



BOARD OF APPEAL

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

KATHARINE E. TOY, CLERK
TELEPHONE
235-1664

Petition of Thomas J. Jr. and Joan H. Cody

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 8:20 p.m. on July 24, 1969, on the petition of Thomas J. Jr. and Joan H. Cody, requesting a special exception from the terms of Section XIX of the Zoning By-law which would permit the construction of an addition on the rear of their dwelling at 66 Windsor Road with a side yard less than the required twenty feet.

On July 3, 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 J. Cody, Jr. spoke in support of the request at the hearing.

No objections were made at the hearing to the granting of the request.

Statement of Facts

The house involved which was built in 1924, is located within a Single-residence District requiring a minimum lot area of 20,000 square feet.

The petitioners seek permission to construct a two-story addition on the northerly side of their dwelling and if built, will provide a family room, a den and an attached one-car garage on the first floor and two bedrooms and bath on the second floor. The proposed addition is designed to be approximately 26' x 36', with an extension of 6' x 16' 2" at the rear right corner, and will be seventeen feet from the lot line on the easterly side rather than the required twenty feet.

It was stated at the hearing that the additional space which the addition will provide, if permission is granted, is urgently needed for the petitioners' growing family. It is proposed to remove an existing unsightly two-car garage and it will be necessary to give up one upstairs bedroom to provide access to the new wing. The house, therefore, would have five bedrooms. The addition is designed to reflect the style of the main house and will have brown stained shake siding.

A plot plan was submitted, drawn by MacCarthy Engineering Service, Inc., dated June 23, 1969, which showed the existing dwelling and detached garage 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 restrictions of the Zoning By-law. The house was built prior to the enactment of the yard requirements and was held of record on April 1, 1940 under a separate and distinct ownership from adjacent lots. The lot which contains 15,208 square feet is rectangular in shape approximately 100' x 150' with the house located in the center of the lot. It would not be possible, therefore to construct an addition of practical size on the house without encroaching into the side yard. Compliance, therefore, with the yard restrictions is impracticable because of the shape of the lot and the location of the house on it.

The Board feels that there is a real need for the proposed addition which will not prove detrimental to the neighborhood nor derogate from the intent and purpose of the by-law.

Accordingly, the requested exception is granted and the Inspector of Buildings is authorized to issue a permit for the proposed addition as shown on the plan submitted and on file with this Board subject to the following condition:

1. That the existing detached garage shall be removed prior to the issuance of a permit for the proposed addition.

Philip H. Cahill
 Philip H. Cahill
Dana T. Lowell
 Dana T. Lowell
F. Lester Fraser
 F. Lester Fraser

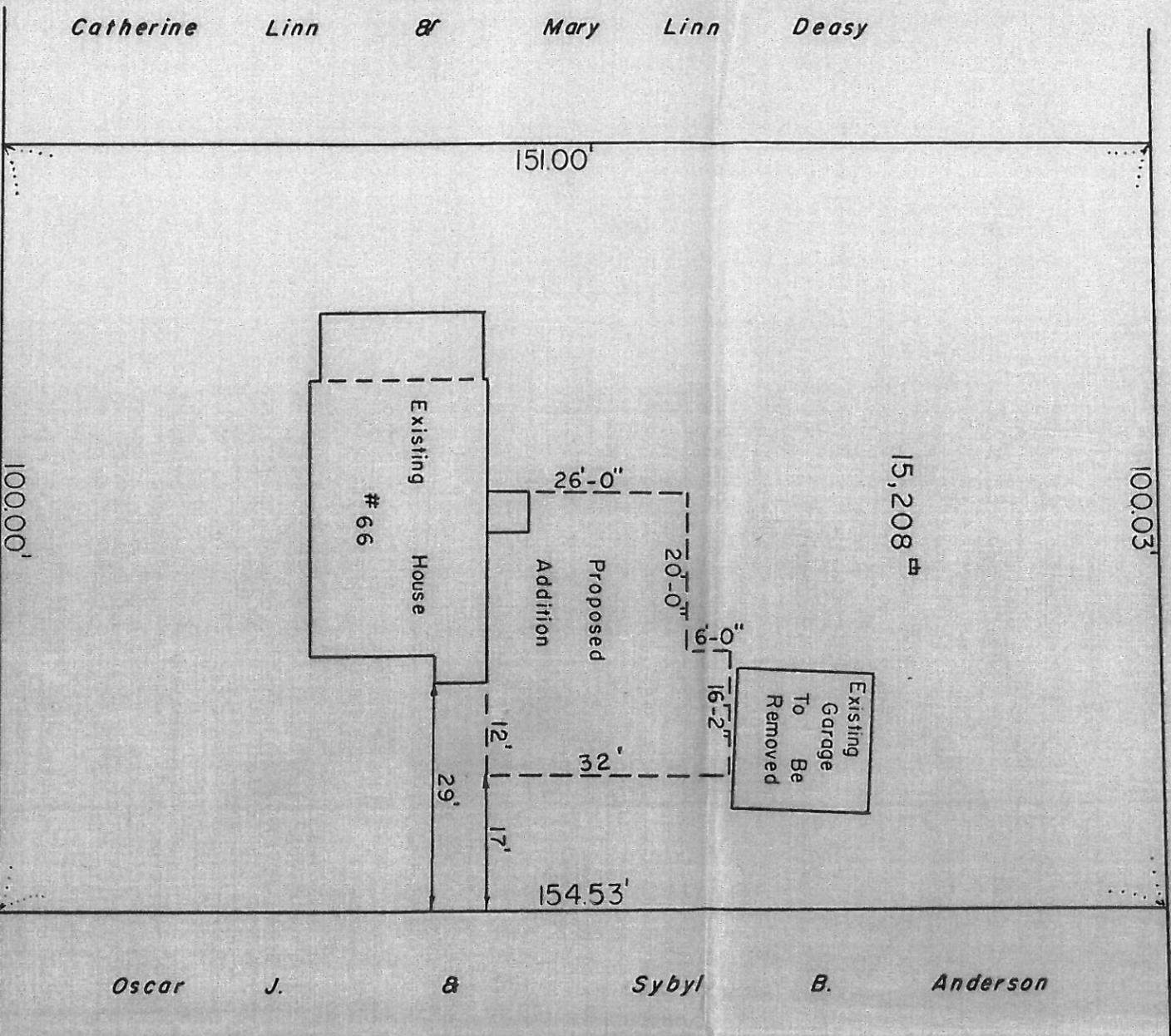
Filed with Town Clerk _____

RECEIVED
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 1940 APR 15 11:35 AM

Academy of the Assumption

100.03'

15,208^{sq}



WINDSOR

ROAD

Approved by
WELLESLEY BOARD OF APPEALS

DATE _____

Plan of Land in Wellesley, Mass.

Owned by: Thomas J. Jr. & Joan H. Cody

Scale: 1" = 20'

June 23, 1969

Plan by: McCarthy Engineering Service, Inc.
Natick, Mass.

