



BOARD OF APPEAL JUN 3 AM 11:56

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

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

Petition of Helen G. Carbeau

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 8:10 p.m. on May 21, 1964, on the petition of Helen G. Carbeau, requesting an exception from the terms of Section XVIII, Area Regulations of the Zoning By-laws, which will permit the construction of a dwelling on Lot 94, Fairbanks Avenue with an area less than the required 15,000 square feet.

Joseph M. Carbeau, husband of the petitioner, spoke in support of the petition at the hearing.

The following persons spoke in opposition to the granting of the request: Harry S. Wharen, 63 Fairbanks Avenue, Burton Thornquist, 10 Emerson Road, Laurence H. Stone, 90 Fairbanks Avenue, Wilbert M. Gilman, 68 Fairbanks Avenue, Helen L. Speed, 64 Fairbanks Avenue, and Martha Douglas, 19 Kipling Road. All felt that to allow a dwelling to be built upon the lot involved would depreciate surrounding properties.

The Planning Board favored the granting of the request.

On April 23, 1964, the petitioner filed a request for a hearing before this Board and thereafter due notice of the hearing was given by mailing and publication.

Statement of Facts

The lot involved, which contains 14,000 square feet, is located within a single-residence district requiring a minimum lot area of 15,000 square feet. The petitioner seeks a special exception which will permit the construction of a dwelling on said lot.

A copy of a plan drawn by C. B. Humphrey, Engineer for Court, dated September 13, 1934, was submitted which showed the lot involved laid out in a block with sixteen other lots entitled, "Revised plan of lots shown on plan 7129^A Sh. 4, filed with Cert. of Title No. 10521 Registry District of Norfolk County, Land in Wellesley"

The petitioner purchased the lot involved together with the adjacent lot 93, on which there was a house located, in August 1950, and has owned both parcels since that time. Due to a substantial change in the family income and other financial obligations, the petitioner would like to be in a position to sell this lot as a house lot in the event it becomes necessary. It was pointed out that the Town could realize a substantial tax return if a house were to be built upon the lot. The lot has a frontage of 108.79' with a width of approximately 90' at the required setback distance. A house, therefore approximately 30' x 50' could be built upon it which would be in keeping with other houses in the neighborhood and in compliance with the Zoning By-law. It was also pointed out that the area involved was developed prior to the 15,000 square foot area requirement in 1940, and the lot involved is practically the only remaining undeveloped lot. Of the lots in the neighborhood, only three out of twenty-four contain as much as 15,000 square feet and twenty-one contain

less than the required area.

1964 JUN 3 AM 11:56

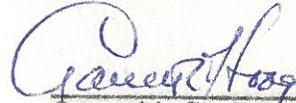
Decision

The Board has made a careful study of all pertinent facts in this case, has examined the plans submitted and has taken a view of the locus.

Section XVIII of the Zoning By-law provides, so far as pertinent to this case, that the Board of Appeal may make special exceptions to the provisions of said section when after a public hearing it shall find that adjoining areas have previously been generally developed by the construction of houses on lots generally smaller than is prescribed by this section.

The Board finds that the majority of houses in the neighborhood are on lots containing less than the prescribed area and a number contain the same area as the lot involved. Because of these facts, it is the opinion of this Board that an exception should be granted.

Accordingly, the requested special exception is granted and the Inspector of Buildings is hereby authorized to issue a permit for the erection of a dwelling on Lot 94, as shown on the plan submitted and on file with this Board.

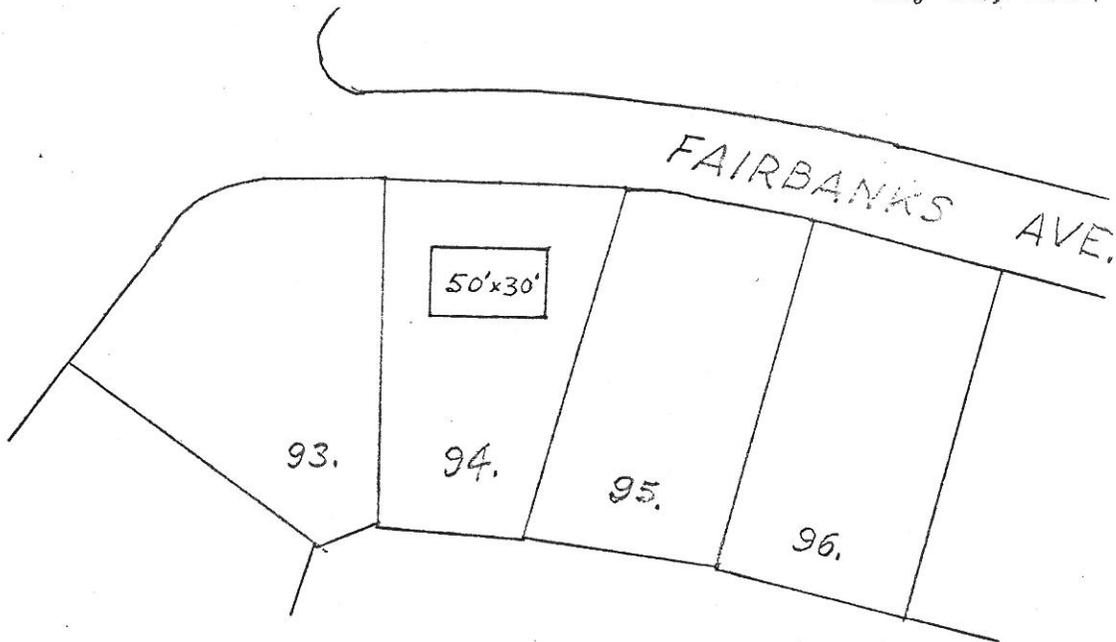

Garrett S. Hoag


John L. Hayden


Dana T. Lowell

Filed with Town Clerk _____

May 21, 1964



SCALE: 1 inch equals 80 feet

RE: Public hearing May 21, 1964 relative to the petition of Helen G. Carbeau, owner of Lot 94 Fairbanks Avenue, Wellesley Hills, Mass. requesting a variance from Area Regulations of Zoning By-Law to permit construction of a dwelling on said Lot 94 with an area of less than the required 15,000 square feet. This sketch is submitted by the lot owner, Helen G. Carbeau.

(a) Lot 94 contains 14,000 square feet.

(b) Lot 94 has a street frontage of 108.79 feet, which is 20 ft. longer than the average frontage of all between-corner "inside lots" (total of 11) which face Fairbanks and Whittier Avenues and are within the same city block as Lot 94.

(c) A large house, 50' wide by 30' deep, could be built on Lot 94 and still meet all Front and Side Yard requirements. Such a house set back 30 feet for a front yard would allow a 20 foot side yard on the right and a minimum side yard on the left of 20 feet. Note: The left front corner of the house would be 30 feet from the lot line. (See Sketch above)

Respectfully submitted,

Helen G. Carbeau