



## BOARD OF APPEAL

Henry H. Thayer  
 THEODORE C. MERLO  
 F. LESTER FRASER  
 WILLIAM O. HEWETT

KATHARINE E. TOY  
 Administrative Secretary  
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 235-1664

Petition of Michael P. Brown

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 June 26, 1975, on the petition of Michael P. Brown, requesting a special exception or variance from the terms of Section XIX of the Zoning By-law which will permit him to construct an addition on the side of his dwelling at 65 Audubon Road with a side yard less than the required twenty feet. Said request was made under the provisions of Section XIX of the Zoning By-law and Chapter 40A, Section 15, of the General Laws.

Michael P. Brown spoke in support of the request at the hearing.

On June 11, 1975, the petitioner filed his request for a hearing before this Board and thereafter due notice of the hearing was given by mailing and publication.

Hugo E. Carlson, 73 Audubon Road, opposed the request as he felt that the twenty-foot side yard requirement should be maintained as there is space on the right side of the house to construct an addition, and if the request is allowed, it will spoil the area.

Statement of Facts

The house involved, which was built in 1941, is located on a lot containing 14,000 square feet, within a single-residence district requiring a minimum lot area of 20,000 square feet.

The petitioner seeks permission to enlarge the existing screened porch on the southerly side of his house and convert it into a family room. The existing porch is approximately 12' x 15' and it is proposed to extend it to 17' x 24' by widening it 5' and lengthening it approximately 9'. If built, the addition will lie 15.02' from the lot line on the southerly side and will extend slightly beyond the rear line of the house.

It was stated that the location of the proposed expansion appears to be the most practical and economical because of the room arrangement and the utilization of part of the existing foundation of the existing porch. There will also be a saving on the heating expense as the porch is directly over the furnace room.

It was further stated that the reason for not building on the rear of the house is because it would disrupt the natural traffic flow in the house and severely reduce the usable area in the back yard. Expanding the den on the northerly side where there is more space would be both more expensive and very complicated. The den is over a one-car garage which would become unuseable, and necessitate the construction of a new garage under the expanded den which would mean lowering the present driveway and dealing with the high water table which is one foot under the bottom of the driveway.

A plot plan was submitted, drawn by Alexander Crucoli, Land Surveyor, dated May 3, 1975, 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 a real need exists for the proposed room which the addition will provide and the increase in the size of the existing porch will not reduce the value of property within the district or otherwise injure the neighborhood.

The house involved is located approximately 20' from the southerly lot line and 38' from the northerly lot line at the nearest point, which makes compliance with the requirements of Section XIX of the Zoning By-law impracticable due to the location of the dwelling on the lot. While the lot contains 14,000 square feet, it has a frontage of only 104' and a depth of approximately 120', which also makes compliance impracticable due to the width and shape of the lot. The lot was held of record on April 1, 1940, under separate and distinct ownership from adjacent lots, therefore, the facts in this case meet the criteria required for this Board to find under the provisions of Section XIX of the Zoning By-law.

It is, therefore, the unanimous opinion of this Board that the requested exception may be granted for the proposed addition as shown on the plan submitted and on file with this Board and the Building Inspector is hereby authorized to issue a permit for such construction.

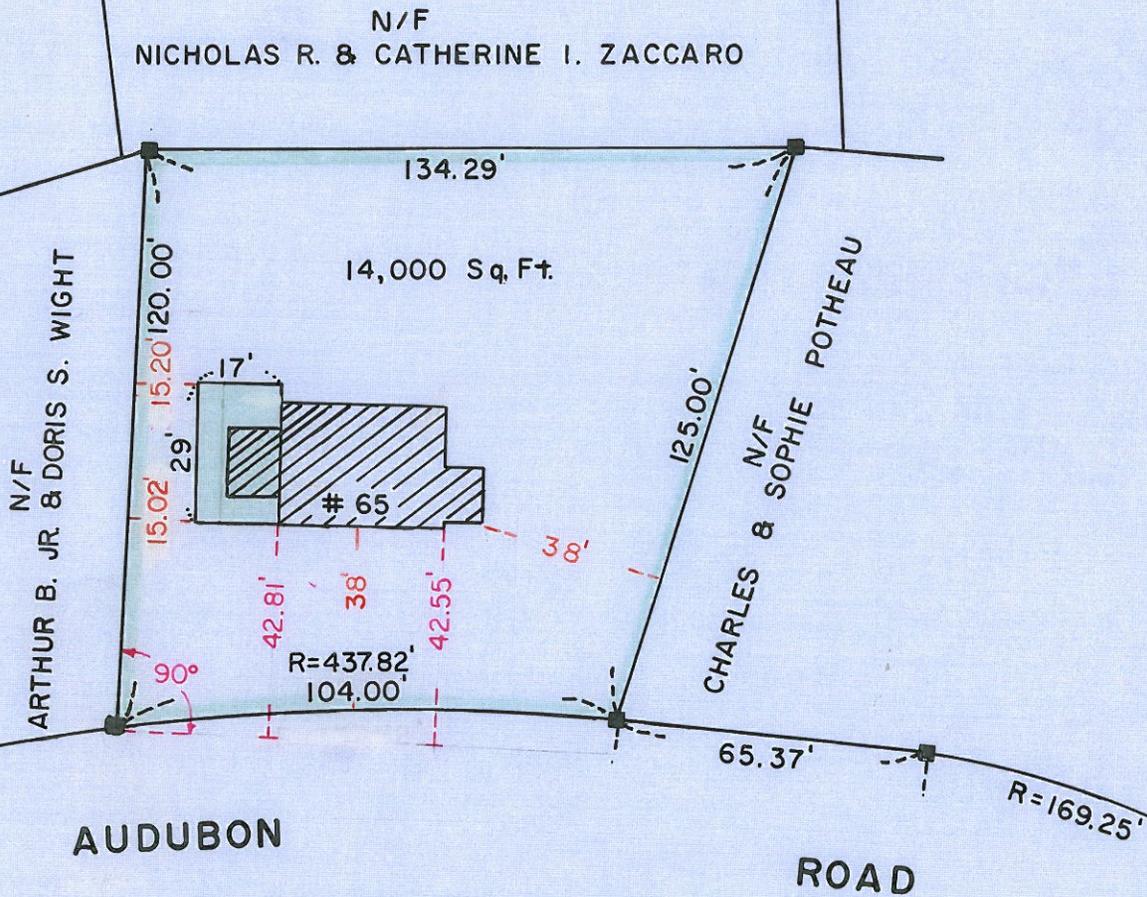
*Henry H. Thayer*  
 Henry H. Thayer  
*F. Lester Fraser*  
 F. Lester Fraser  
*William O. Hewett*  
 William O. Hewett

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

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RECEIVED  
TOWN CLERK'S OFFICE

PLAN OF LAND  
 IN  
 WELLESLEY, MASS.  
 SCALE 40 FT. TO AN INCH  
 MAY 3, 1975  
 ALEXANDER CRUCIOLI  
 ACRES - ENGINEERS - SURVEYORS, INC.  
 6 ABBOTT ROAD  
 WELLESLEY HILLS, MASS.



WE HEREBY CERTIFY THAT THE BUILDING SHOWN ON THIS PLAN IS LOCATED ON THE GROUND AS SHOWN THEREON AND THAT IT CONFORMS TO THE ZONING AND BUILDING LAWS OF THE TOWN OF WELLESLEY WHEN CONSTRUCTED AND TO RESTRICTIONS OF RECORD.

*Alexander Crucoli P.L.S.*