

TOWN OF WELLESLEY



MASSACHUSETTS

BURTIS S. BROWN, CHAIRMAN  
 THOMAS M. REYNOLDS  
 SHERMAN J. L. BROWN

BOARD OF APPEAL

KATHARINE E. TOY, CLERK  
 TELEPHONE  
 WE. 5-1664

### Appeal of Katherine Grady

Pursuant to due notice the Board of Appeal held a public hearing in the hearing room on the first floor of the Intermediate Building at 324 Washington Street at 8:05 p.m. on March 11, 1954 on the appeal of Katherine Grady from the refusal of the Inspector of Buildings to issue a permit to her to alter her dwelling at 28 River Ridge.

### Statement of Facts

On March 1, 1954 the Inspector of Buildings notified the appellant in writing that said permit could not be issued because it would violate Section 9-C of the Zoning By-law which requires a 20-foot side yard and Section 1 (B), Chapter IV, of the Building Code which requires that the exterior wall of a Type V building shall be placed at least ten feet from any party line. On the same date the appellant took an appeal in writing from such refusal and thereafter due notice of the hearing was given by mailing and publication.

A plot plan drawn by the Gleason Engineering Company, dated March 1, 1954, was submitted at the hearing which showed the existing dwelling as well as the desired addition and carport.

The appellant appeared at the hearing with her building who stated that the desired construction consists of an addition 8'6" x 5'6" to be erected at the rear of the dwelling and a carport approximately 9' x 22' to be erected on the left-hand side of the dwelling. The addition will provide a full bathroom which the appellant does not have at present, and although it will lie approximately twelve feet from the side lot line, there will be no actual encroachment into the present side yard as the existing house is only seven feet from the boundary line.

The carport, if constructed, will lie one foot from the side lot line and due to the contour of the lot, the proposed location appears to be the only practical place for it. There is an approximate fifty-foot drop just beyond the lot line so there is little likelihood that any other structure will be erected on the adjoining lot.

No comment was made by the Planning Board regarding the granting of the requested variance.

No objections were made at the hearing to the granting of the desired exceptions.

### Decision

The Board of Appeal unanimously finds that compliance with the requirements of Section 9-C of the Zoning By-law and Chapter IV, Section 1 (B) of the Building Code would involve substantial hardship to the

appellant and would be impractical because of the width, depth and shape of the lot. While the lot contains 13,000 square feet it has a frontage of only forty-five feet which makes it practically impossible to construct any addition and conform with the present Zoning and Building By-laws.

There will be no further encroachment into the side yard resulting from the proposed addition and due to the contour of the lot, the proposed location of the carport appears to be the only place for it. The immediate neighborhood is developed in respect to houses and side yards, and a great many have side yards considerably less than the required twenty feet.

In the opinion of the Board the granting of the requested variance will not prove detrimental to the appearance and character of the neighborhood and no substantial increase in fire hazard will result.

The Board, therefore, unanimously finds that sufficient reasons exist for determining that a variance can be granted without substantially derogating from the intent and purpose of said sections of the Building and Zoning By-laws.

Accordingly, the requested variances are authorized and granted and the issuance of the permit for the proposed addition and carport as described and specified in the appellant's application and shown on the plan submitted is hereby directed.

