



JOHN L. HAYDEN
GARRETT S. HOAG
DANA T. LOWELL

BOARD OF APPEAL

KATHARINE E. TOY, CLERK
TELEPHONE
CE. 5-1664

Petition of Joseph K. Merwin

Pursuant to due notice the Board of Appeal held a public hearing in the hearing room on the second floor of the Town Hall at 8:05 p.m. on June 12, 1963 on the appeal of Joseph K. Merwin from the refusal of the Inspector of Buildings to issue a permit to him to construct an addition on the rear of his garage at 18 Elm Street. The reason for such refusal is that said addition would violate Chapter IV, Section 1, of the Building Code which requires that Type V buildings shall be placed at least ten feet from any party line.

Joseph K. Merwin spoke in support of his petition.

The Planning Board offered no objection in its report.

On May 23, 1963, the Inspector of Buildings notified the appellant in writing that a permit for the proposed addition could not be issued for the above-mentioned reasons and on the same date the appellant took an appeal in writing. Thereafter due notice of the hearing was given by mailing and publication.

Statement of Facts

The house involved was built in 1920 on a lot of land containing 15,952 square feet. It is located within a single-residence district requiring 10,000 square feet.

The appellant seeks permission to lengthen his detached garage approximately three feet by constructing an addition 3' x 18' on the rear. The purpose of the addition is to provide sufficient space for the modern car. A plot plan drawn by Gleason Engineering Company, dated May 17, 1963, was submitted which showed the existing garage with the proposed addition. Said plan showed that the proposed addition, if built, would lie eight feet from the lot side line and would continue the line of the existing garage.

The Board finds that a real need exists for the proposed addition and the facts in this case satisfy the conditions set forth in Chapter I, Section 10, of the Building Code on which the Board's authority depends to grant a variance from the requirements of Chapter IV, Section 1, of the Building Code. Unless the Board grants the requested variance, the appellant's cars cannot be garaged in his present garage and in the opinion of this Board, manifest injustice will result to the appellant.

Accordingly, the requested variance is granted and the issuance of a permit for the proposed addition in accordance with the plan submitted and on file with this Board is hereby directed.

Filed with Town Clerk

Garrett S. Hoag

Dana T. Lowell

John L. Hayden

PLAN OF LAND
IN
WELLESLEY, MASS.
OWNED BY
JOSEPH K. MERWIN
SCALE 40 FEET TO AN INCH
MAY 17, 1963.
GLEASON ENGINEERING COMPANY

ELM STREET

