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TOWN OF WELLESLEY



MASSACHUSETTS

BOARD OF APPEAL

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NOV 15 11:48 AM '66

RICHARD O. ALDRICH
DANA T. LOWELL
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KATHARINE E. TOY, CLERK
TELEPHONE
235-1664

Appeal of Ruth S. Lane

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 8:00 p.m. on December 14, 1966, on the appeal of Ruth S. Lane from the refusal of the Inspector of Buildings to issue a permit to her to construct an attached garage on the side of her dwelling at #1 Crown Ridge Road. The reason for such refusal was that said garage would violate the requirements of Chapter IV, Section 1, of the Building Code which requires that the exterior walls of a Type V building shall be at least ten feet from any party line and Section XIX of the Zoning By-law which requires that all such additions shall provide a side yard at least twenty feet in width.

On November 19, 1966, the Inspector of Buildings notified the appellant that a permit for the construction of the proposed garage could not be issued because the same would violate the above-mentioned sections of the Zoning By-law and the Building Code, and on the same date the appellant took an appeal from such refusal. Thereafter due notice of the hearing was given by mailing and publication.

The appellant spoke in support of her appeal at the hearing.

William C. White, 30 Summit Road, spoke in favor of the request. In his opinion, the proposed garage will improve the property as well as correct a difficult situation. He also registered the approval of several other property owners in the neighborhood.

A petition signed by ten neighbors was also submitted which stated that they had no objection to the building of the garage as proposed.

A letter favoring the request was received from C. P. and Gertrude G. Cronk, 10 Crown Ridge Road.

Statement of Facts

The dwelling involved, which was built in 1929, on a lot containing 15,593 square feet, is located within a single-residence district requiring a minimum lot area of 10,000 square feet.

The appellant seeks permission to erect a breezeway and one-car garage 17' x 20' to be attached to the southerly side of her dwelling. The present garage is under the house and virtually impossible to use because of its size and the small space available for maneuvering a car in and out of it. The garage opening on the side of the house is only 21' from the side lot line and there is no land available to widen the area. There is also a problem of snow removal because of its location. It must be removed by hand shoveling and thrown onto a high bank. The proposed garage, if built, will have a straight driveway which can be plowed. Due to the ledge which surrounds the house, it would be very costly to build a garage at any other location on the property.

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A plot plan drawn by Gleason Engineering Company, dated November 10, 1966, was submitted which showed the existing dwelling on the lot as well as the proposed garage and breezeway. Said plan showed the proposed addition to be five feet from the lot line on the southerly side and 46' from the street line. The distance between the proposed addition and the house on the adjoining lot will be approximately forty feet.

Decision

The Board feels that the proposed garage will not prove detrimental to the character and appearance of the neighborhood. Because of the ledge which surrounds the house, the proposed location appears to be the only practical place for it. The setback requirement of Chapter IV, Section 1, of the Building Code does not appear to have contemplated a case such as this and to deny the appeal would be unreasonable. The Board further finds that 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 restrictions in the Zoning By-law. The Board feels that the appellant should be allowed to have a usable garage and it would be unreasonable to require extensive blasting of the property to have one constructed elsewhere.

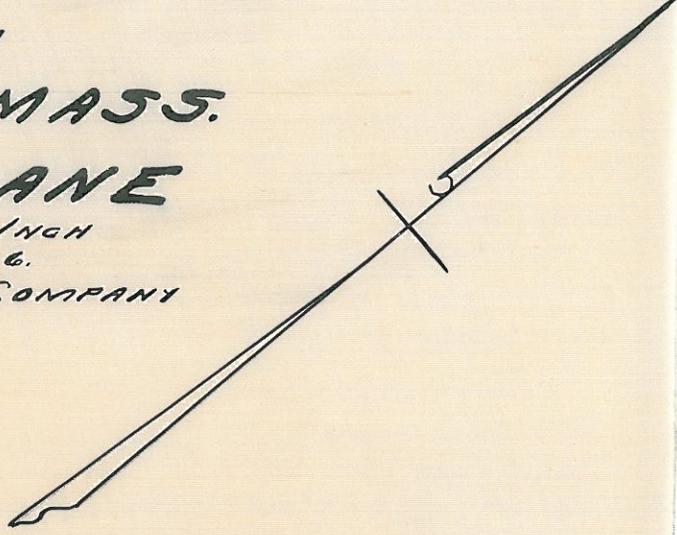
Accordingly, the requested exception from the Zoning By-law and variance from the Building Code are authorized and the issuance of a permit by the Building Inspector for the construction of the proposed garage in accordance with the plan submitted and on file with this Board is hereby authorized.

