

continue the line of the existing house and will lie 9.5' from the lot side line rather than the required twenty feet. The front entrance enclosure will lie 24.6' from the street line rather than the required thirty feet.

It was pointed out at the hearing that the existing house now stands only 28.8' from the boundary line of the street rather than the required thirty feet. This error undoubtedly occurred at the time the house was constructed and has never been detected until now.

Decision

The Board finds that a real need exists for both the addition to be constructed at the rear of the dwelling and the front entrance enclosure, and that the facts 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 and front yard restrictions of that section.

The lot which contains 6,933 square feet, has a frontage of approximately 80' which tapers down to 53.68' in the rear. The house is located approximately ten feet from the easterly side line and approximately thirty-five feet from the westerly side line. Compliance, therefore, with the law is impracticable if an appropriate addition is to be made to the house, because of the width of the lot and the location of the dwelling on it. The lot was held under a separate and distinct ownership from adjacent lots on April 1, 1939, and on April 1, 1940.

It is the further finding of this Board that manifest injustice would result to the appellants if the requested variance is not granted and that the provisions of the Building Code did not contemplate the circumstances of this specific case. It also feels that the proposed addition and enclosure will not prove detrimental to the neighborhood nor derogate from the intent and purpose of the by-law.

It is the opinion of this Board that the violation of the setback of the house from the street line was due to error and that the correction of this violation would result in undue hardship to the appellants. It is the further opinion of this Board that the requested relief may be granted without substantial detriment to the public good.

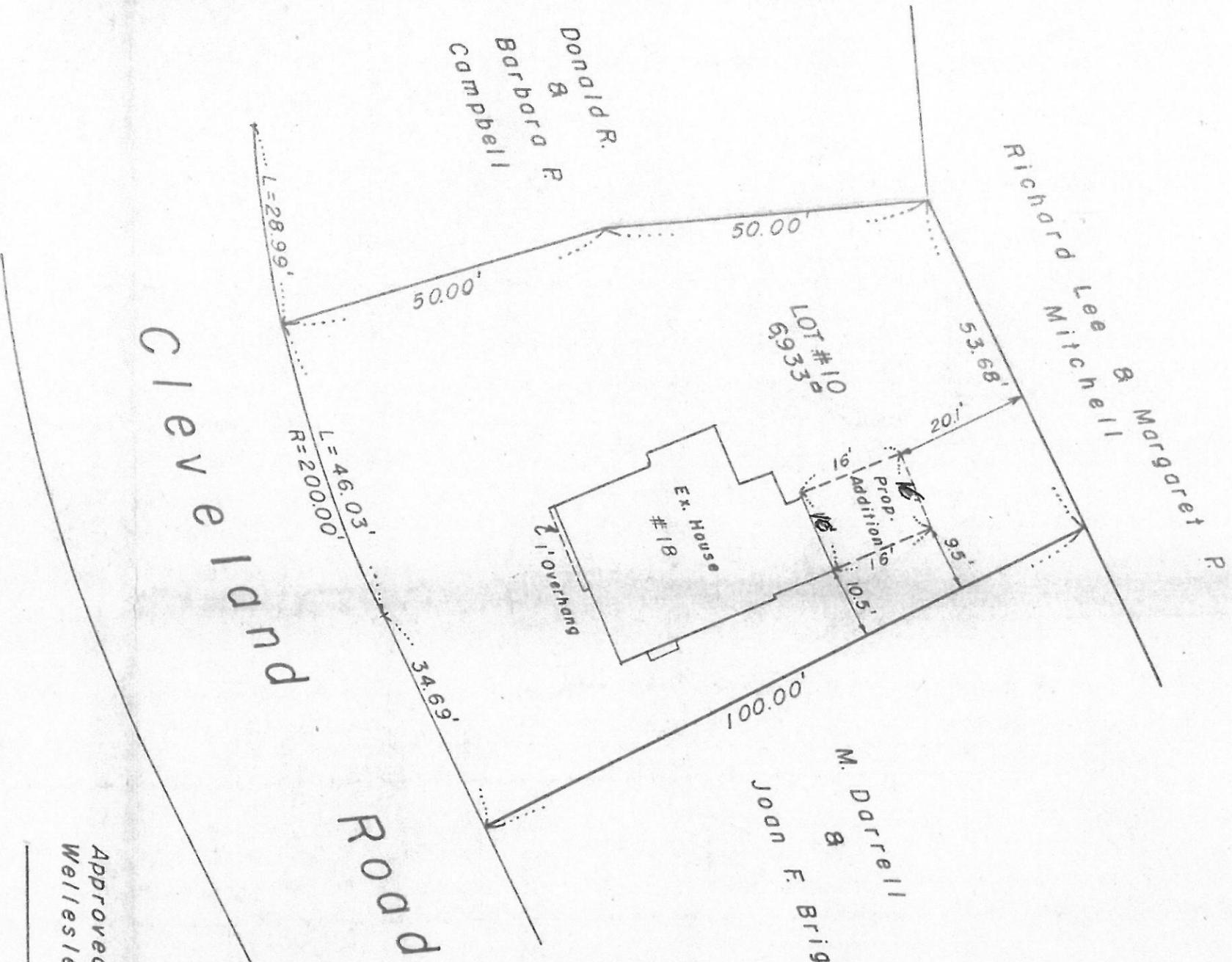
Accordingly, the requested variance is granted under the provisions of Section 10, Chapter I, of the Building Code and the exceptions are granted under the terms of Section XIX of the Zoning By-law. The Building Inspector, therefore, is authorized to issue a permit for the proposed construction in accordance with the plans submitted and on file with this Board, and the dwelling involved may remain in its location with a front yard less than the required setback.

