

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 G. Douglas Ide

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 8:15 p.m. on January 20, 1972, on the petition of G. Douglas Ide, requesting a special exception from the terms of Section XIX of the Zoning By-law which will allow him to construct a chimney on the side of his dwelling at 10 Orchard Street, with a side yard less than the required twenty feet.

On January 3, 1972, the petitioner filed his request for a hearing before this Board and thereafter due notice of the hearing was given by mailing and publication.

The petitioner spoke in support of the request at the hearing.

Statement of Facts

The dwelling involved is located within a Single-residence District requiring a minimum lot area of 15,000 square feet, and was built in 1915 prior to the enactment of Section XIX of the Zoning By-law requiring a minimum twenty-foot side yard.

The petitioner seeks permission to construct an outside chimney on the side of his dwelling. The proposed chimney will be two feet in width and will lie 18.48' from the southeasterly side line if the request is granted. The petitioner stated that he is presently building a family room 14' x 20' on the side of his dwelling and desires to build a fireplace flush to the end wall with an outside chimney. Because of the windows on one side of the addition and a sliding glass door on the other side, the end wall is the only side the fireplace can be constructed. To construct the chimney inside would reduce the size of the room considerably.

A plot plan was submitted, drawn by Alex Crucoli, Chelsea, dated November 6, 1971, which showed the existing house on the lot as well as the proposed addition.

Decision

The Board has made a careful study of the facts in this case and has taken a view of the locus. It is the opinion of this Board that the construction of the chimney on the outside wall as proposed is the most practical manner in which to do it, and that the slight encroachment into the side yard will not reduce the value of any property within the district or otherwise injure the neighborhood.

The lot is relatively narrow which makes compliance with the requirements of Section XIX of the Zoning By-law impracticable because of its width and shape. It was held of record on April 1, 1940, under a separate and

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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 outside chimney is hereby granted in accordance with the plans submitted and on file with this Board.

Richard O. Aldrich
Richard O. Aldrich

H. Lester Fraser
H. Lester Fraser

Edward T. Kilmain
Edward T. Kilmain

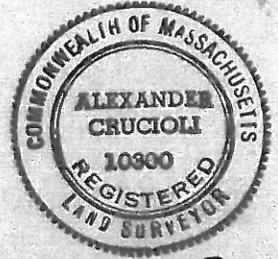
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PLAN OF LAND
IN
WELLESLEY-MASS

Scale: 1" = 20' Dec. 30, 1971.

SURVEYOR Alexander Crucoli
57 Winthrop Rd
Chelsea, Mass.



Alexander Crucoli

Orchard

(40')

Street

