



BOARD OF APPEAL

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

KATHARINE E. TOY, CLERK
 TELEPHONE
 235-1664

Petition of David D. and Nancy Ann Ulmer

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 8:30 p.m. on May 13, 1971, on the petition of David D. and Nancy Ann Ulmer, requesting an exception from the terms of Section XIX of the Zoning By-law which will permit them to construct an addition on their garage on the side of their dwelling at 48 Beverly Road with a side yard less than the required twenty feet.

On April 24, 1971, the petitioners filed their request for a hearing before this Board and thereafter due notice of the hearing was given by mailing and publication.

David D. Ulmer spoke in support of the petition at the hearing.

Statement of Facts

The house involved which was built in 1939, prior to the enactment of the Zoning By-law requiring a twenty-foot side yard, is located within a single-residence district requiring a minimum lot area of 10,000 square feet.

The petitioners seek permission to extend their attached garage six feet in an easterly direction and twenty-four in a northerly direction. The present garage is 9' x 18' and too small to accommodate today's model of automobiles. The proposed garage, if built, will be 15' x 24'. It was stated at the hearing that the proposed enlargement of the one-car garage will not accommodate two cars, but will provide space for a trash can and bicycle which now must be stored in the basement of the house and brought out over stairs and bulkhead. It was also stated that the existing garage has an unshightly, shedlike appearance and constitutes a clear detracton from the general appearance of the house and from the neighboring houses.

A plot plan was submitted drawn by Douglas P. Forbes, Land Surveyor, which showed the existing dwelling and attached garage as well as the proposed addition. Said plan showed the proposed addition to be 15.7' from the easterly lot line rather than the required twenty feet.

Decision

The Board finds that a real need exists for the proposed addition and that 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 that section. While the lot is 100' x 100', due to the location of the house on the lot, compliance with the side yard requirement of Section XIX of the Zoning By-law is impracticable because of its size and shape. The lot was held of record on April 1, 1940 under separate and distinct ownership from adjacent lots.

It is, therefore, the unanimous opinion of this Board that the requested exception to construct the proposed addition will not injure the neighborhood and permission is granted for the addition as shown on the plot plan submitted, drawn by Douglas P. Forbes, Land Surveyor, dated April 16, 1971, and on file with this Board.

Accordingly, the request is granted and the Building Inspector is authorized to issue a permit for the proposed addition in accordance with the plans submitted and on file with this Board.

Philip H. D. Casill

Philip H. D. Casill

Dana T. Lowell

Dana T. Lowell

Robert T. Colburn

Robert T. Colburn

Filed with Town Clerk _____

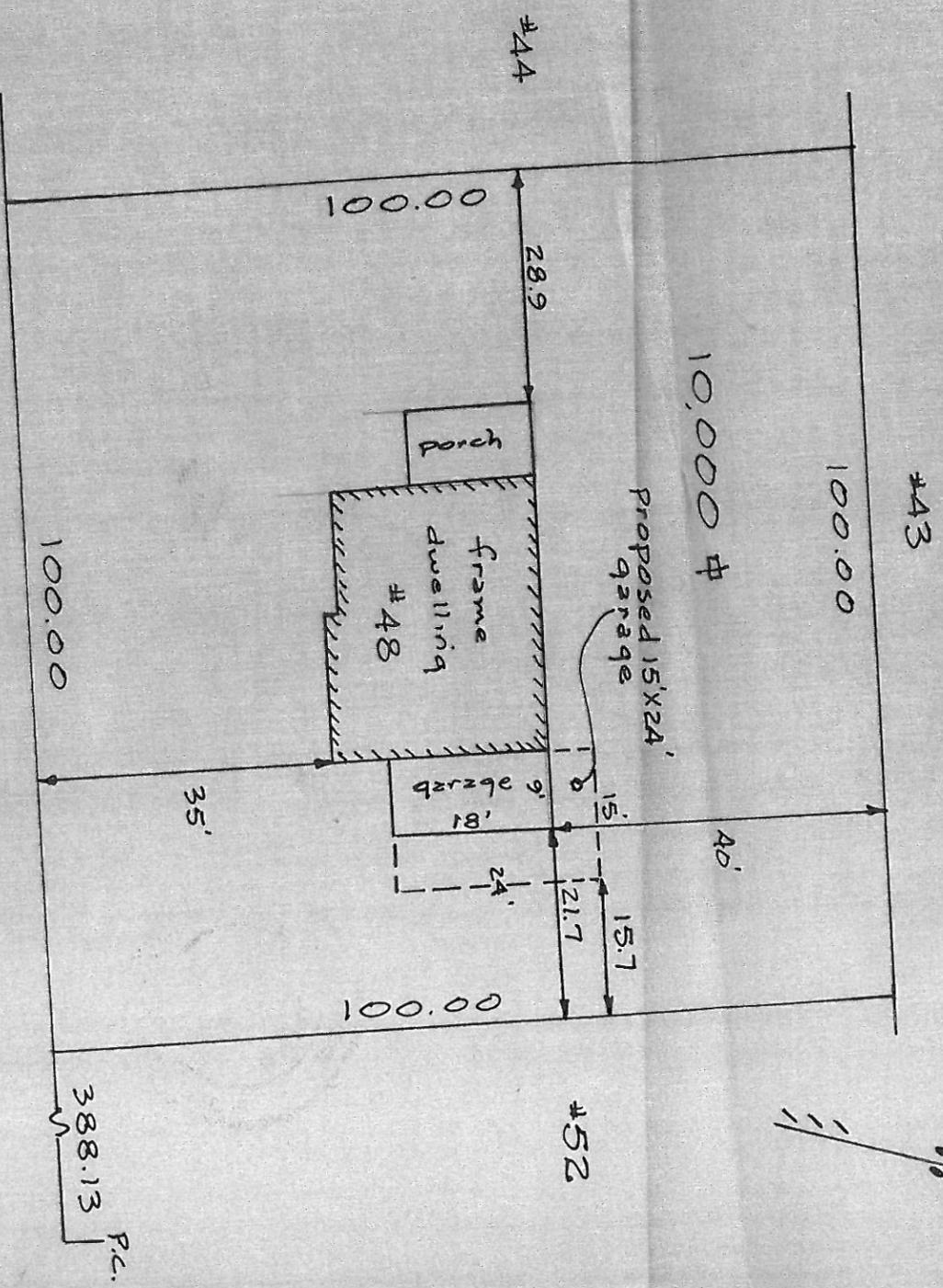
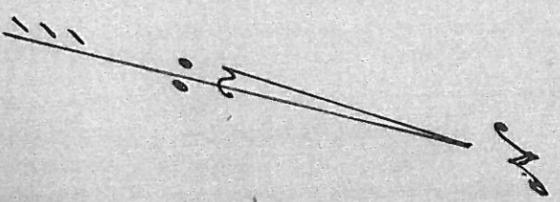
JUL 13 3 52 PM '71
MELLE BREYMAN
TOWN CLERK'S OFFICE
RECEIVED

Plot Plan in
WELLESLEY, MASS.

Scale: 1"=20'

April 16, 1971

Northwestern Engineering Associates,
CAMBRIDGE STREET - ROUTE 2A
QUININGTON, MASSACHUSETTS



BEVERLY

RD