

## TOWN OF WELLESLEY

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BOARD OF APPEAL

1966 JUL 1 PM 1:53

GARRETT S. HOAG  
DANA T. LOWELL  
F. LESTER FRASERKATHARINE E. TOY, CLERK  
TELEPHONE  
235-1664Appeal of Zanis R. and Lucija Feldmanis

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 8:55 p.m. on May 19, 1966, on the appeal of Zanis R. and Lucija Feldmanis from the refusal of the Inspector of Buildings to issue a permit to them to construct an addition on the side of their dwelling at 25 Pickeral Road. The reason for such refusal was that said addition would violate Chapter IV, Section 1, of the Building Code which requires that all such buildings shall be placed at least thirty feet from the side line of any public or private street and fifty feet from the center of the street and Section XIX of the Zoning By-law which requires that there shall be provided for all such dwellings a side yard not less than twenty feet in width and a front yard not less than thirty feet in depth. Said appeal was also requested under the provisions of Chapter 40A, Section 15, of the General Laws.

On April 22, 1966, the Inspector of Buildings notified the appellants in writing that a permit for the proposed addition could not be issued for the above-mentioned reasons, and on the same date the appellants took an appeal from such refusal.

Henry D. White, attorney, represented the appellant at the hearing.

Peter Bite, Morses Pond Road, spoke in favor of the request.

Marion E. Flood, 29 Pickeral Road and Claire Colby, 32 Pickeral Road, both opposed the granting of the request, but in doing so presented no evidence of potential adverse effect on their properties or the neighborhood.

The Planning Board opposed the granting of the request in its report.

Statement of Facts

The dwelling involved is located within a single-residence district requiring a minimum lot area of 10,000 square feet. It was built prior to the present by-laws requiring a minimum lot area and front yard and side yard restrictions. The house is approximately 20' x 20' with a basement and one-story above which has a kitchen, living room, bedroom and bathroom. The existing house is located 15' from Pickeral Road and 16' from the lot line on the westerly side. The appellants seeks permission to construct an addition 13.7' x 32' on the side of the dwelling which, if built, would lie 15' from Pickeral Road and 14' from the lot line at the nearest point on the easterly side. It was pointed out that the house is badly in need of repair and the proposed addition will improve its appearance as well as provide two additional rooms

with a garage below. It was also pointed out that houses Numbered 10, 11, 12, and 18 Pickeral Road are all in violation of front yard and side yard requirements, and in some instances the houses are closer to the road than the house involved.

A plot plan was submitted drawn by Gleason Engineering Company, dated April 8, 1966, which showed the existing house as well as the proposed addition.

Decision

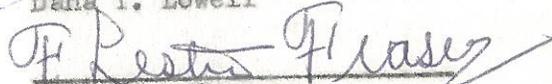
The facts in this case satisfy the conditions set forth in Section XIX of the Zoning By-law on which the Board's authority depends to grant a special exception from the application of the side yard and front yard restrictions of that section. The lot which contains only 6,534 square feet is narrow with a frontage of only 75' and a depth of only 83.8'. Compliance, therefore, is impracticable because of its width and depth.

It is the opinion of this Board that the granting of the requested exceptions and variance will not injure the neighborhood and that provisions of the Building Code do not appear to have contemplated the circumstances of this specific case.

Accordingly, the requested exceptions and variance are granted and the Building Inspector is hereby authorized to issue a permit for the proposed addition in accordance with the plan submitted and on file with this Board.

  
Richard O. Aldrich

  
Dana T. Lowell

  
F. Lester Fraser

Filed with Town Clerk \_\_\_\_\_

1966 JUL 1 PM 1:53

TOWN CLERK'S OFFICE  
WELLESLEY, MASS.

PLAN OF LAND  
IN

# WELLESLEY, MASS.

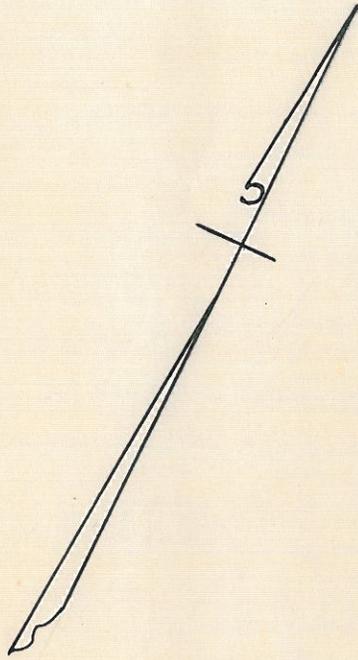
OWNED BY

## ZANIS R. & LUCIUA FELDMANIS

SCALE 40 FEET TO AN INCH

APRIL 8, 1966.

GLEASON ENGINEERING COMPANY



PICKEREL ROAD

JOHN & HELEN C.  
DELUISIOS

83.8'

LOTS 793-795  
6,534 SQ. FT.

48.3'

96.1'

MARION E. FLOOD

TOWN OF WELLESLEY

MORSE'S POND