*B. S. Brown*

Burtis S. Brown

*T. M. Reynolds*

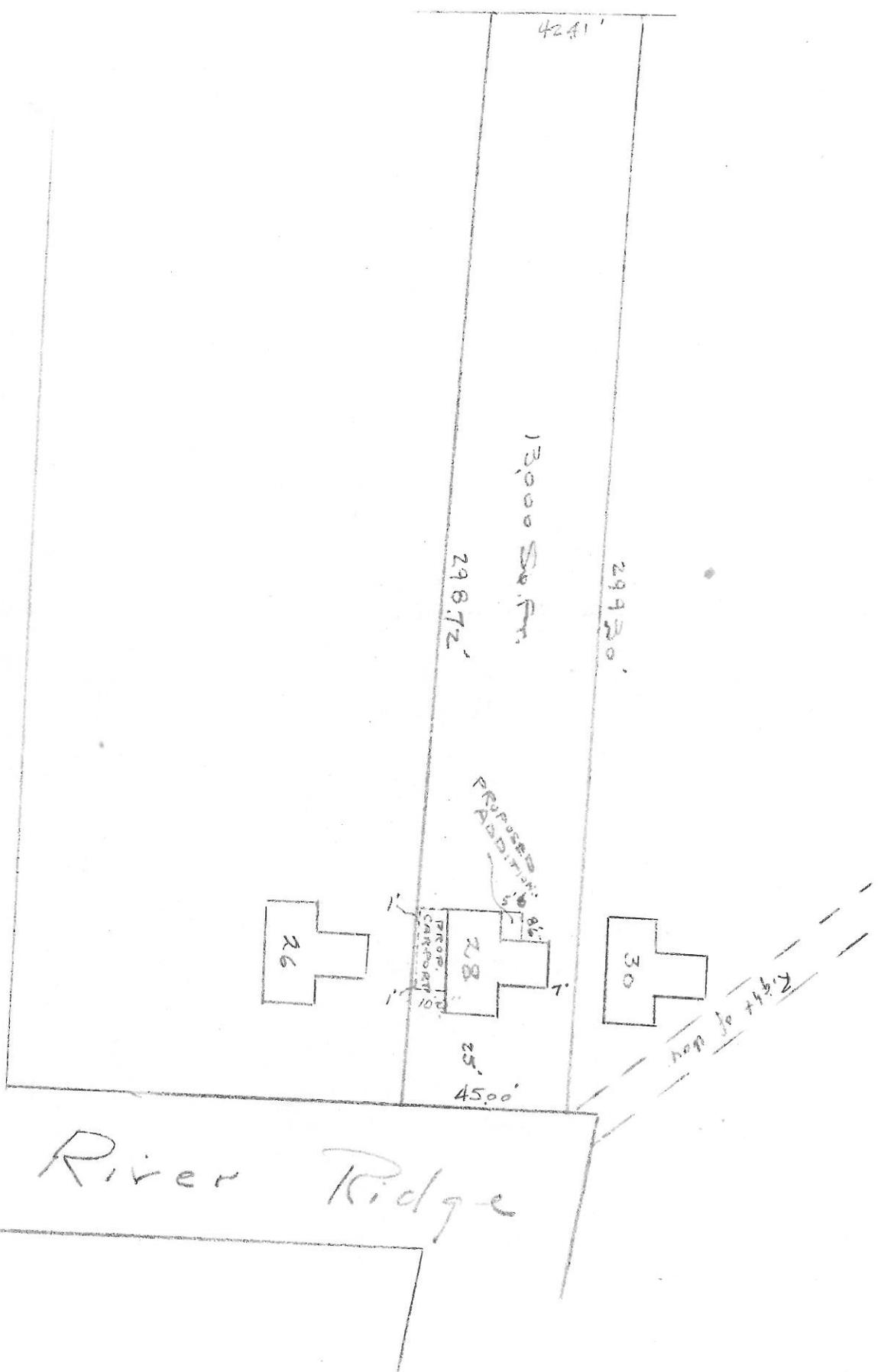
Thomas M. Reynolds

*Sherman J. L. Brown*

Sherman J. L. Brown

Filed with Town Clerk on APR 5 1953

