

TOWN OF WELLESLEY



MASSACHUSETTS

F. LESTER FRASER
STANLEY J. GLOD
WILLIAM O. HEWETT
FRANKLIN P. PARKER
FRANCIS L. SWIFT
HENRY H. THAYER

BOARD OF APPEAL

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WELLESLEY MASS.

DEC 1 1 46 PM '75

KATHARINE E. TOY
Administrative Secretary
Telephone
235-1664

Petition of Charles Stearns

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 8:05 p.m. on October 9, 1975, on the petition of Charles Stearns, requesting an exception from the terms of Section XIX of the Zoning By-law which will allow him to construct an addition on the rear of the dwelling at 20 Pine Plain Road with a side yard less than the required twenty feet.

On September 18, 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.

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

A letter opposing the request was received from Alice L. and Donald A. Mann, 21 Pine Plain Road.

The Planning Board also opposed the request on the basis that the proposed addition represents a significant encroachment on the side yard.

Statement of Facts

The house involved is located within a Single-residence District requiring a minimum lot area of 10,000 square feet, and was built in 1928, prior to the enactment of the by-law requiring a twenty-foot side yard.

The petitioner seeks permission to construct an addition across the rear of his house extending it ten feet closer to the lot line on the westerly side than the existing house. The addition, if built, is to be 32' across the rear, 20' on one side and 16' on the other side, with a width of 10' extending beyond the existing house. The addition is designed to enlarge the existing kitchen, which is now very small, and to provide a family room as well as an additional bathroom. The petitioner explained that as his children are getting older, additional living space is needed and the present house is inadequate. The proposed plan, he stated, will be in keeping with the architectural design of the house and should be an improvement to the neighborhood. The encroachment of nine feet into the required side yard, he felt, should not prove detrimental to the adjoining property. A plot plan was submitted showing the existing house as well as the proposed addition and was drawn by A. Gargano.

Decision

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 restriction of the Zoning By-law.

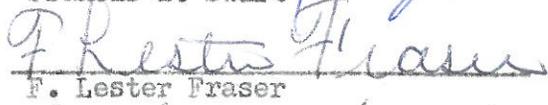
The house was built in 1928, prior to the enactment of the side yard requirement and was held of record on April 1, 1940, under a separate and

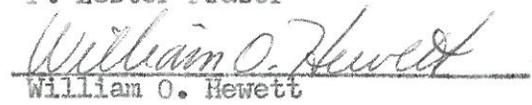
distinct ownership from adjacent lots. While the Board feels that some exception should be granted which would allow the petitioner to construct an addition which would provide the needed space for his family, however, it does not feel that the addition should extend to within eleven feet of the side line. It does feel that an addition can be designed which will provide the living space required and reduce the encroachment five feet. While the lot is rectangular in shape, it is relatively narrow, seventy feet in width, which makes compliance with the side yard restriction impracticable because of the width of the lot and the location of the dwelling on it.

The Board, therefore, finds that, subject to the condition imposed, that an addition can be built which will provide adequate space for the petitioner's family, and will not prove detrimental to the property involved or to the surrounding neighborhood.

Accordingly, the Inspector of Buildings is authorized to issue a permit for an addition which will not encroach any closer to the lot line on the westerly side than 16.10' at the nearest point.