Richard O. Aldrich
Richard O. Aldrich
Dana T. Lowell
Dana T. Lowell
F. Lester Fraser
F. Lester Fraser

Filed with Town Clerk _____

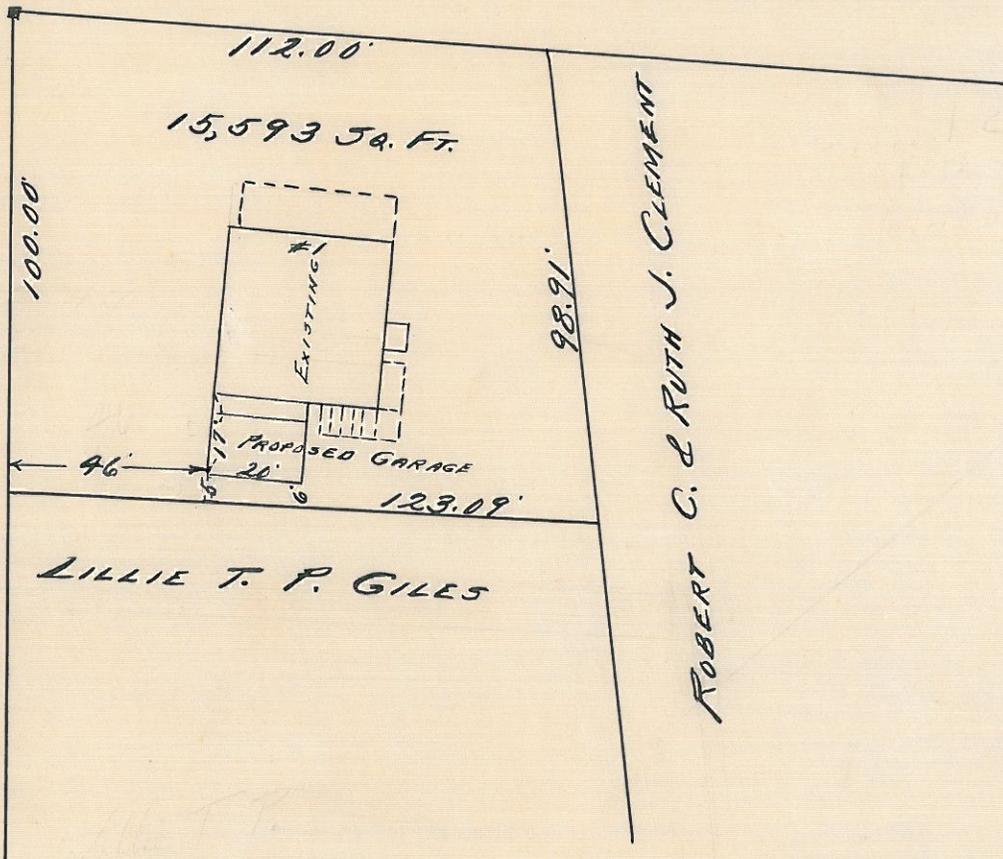
PLAN OF LAND
IN
WELLESLEY, MASS.
OWNED BY
RUTH S. LANE

SCALE 40 FEET TO AN INCH
NOVEMBER 10, 1966.
GLEASON ENGINEERING COMPANY



CROWN RIDGE ROAD

SUMMIT ROAD



ROBERT C. & RUTH J. CLEMENT