69-40

TOWN OF WELLESLEY MASSACHUSETTS

BOARD OF APPEAL

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

KATHARINE E. TOY, CLERK
TELEPHONE
235-1664

Petition of Thomas M. and Barbara A. Burton

Pursuant to due notice the Hoard of Appeal held a public hearing in the hearing room on the second floor of the Town Hall at 8:20 p.m. on June 26, 1969, on the petition of Thomas M. and Barbara A. Burton, requesting an exception from the terms of Section XIX of the Zoning By-law which would permit them to construct an addition on the rear of their attached garage at 61 Whittier Road with a side yard less than the required twenty feet.

On June 10, 1969, the petitioners filed their request for a hearing before this Board and thereafter due notice of the hearing was given by mailing and publication.

Thomas M. Burton spoke in support of the request at the hearing.

A letter favoring the request was received from George W. and Inez W. Hollis, 57 Whittier Road.

Statement of Facts

The house involved was built in 1932, prior to the enactment of Section XIX of the Zoning By-law requiring a minimum twenty-foot side yard, and is located within a Single-residence District requiring a minimum lot area of 15,000 square feet.

The petitioners seek permission to construct an addition 4' x 8'6" on the rear of their attached garage in order to lengthen it four feet. The present garage entrance is at the rear of the garage and has a long narrow driveway running within a foot of the northerly property line. It is difficult to plow the snow in the winter and the garage is inadequate in length for a modern car. It is, therefore, the desire of the petitioners to rebuild the present structure so as to provide access through the front of the garage by installing two overhead doors, and to lengthen it by four feet at the rear. The proposed addition will continue the line of the existing attached garage and, if built, will lie 11'6" from the lot line on the northerly side. It is intended to seed the driveway and plant shrubs along the line which should be an improvement to the neighborhood.

A plot plan was submitted, drawn by Thomas M. Burton, Registered Engineer, dated June 9, 1969, which should the dwelling on the lot as well as the proposed addition.

Decision

It is the opinion of this Board that a real need exists for the proposed addition which will increase the size of the existing garage to accommodate a modern car. The lot has a width of only 95', with the house located only 11'6" from the northerly lot line and 18' from the southerly lot line. Because of this, it would not be possible to construct an addition on

the attached garage and comply with the existing Zoning By-law. Compliance, therefore, with the requirements of Section XIX of the Zoning By-law is impracticable because of the width and shape of the lot which was held of record on April 1, 1940, under a separate and distinct ownership from adjacent lots. The facts in this case, therefore, 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 restriction of the Zoning By-law.

Accordingly, the requested exception is granted and the issuance of a permit for the proposed addition in accordance with the plan submitted and on file with this Board is hereby granted.

Richard O. Aldrich

Dana T. Lowell

F. Lester Fraser

Filed with Town Clerk _____

PLAN OF PROPERTY

OWNED BY

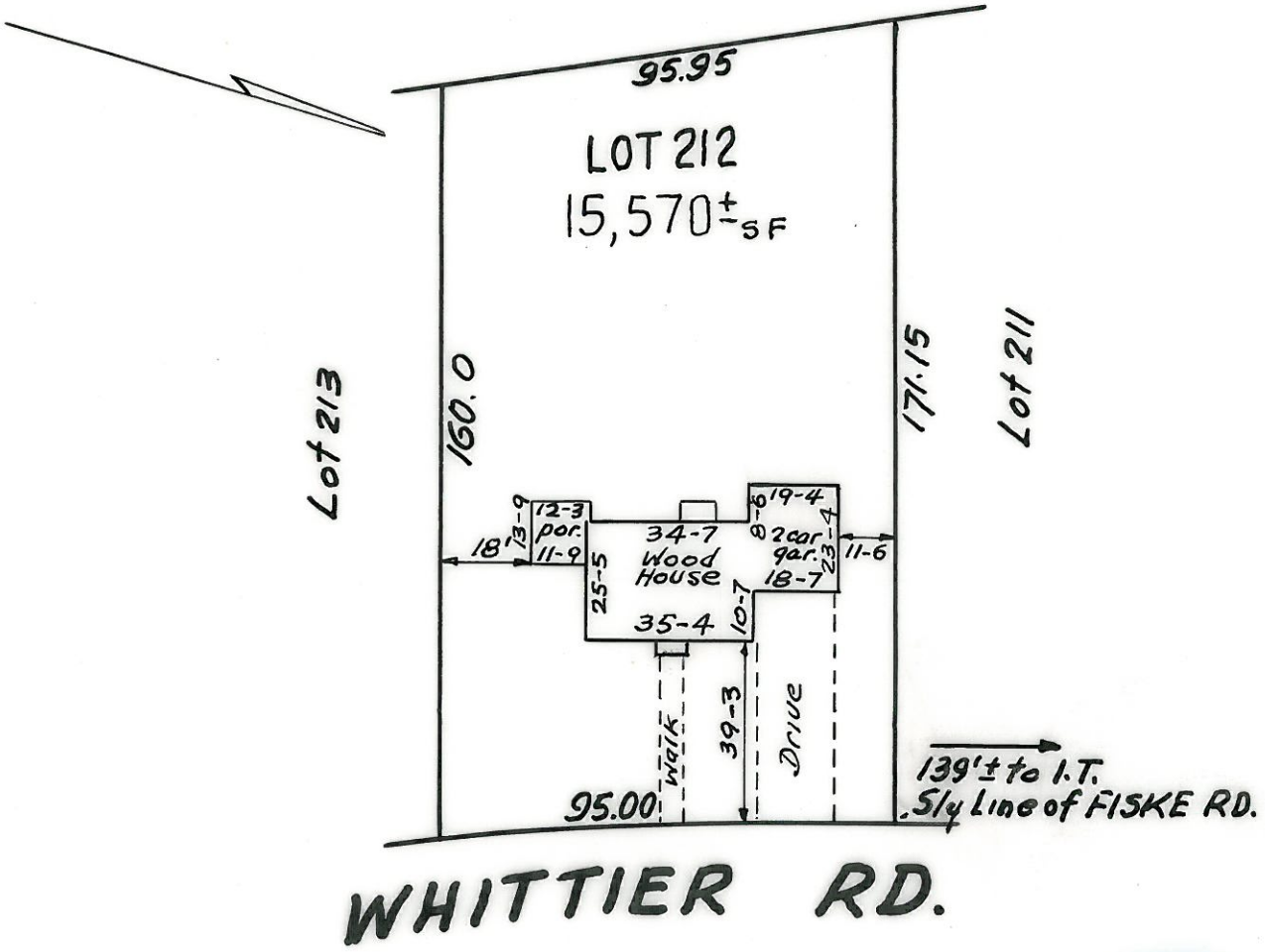
THOMAS M. & BARBARA A. BURTON

61 WHITTIER ROAD

WELLESLEY, MASS.

1" = 40 FT

JUNE 9, 1969



COMMONWEALTH OF MASSACHUSETTS
THOMAS M. BURTON
No. 6874
REGISTERED PROFESSIONAL ENGINEER