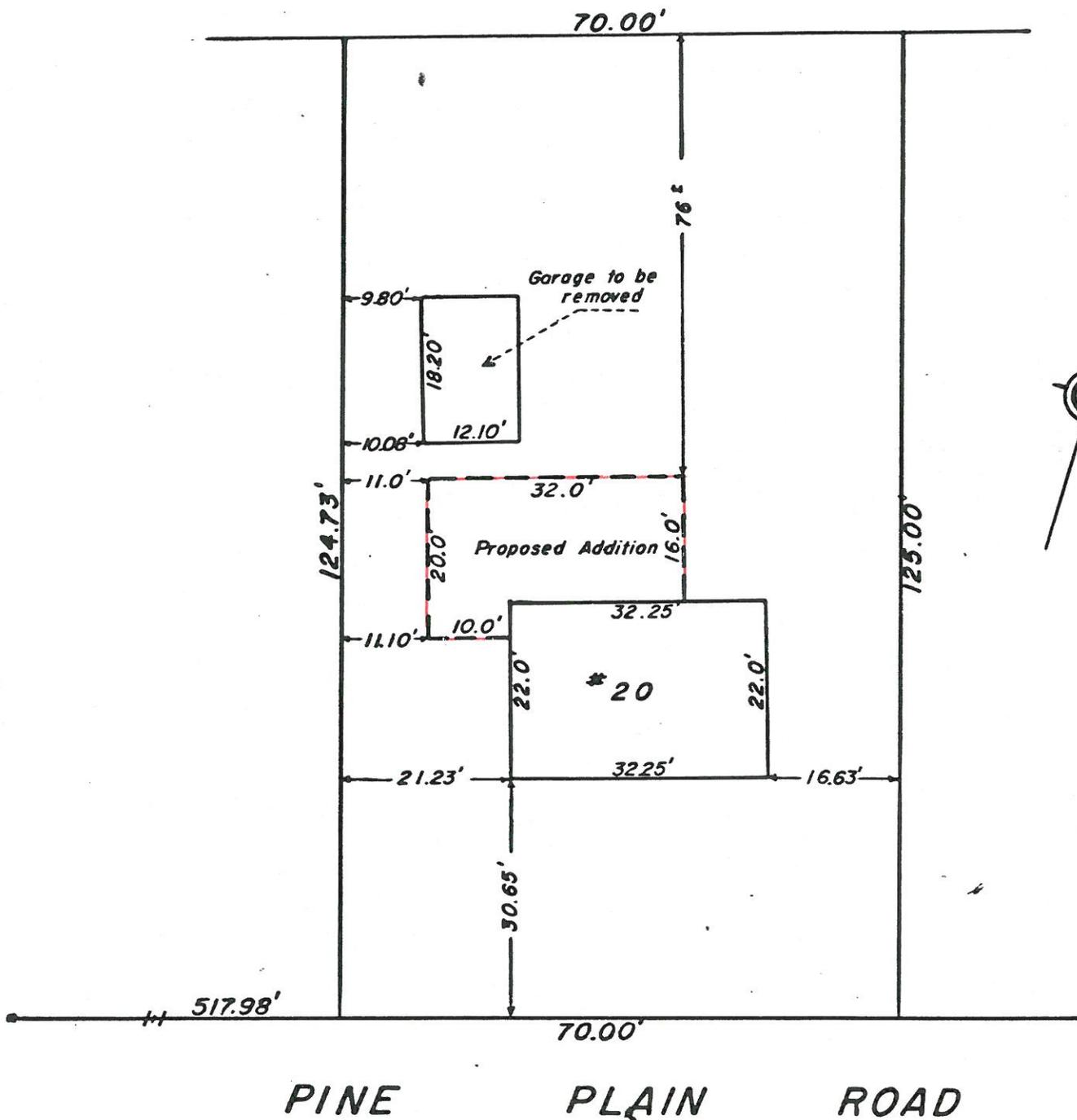

Francis L. Swift


F. Lester Fraser


William O. Hewett

Filed with Town Clerk _____

DEC 1 1 1912
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PLAN OF LAND
in
WELLESLEY, MASSACHUSETTS
at
No. 20 PINE PLAIN ROAD

