

TOWN OF WELLESLEY



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WELLESLEY MASS.  
JUN 18 11 37 AM '75

BOARD OF APPEAL

Francis L. Swift  
~~THEODORE C. MERLO~~  
F. LESTER FRASER  
WILLIAM O. HEWETT

KATHARINE E. TOY  
Administrative Secretary  
Telephone  
235-1664

Petition of William B. and Denise C. Price

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 May 15, 1975, on the petition of William B. and Denise C. Price, requesting a special exception from the terms of Section XIX of the Zoning By-law which will permit them to enclose an existing porch on the side of their dwelling at 14 Roberts Road with a side yard less than the required twenty feet.

On April 21, 1975, the petitioners filed their request for a hearing before this Board and thereafter due notice of the hearing was given by mailing and publication.

William B. Price spoke in support of the request at the hearing.

Statement of Facts

The dwelling involved was built in 1939, on a lot of land which was held under separate and distinct ownership from adjacent lots on April 1, 1940, and prior to the enactment of the Zoning By-law requiring a twenty-foot side yard. The lot is located within a Single-residence District requiring a minimum lot area of 20,000 square feet.

The petitioners seek permission to enclose an existing porch on the southerly side of their dwelling in order to provide additional living space for their family. They have need for a first-floor room for their new baby and feel that the enclosure will not only be beneficial to them but will enhance the house as well.

A plot plan was submitted, drawn by Gleason Engineering Company, dated January 21, 1939, which showed the location of the dwelling on the lot, with the existing porch approximately ten feet from the side line at the nearest point.

Decision

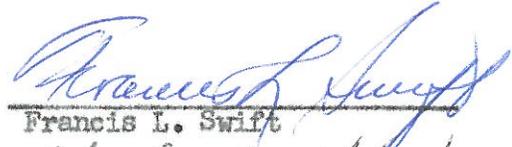
The Board has taken a view of the locus and has studied the evidence submitted, and in its opinion, the proposed porch enclosure will not prove detrimental to the public good nor derogate from the intent or purpose of the by-law. In its opinion, there is a real need for the additional space which the proposed enclosure will provide.

The lot is relatively narrow with a width of 81.00' and because of the size of the house and its location on the lot, compliance with the requirements of Section XIX of the Zoning By-law is impracticable because of its width and shape. It 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.

Petition of William B. and  
Denise C. Price

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



Francis L. Swift



Stanley J. Glod



Franklin P. Parker

Filed with Town Clerk \_\_\_\_\_

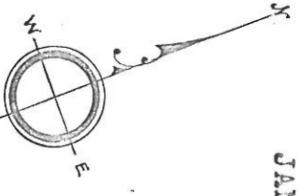
Subdivision of part of land shown on plan 5882<sup>A</sup> 5882<sup>A</sup>

Filed with Cert. of Title No. 3014 Registry District of Norfolk County.

LAND IN WELLESLEY

JAN. 21, 1939

Gleason Engineering Company.



RECEIVED FOR REGISTRATION  
NOTED ON CERTIFICATE NO. 2,295 B  
IN REGISTRATION BOOK 129 PAGE 1518

RECORDED  
NOV 3 1939

ROBERTS

ROAD

A true copy of plan filed  
with Norfolk Registry District  
of the Land Court  
Attest:

