



ZONING BOARD OF APPEALS
TOWN HALL WELLESLEY, MA 02181

JOHN A. DONOVAN, JR., Chairman
ROBERT R. CUNNINGHAM
KENDALL P. BATES

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ZBA 90-7

Petition of Peter and Liliana Connolly
11 Hilltop Road

Pursuant to due notice, the Permit Granting Authority held a Public Hearing on Thursday, February 15, 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 PETER AND LILIANA CONNOLLY requesting a variance from the terms of Section XIX and pursuant to the provisions of Section XXIV-D of the Zoning Bylaw to allow the raising of the ridge line of their roof approximately 3 feet to accommodate the addition of a second story, approximately 18 feet by 22 feet, at their non-conforming dwelling at 11 HILLTOP ROAD, in a Single Residence District, with less than the required left side yard.

On January 29, 1990, 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 was Peter Connolly, who said that due to the imminent increase in the size of their family, a third bedroom was necessary. There would be no further encroachment on the left side yard, as the addition would be within the dimensions of the existing footprint.

Francis J. Kane, 9 Hilltop Road, expressed support for the granting of the variance.

Statement of Facts

The non-conforming dwelling is located at 11 Hilltop Road, in a Single Residence District, on a 6,186 square foot lot with a minimum left side yard clearance of 9.5 feet.

The petitioners are requesting a variance to raise the ridge line of their roof approximately 3 feet to accommodate a second story addition, approximately 18 feet by 22 feet, which will leave a minimum left side yard clearance of 12 feet.

A Plot Plan, dated January 22, 1990, drawn by John J. Caffrey, Registered Land Surveyor; undated, unsigned construction drawings and elevations; and photographs were submitted.

The Planning Board, on February 6, 1990, voted to offer no objection to the granting of the variance.

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.

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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 left 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 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.

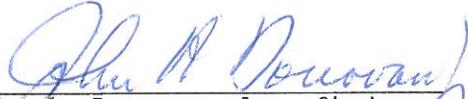
Therefore, the requested variance is granted to allow the raising of the ridge line of the roof approximately 3 feet and the construction of a second story addition at 11 Hilltop Road subject to construction in accordance with the Plot Plan and construction drawings as submitted and noted in the foregoing 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.

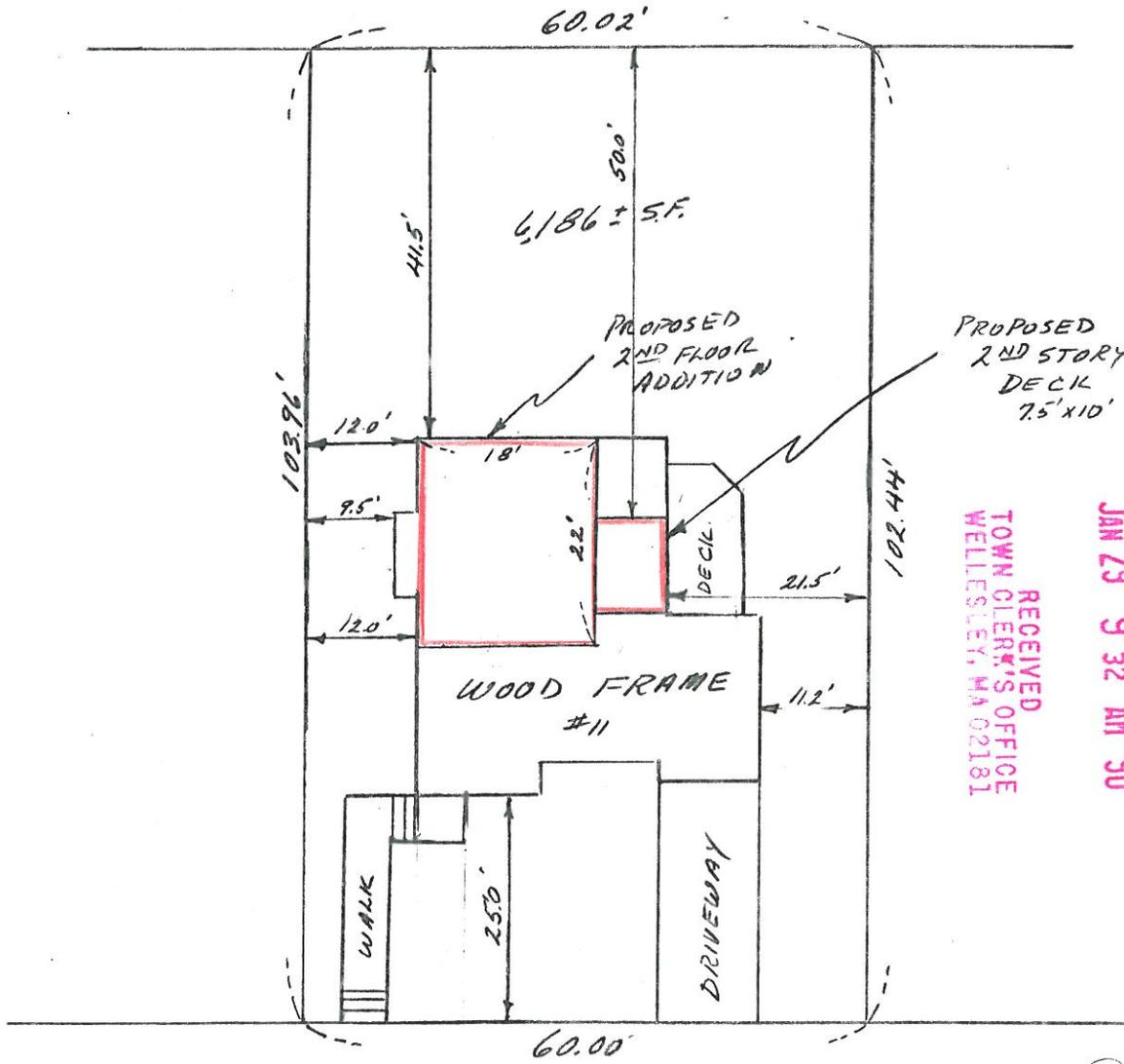
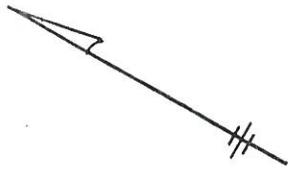
cc: Planning Board
Inspector of Buildings
edg


John A. Donovan, Jr., Chairman


Kendall P. Bates


William E. Polletta

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DEED REF:
BK. 7270 PG. 697

HILLTOP ROAD

PLOT PLAN OF LAND
IN
WELLESLEY, MASS.

SCALE 1" = 20'
J.J. CAFFREY P.L.S.

JANUARY 22, 1990
WESTON, MASS.