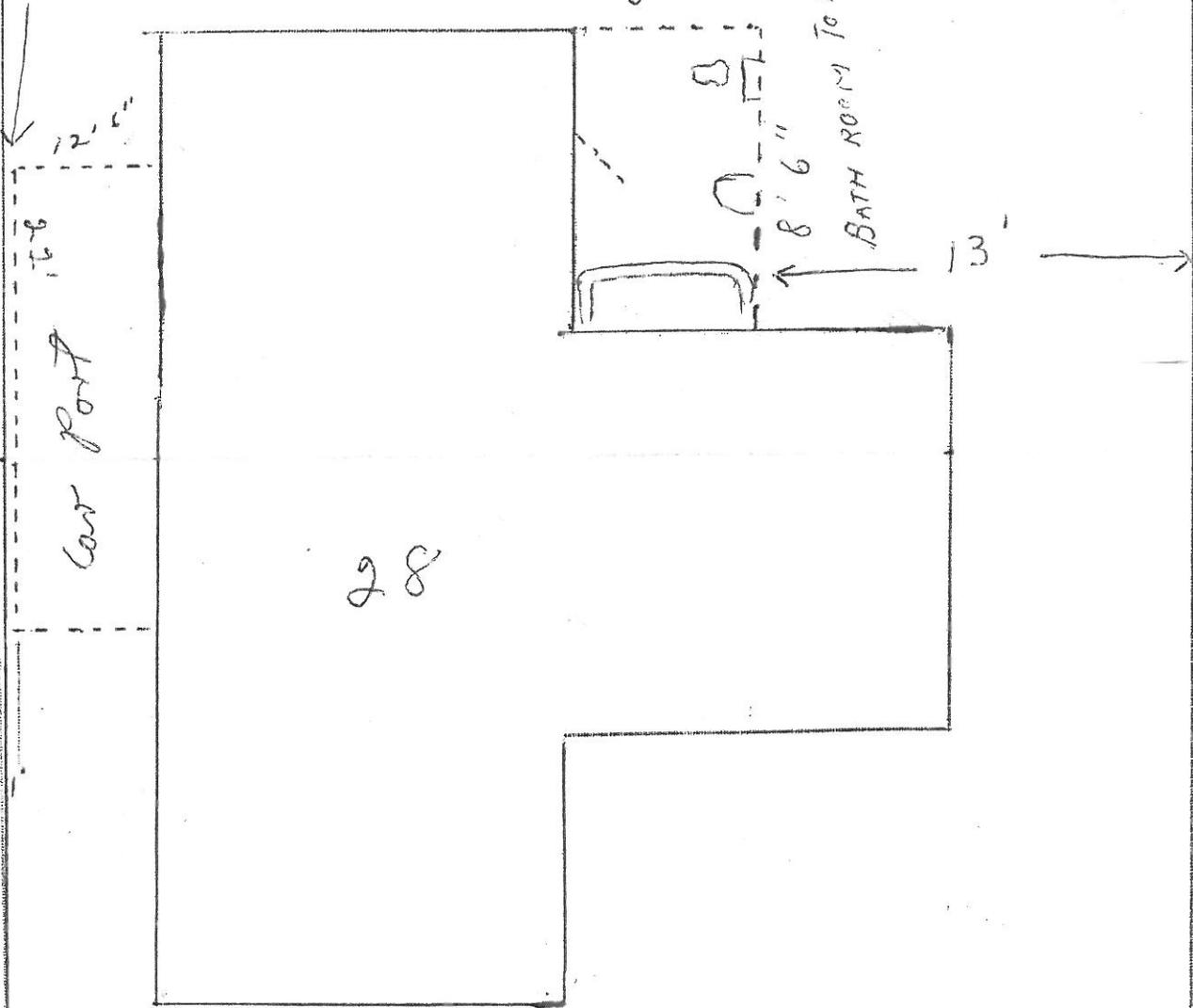
CATHERINE GRADY



Scale 40' = 1"

GLEASON ENGINEERING  
MARCH 1, 1971

stone wall 1' from line



Car Port

16' 8"

12' 6"

5' 6"

BATH ROOM TO BE ADDED

8' 6"

13'

28

RIVER RIDGE