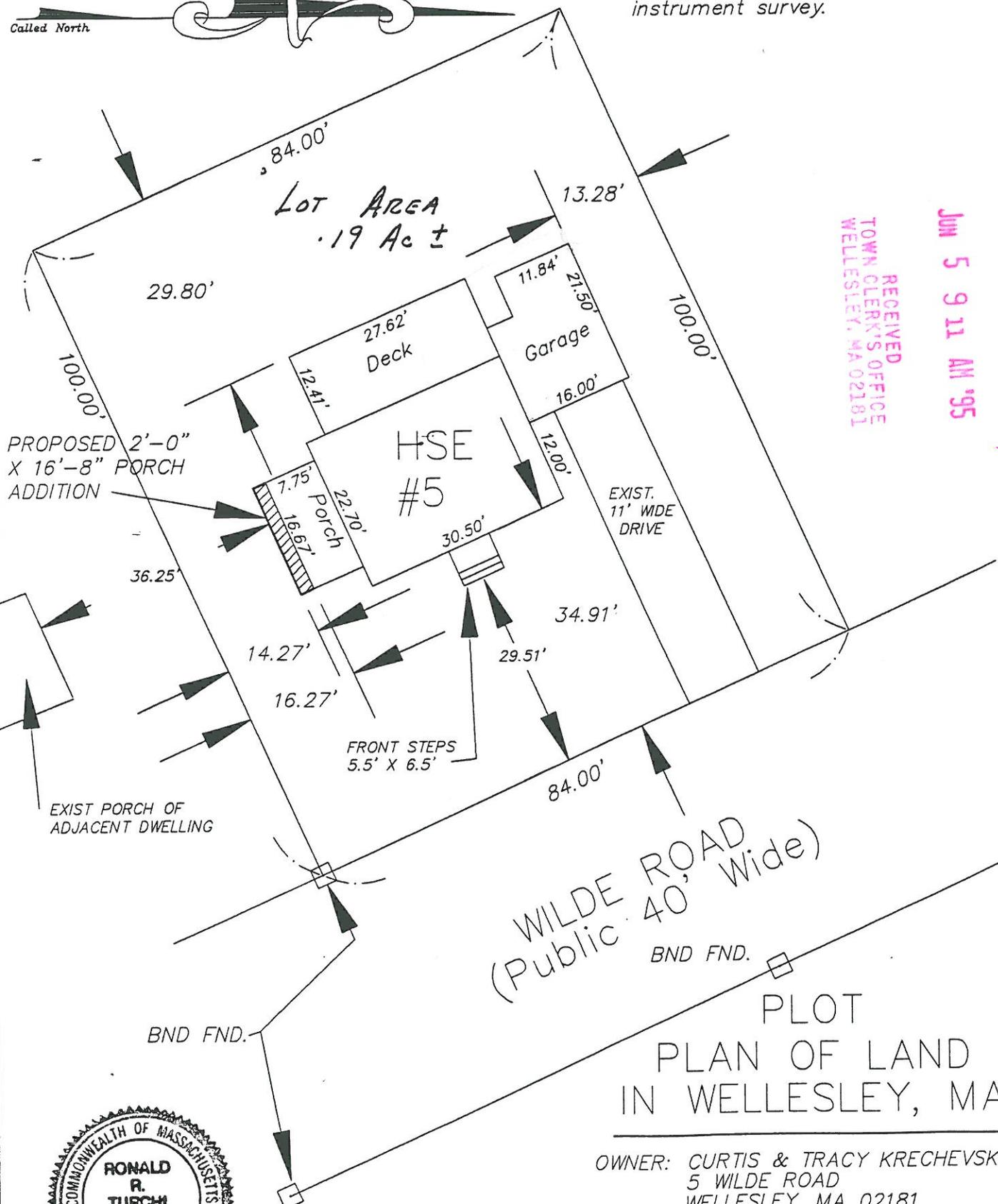

William E. Polletta

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This plan was prepared from an instrument survey.

Called North



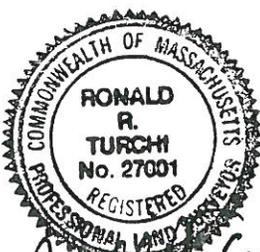
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PLOT PLAN OF LAND IN WELLESLEY, MA

OWNER: CURTIS & TRACY KRECHEVSKY
5 WILDE ROAD
WELLESLEY, MA 02181

PLAN BY: WLS ASSOCIATES
75 COTTAGE STREET
NATICK, MA 01760
(508) 545-3473

DATE: MAY 5, 1995
SCALE: 1"=20'



Ronald R. Turchi
5/10/95