66-12

TOWN OF WELLESLEY MASSACHUSETTS

BOARD OF APPEAL

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

KATHARINE E. TOY, CLERK
TELEPHONE
CE 5-1664

Appeal of Helen L. Fraser

Pursuant to due notice the Board of Appeal held a public hearing on the second floor of the Town Hall at 8:20 p.m. on March 31, 1966, on the appeal of Helen L. Fraser, from the refusal of the Inspector of Buildings to issue a permit for the construction of a block wall above the roof on the building at the rear of 50 Central Street. The reason for such refusal was that the proposed wall is designed to continue the front line of the existing building which now stands in violation of Chapter IV, Section 1, of the Building Code which requires that all such buildings shall be placed at least forty feet from the center line of any public or private street. Said appeal was made under the provisions of Section 10, Chapter I, of the Building Code.

The appellant was represented at the hearing by Marilyn Fraser, Architect.

On March 15, 1966, the appellant took an appeal in writing from the refusal of the Inspector of Buildings to issue a permit for the construction of the proposed wall. Said permit was refused for the above-mentioned reasons. Notice of the hearing was given by mailing and publication.

Statement of Facts

The building involved is numbered 50 Central Street. The portion of it which borders on Church Street is on land included in the Business District by virtue of extension of that district by the Selectmen on August 8, 1932, in exercise of their power so to do under the predecessor of what is now Section XXIV E-2 of the Zoning By-law, and the zoning of the area for business by the Town in 1939. It was properly built to within 25 feet of the center line of Church Street rather than 40 feet required by Section 1, of Chapter IV, of the Building Code by virtue of a variance granted by the Board of Appeal on September 2, 1932. The appellant now seeks another variance from the same section of the Code which would permit the construction of an extension from the roof to enclose an existing chimney and improve the appearance of the building. The proposed wall would not be any nearer to the street than the existing building.

A plot plan was submitted, drawn by Gleason Engineering Company, dated March 14, 1966, which showed the location of the building on the lot, the setback from the street line to be five feet and the width of Church Street as forty feet.

Decision

The case appears to the Board not to have been contemplated by the provisions of Section 1, of Chapter IV, of the Building Code, and the Board believes that the proposed wall will improve the appearance of the building.

Accordingly, the requested variance is granted and the Inspector of Buildings is hereby directed to issue a permit for the proposed wall in accordance with the plans submitted and on file with this Board.

F. Lester Fraser
Garrett S. Hoag

Dana T. Lowell

Garrett S. Hoag
F. Lester Fraser

Filed with Town Clerk_____

PLAN OF LAND
IN
WELLESLEY, MASS.
OWNED BY
HELEN L. FRASER
SCALE 20 FEET TO AN INCH
MARCH 14, 1966.
GLEASON ENGINEERING COMPANY

CENTRAL STREET

JOSEPHINE ISLEIB, EXEC.

HELEN L. FRASER

(FILENE'S)

FIFTY ASSOCIATES

PROPOSED ALTERATION

15'

14.3'

11'

5'±

112.18'

119.58'

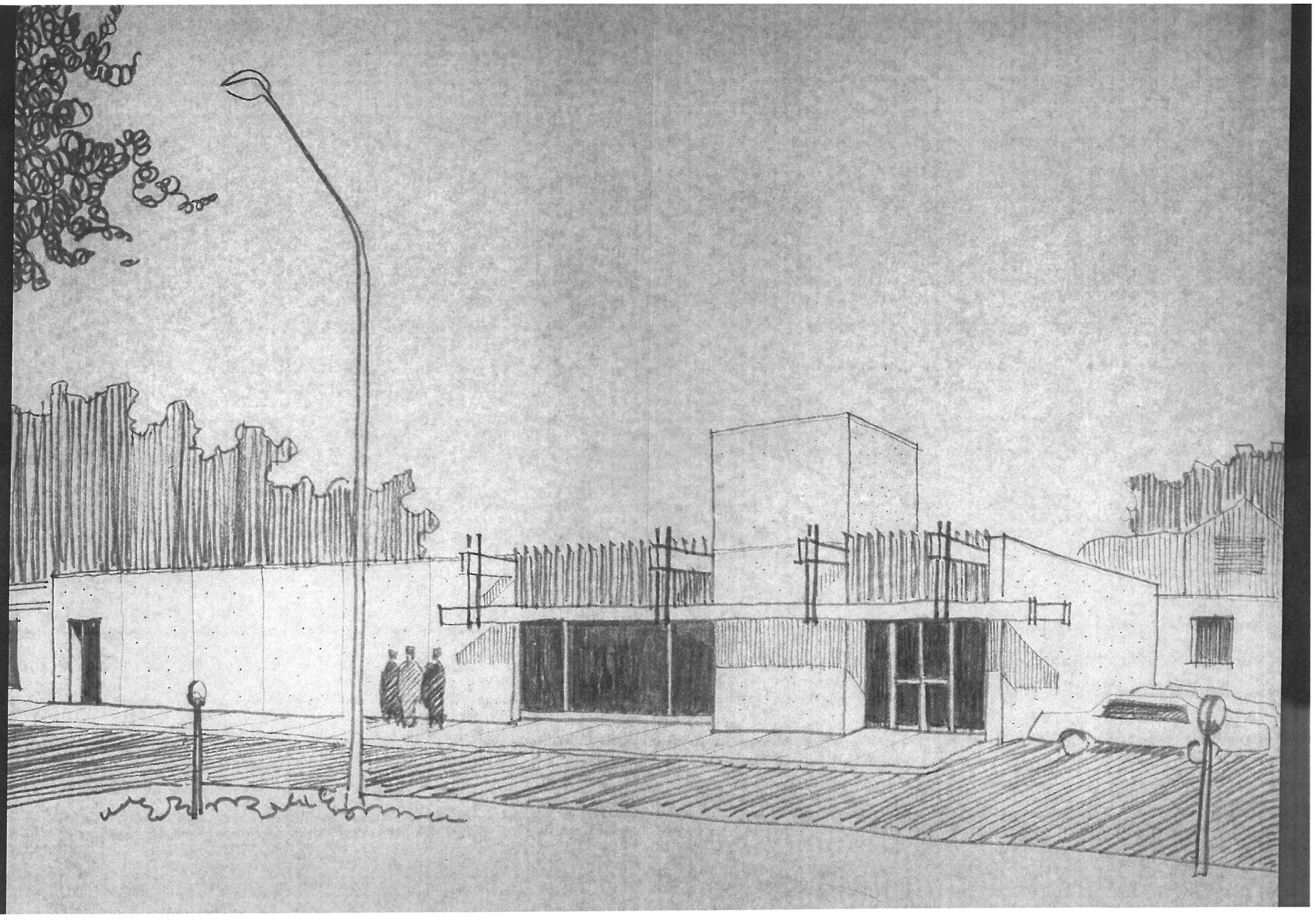
32.16'

R=20.00'

CHURCH STREET

40'

45'

STREET

ST.