



## BOARD OF APPEAL

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

KATHARINE E. TOY  
 Administrative Secretary  
 Telephone  
 235-1664

Petition of John Parker Damon and  
 Marjorie Heinrich Damon

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 8:00 p.m. on November 20, 1975, on the petition of John Parker Damon and Marjorie Heinrich Damon, requesting an exception from the terms of Section XIX of the Zoning By-law which will allow them to construct an addition on the rear of their dwelling at 8 Belair Road with a side yard less than the required twenty feet.

On October 26, 1975, the petitioners requested a hearing before this Board and thereafter due notice of the hearing was given by mailing and publication.

John Parker Damon spoke in support of the request at the hearing.

Thomas L. Ehmann, 10 Belair Road, stated that he was in favor of the request and felt that the proposed addition would be an improvement to the property.

Mrs. Jeremy Judge, 32 Dover Road, also spoke in favor of the request.

Statement of Facts

The house involved, which is approximately seventy-five years old, is located within a Single-residence District requiring a minimum lot area of 10,000 square feet.

The petitioners seek permission to construct a two-story addition 15' x 15' on the rear of their dwelling which, if built, will provide a family room on the first floor and a bedroom on the second floor. The addition will also replace a mudroom 7½' x 15' off the kitchen and the deck will replace a back porch and will measure 10' x 13'. The mudroom and deck will comply with the side yard requirements and will not need an exception. Both are rotted and need to be replaced.

It was explained that the proposed family room and bedroom are needed for the petitioners' growing family. The first floor of the house now consists of a living room, dining room and kitchen, and the second floor consists of three small bedrooms and a dressing room. More space, it was stated, is needed in anticipation of their third child. The existing house is 9'10" from the northerly side line and the proposed addition, if built, will continue the existing line and also will be 9'10" from the northerly side line.

A plot plan was submitted, drawn by Charles D. Thompson, Land Surveyor, dated October 7, 1975, which showed the existing dwelling and the proposed addition on the lot.

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 restrictions of the Zoning By-law. The house was built prior to the enactment of the yard requirement of twenty feet and was held of record on April 1, 1940 under a separate and distinct ownership from adjacent lots. The lot contains 7,500 square feet and is rectangular in shape 60' x 125', with the existing house only 9'10" from the side lot line.

Due to the placement of the house on the lot and the room arrangement, it is the opinion of this Board, that it would not be possible to construct an addition of practical size which would provide the rooms needed by the petitioner without encroaching into the side yards. Compliance, therefore, with the yard restrictions is impracticable because of the width and shape of the lot.

Accordingly, the requested exception is granted and the Inspector of Buildings is authorized to issue a permit for the proposed addition as shown on the plan submitted and on file with this Board.

*Henry H. Thayer*  
Henry H. Thayer

*F. Lester Fraser*  
F. Lester Fraser

*Stanley J. Glod*  
Stanley J. Glod

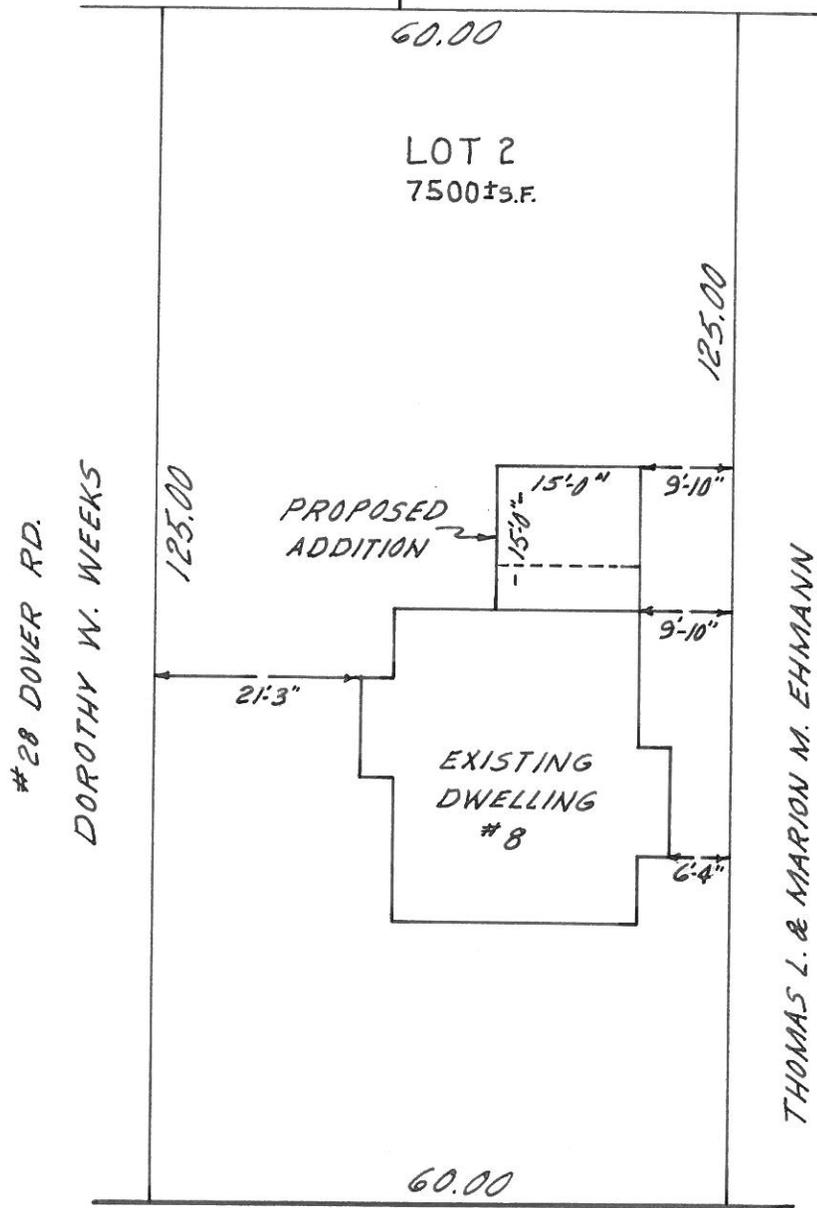
Filed with Town Clerk \_\_\_\_\_

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RECEIVED  
TOWN ENGINEERING OFFICE  
MAY 25 1948

#23 UPLAND RD.  
GRAZIA AVITABILE

#28 UPLAND RD.  
SAMUEL L. THORNDIKE



#10



Charles W. Thompson

# PLOT PLAN OF LAND

WELLESLEY 0 MASS.

SCALE: 1 IN. = 20 FT.

OCT. 7, 1975

EVERETT M. BROOKS CO.  
NEWTONVILLE

CIVIL ENGR'S  
MASS.