Philip A. R. Cahill
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Dana T. Lowell
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F. Lester Fraser
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Filed with Town Clerk 4/10/70

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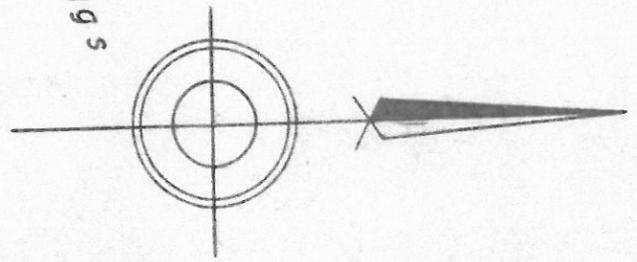
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TOWN CLERK'S OFFICE



Donald R.
&
Barbara P
Campbell

Richard Lee Mitchell & Margaret P.

M. Darrell
&
Joan F. Briggs



Cleveland Road

Approved by:
Wellesley Board of Appeals

Date: _____

Plan of Land in Wellesley, Mass.

Owned by:

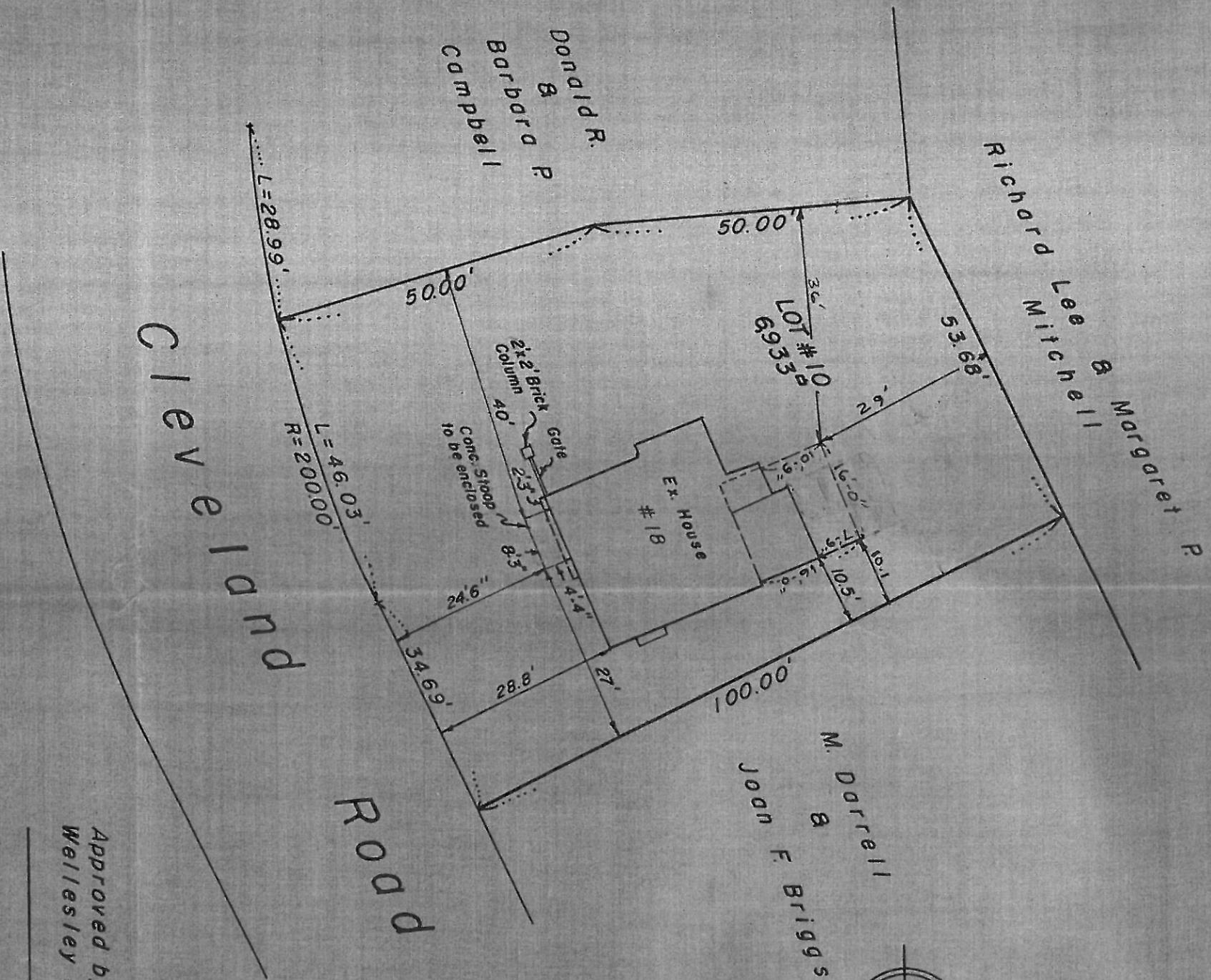
Robert P & Montreau Keefe

Scale: 1"=20'

Dec. 16, 1969



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



Plan of Land in Wellesley, Mass.

Owned by: *Robert P. & Montreau Keefe*

Scale: 1" = 20'

Dec. 16, 1969

Plan by: *MaccCarthy Engineering Service Inc.*



Approved by:
Wellesley Board of Appeals

Date: _____