owned by
Charles N. and Pauline M. Stearns

Proposed
House Addition

September 5, 1975

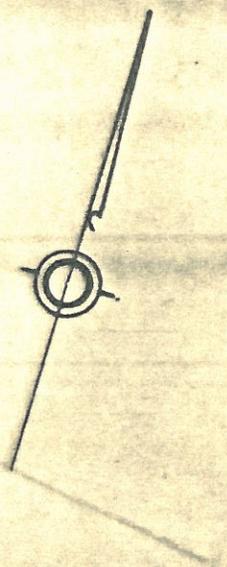
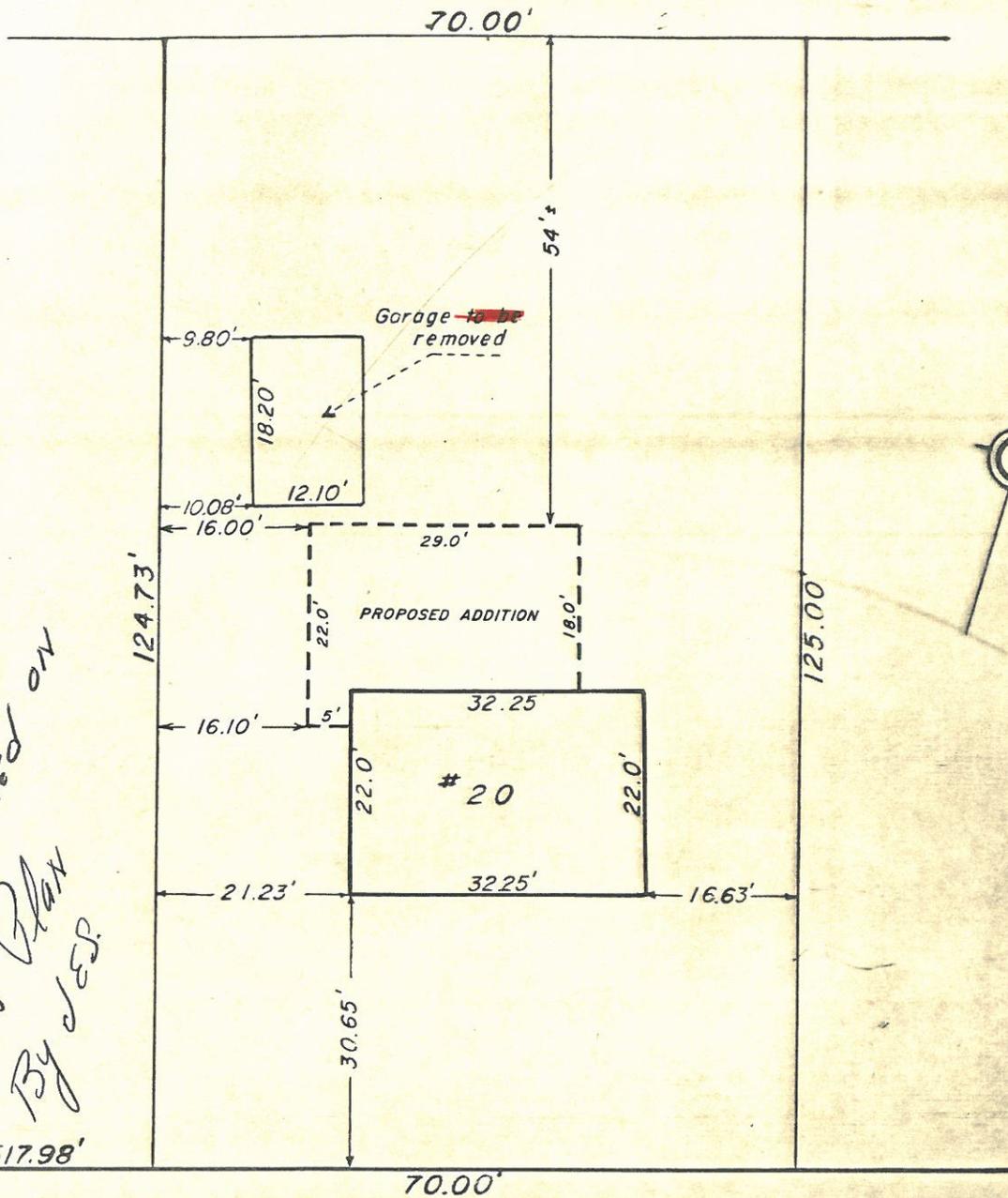
Scale: 1" = 20'

Alfred Gargaro

Land Surveyor



*Revised
Permit issued on
This Plan
By JES.*



PINE PLAIN ROAD

PLAN OF LAND
in
WELLESLEY, MASSACHUSETTS
at
No. 20 PINE PLAIN ROAD

owned by
Charles N. and Pauline M. Stearns

Proposed
House Addition

March 21, 1979

Alfred Gargaro



Scale: 1" = 20'

Land Surveyor