



## BOARD OF APPEAL

RICHARD O. ALDRICH  
DANA T. LOWELL  
F. LESTER FRASER

KATHARINE E. TOY, CLERK  
TELEPHONE  
235-1664

Appeal of Roger H. and Ann K. Sweet

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 March 21, 1968, on the appeal of Roger H. and Ann K. Sweet from the refusal of the Inspector of Buildings to issue a permit to them to construct an addition on the rear of their dwelling at 3 Woodland Road. The reason for such refusal was that said addition would violate Chapter IV, Section 1 (b) of the Building Code which requires that an addition of this type shall be placed at least twenty feet from a Type V building on the property and at least ten feet from any party line. The proposed addition would further violate Section XIX of the Zoning By-law which requires that there shall be provided on each side of every building a side yard not less than twenty feet.

Roger A. Sweet spoke in support of the appeal at the hearing.

H. Ambrose Knights, 27 Elmwood Road, spoke in favor of granting the request.

On March 1, 1968, the Inspector of Buildings notified the appellants in writing that a permit could not be issued for the proposed addition for the above-mentioned reasons, and on March 5, 1968, the appellants took an appeal from such refusal.

Statement of Facts

The house involved, which was built in 1923, is located within a Single-residence District requiring a minimum lot area of 10,000 square feet.

The appellants seek permission to construct, on the rear of their dwelling, a two-story addition approximately 13' x 15' and a second-story addition approximately 15' x 15' above the existing projection on the rear of the house. The proposed construction, if built, will provide two additional bedrooms on the second floor, the enlargement of the kitchen and a bath on the first floor. The additional space the additions will provide is needed by the appellants due to their enlarging family.

The second-story addition is designed to continue upward the line of the existing wall of the house which is ten feet from the lot line on the southwesterly side. The two-story addition, if built, will lie only 6.5' from a wood-frame detached garage on the property rather than the required twenty feet.

A plot plan was submitted, drawn by Gleason Engineering Company, dated February 19, 1968, which showed the existing dwelling and garage on the property as well as the proposed additions.

Decision

The Board finds that a real need exists for the proposed additions and the facts in this case satisfy the conditions set forth in Section XIX

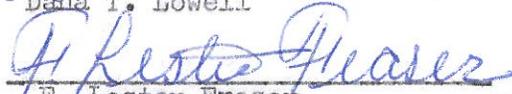
of the Zoning By-law on which the Board's authority depends to grant a special exception from the application of the side yard restrictions in the Zoning By-law. The lot is somewhat irregular in shape and due to the location of the house on the lot with respect to the side line, compliance, therefore, is impracticable because of the shape and width of the lot. It is the opinion of the Board, however, that the circumstances in this case were within the contemplation of the relevant provision of the Building Code, and to permit the proposed addition to be constructed approximately six feet from another wood-frame building on the property would create a fire hazard.

It is the unanimous opinion of the Board that the proposed addition will not in any way prove detrimental to the character of the immediate neighborhood and subject to the condition imposed, will not prove a hazard in any way.

Accordingly, the requested exception to the Zoning By-law is granted in accordance with the plan submitted and on file with this Board subject to the condition that the existing garage be moved the legal distance to meet the requirements of the Building Code.

  
Richard J. Aldrich

  
Dana T. Lowell

  
F. Lester Fraser

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

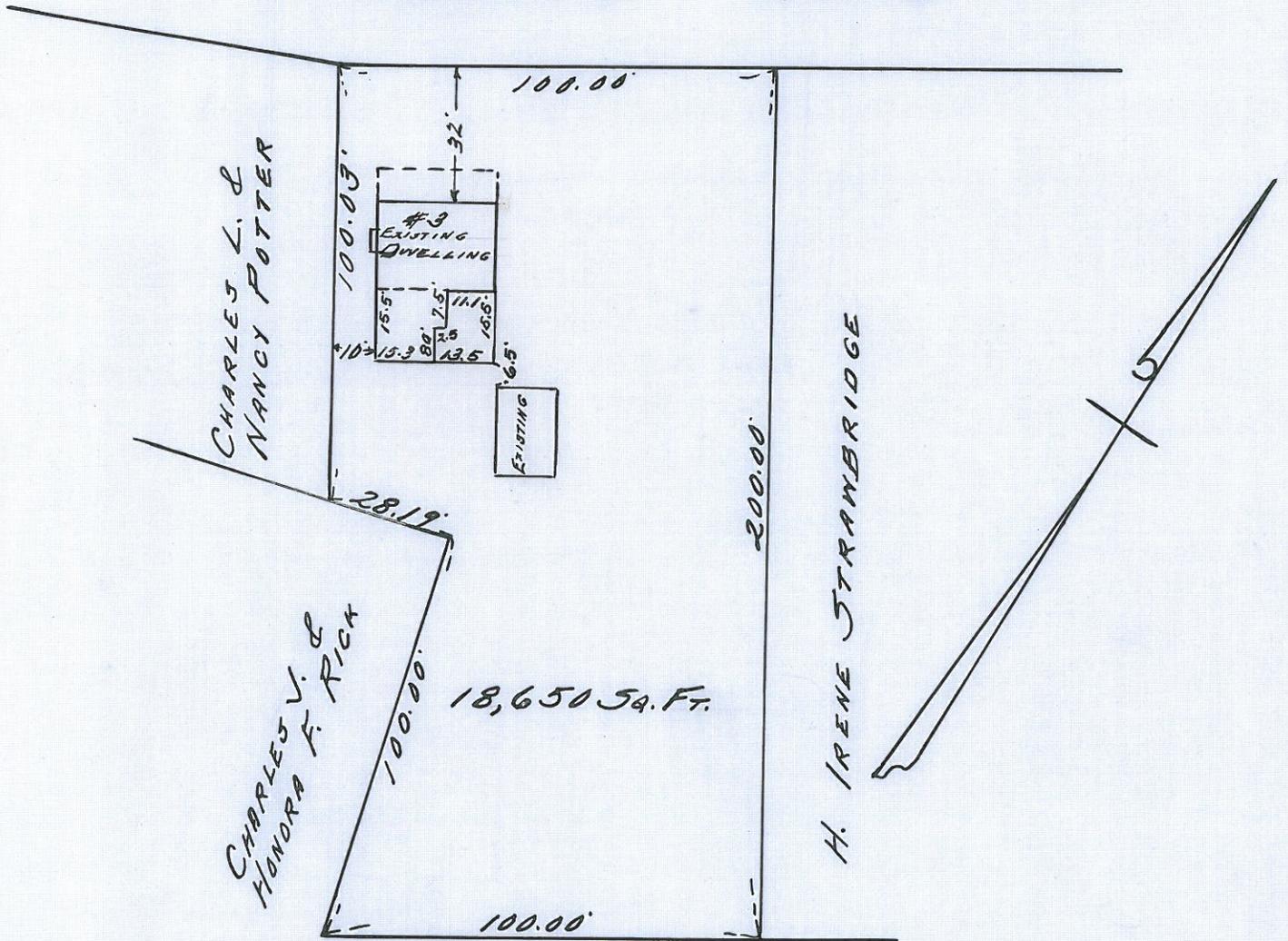
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SECRETARY

PLAN OF LAND  
IN  
**WELLESLEY, MASS.**  
OWNED BY  
**ROGER H. & ANN K. SWEET**

SCALE 40 FEET TO AN INCH  
FEBRUARY 19, 1968.  
GLEASON ENGINEERING COMPANY



WOODLAND ROAD



TOWN OF WELLESLEY