69-43

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 Donald C. and Jane S. Helms

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 8:35 p.m. on June 26, 1969, on the petition of Donald C. and Jane S. Helms, requesting a special exception from the terms of Section XIX of the Zoning By-law which will allow them to construct a roof over an existing porch on the side of their dwelling at 15 Cottage Street which stands closer to the side boundary line than the required twenty feet.

On June 6, 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.

Donald C. Helms spoke in support of the request at the hearing.

Parker McCartney, 11 Cottage Street favored the request at the hearing.

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 over a hundred years ago on a lot containing 8,070 square feet and prior to the enactment of the Zoning By-law requiring a twenty-foot side yard.

The petitioners seek permission to construct a roof over an existing platform and enclose it with screens in order to make it more liveable as it is now exposed to the weather. There is to be no change made in the size of the existing platform.

A plot plan, drawn by Gleason Engineering Company, dated May 8, 1969, showed the existing dwelling with the platform on the lot. Said plan showed the platform to be fifteen feet from the side lot line on the southerly side.

Decision

It is the unanimous opinion of this Board after viewing the premises that the requested special exception should be granted. The Board feels that the addition of a roof over the existing platform will not only prove beneficial to the petitioners, but will improve the property.

Due to the shape of the lot, its width being only 53', and the location of the dwelling on it, compliance with the requirements of Section XIX of the Zoning By-law is impracticable. The lot was held of record on April 1, 1940, under a separate and distinct ownership from adjacent lots. Therefore, 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 vary the requirements of the side yard restrictions of the Zoning By-law.

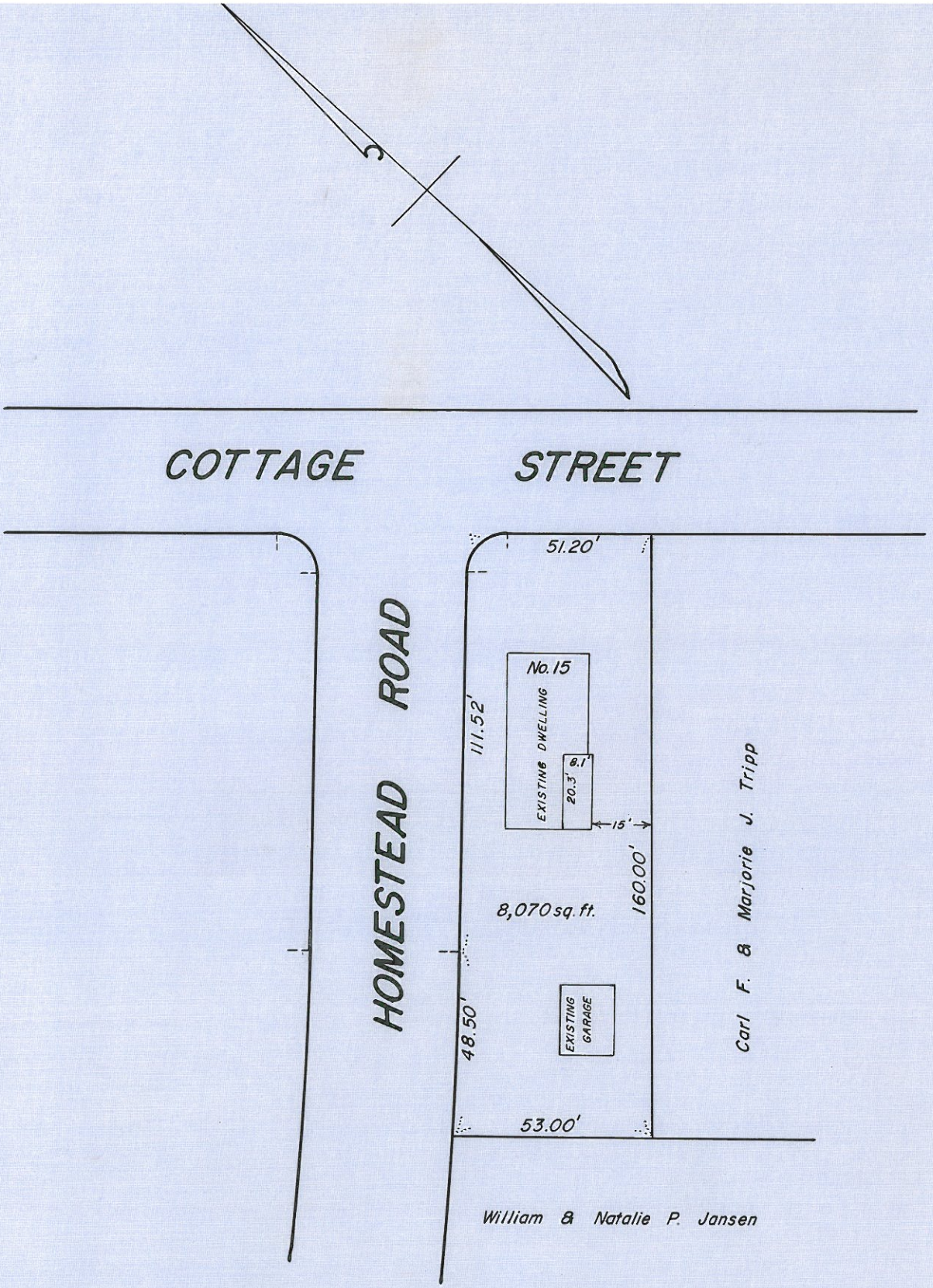
Accordingly, the requested exception is granted and the issuance of a permit for the proposed construction is hereby authorized in accordance with the plan submitted and on file with this Board.

Richard O. Aldrich

Dana T. Lowell

F. Lester Fraser

Filed with Town Clerk _____



PLAN OF LAND
IN
WELLESLEY, MASS.
OWNED BY
DONALD C. & JANE S. HELMS
Scale 40 feet to an inch
May 8, 1969
Gleason Engineering Company