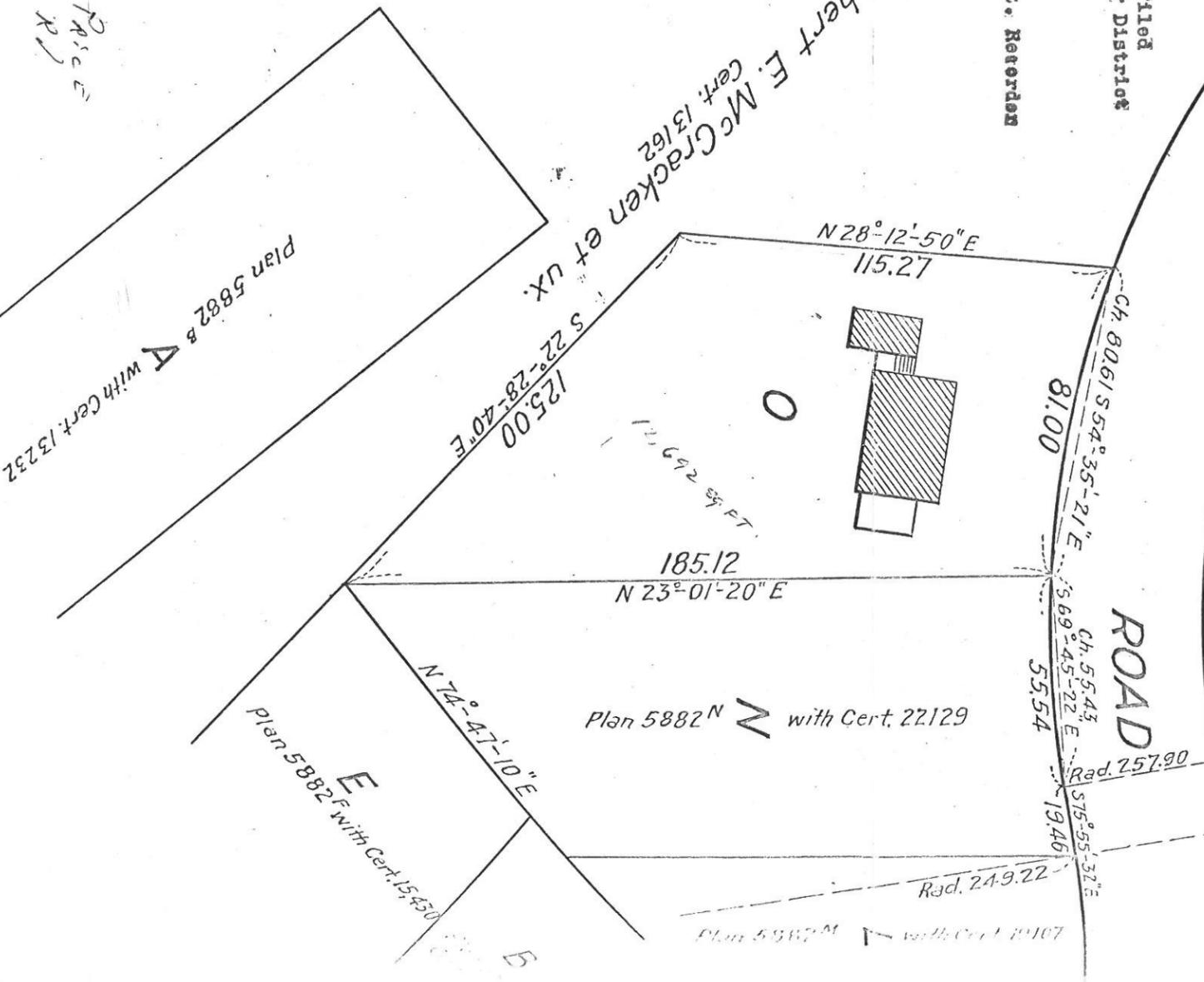
Actg. Asst. Recorder

Robert E. McCracken et ux.  
Cert. 13162

Plan 5882<sup>N</sup> with Cert. 22129

Plan 5882<sup>E</sup> with Cert. 15450

Plan 5882<sup>M</sup> with Cert. 10167



William Isaac  
14 Roberts Rd

Separate certificates of title may be issued  
for lot O as shown hereon  
By the Court  
FEB. 15, 1939

Copy of part of plan  
filed in  
LAND REGISTRATION  
FEB 4, 1939  
Scale of this plan 40 feet to 1  
C. B. Humphrey, Engineer for C. E.