69-44

TOWN OF WELLESLEY MASSACHUSETTS

BOARD OF APPEAL

RICHARD O. ALDRICH
DANA T. LOWELL
F. LESTER FRASER

KATHARINE E. TOY, CLERK
TELEPHONE
235-1664

Petition of Andrew J. Gard

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 8:40 p.m. on June 26, 1969, on the petition of Andrew J. Gard, requesting an exception from the terms of Section XIX of the Zoning By-law which will permit the construction of an addition on the rear of the dwelling at 12 Orchard Street with a side yard less than the required twenty feet.

On June 10, 1969, 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.

Statement of Facts

The house involved was built in 1915, prior to the enactment of Section XIX of the Zoning By-law requiring a minimum twenty-foot side yard , and is located within a Single-residence District requring a minimum lot area of 10,000 square feet.

The petitioner seeks permission to construct a one-story addition 6 1/2' x 9' on the rear of his dwelling which will provide a lavatory, coat closet and an enclosure for the rear door. At present there is an unprotected platform at the door which is badly in need of repair, and if the request is granted, the proposed addition will replace this platform and provide protection for the entrance which leads into the kitchen. It was stated that there is no downstairs lavatory or coat closet in the house and both are needed.

The addition, if built, will lie fifteen feet from the lot line on the westerly side rather than the required twenty feet. However, it will continue the line of the existing house and will not encroach any nearer to the lot line than the existing house.

A plot plan was submitted, drawn by Gleason Engineering Company, dated June 12, 1969, which showed the existing house on the lot as well as the proposed addition.

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 that Section. The lot is narrow with a width of only 72' and a depth of 150', which makes compliance with the law impracticable if an addition is to be made in the location needed because of the width and shape of the lot.

The Board feels there is a need for the proposed addition and the plan submitted appears to be the only practical way to take care of the petitioner's needs.

The lot was held under separate and distinct ownership from adjacent lots on April 1, 1940.

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

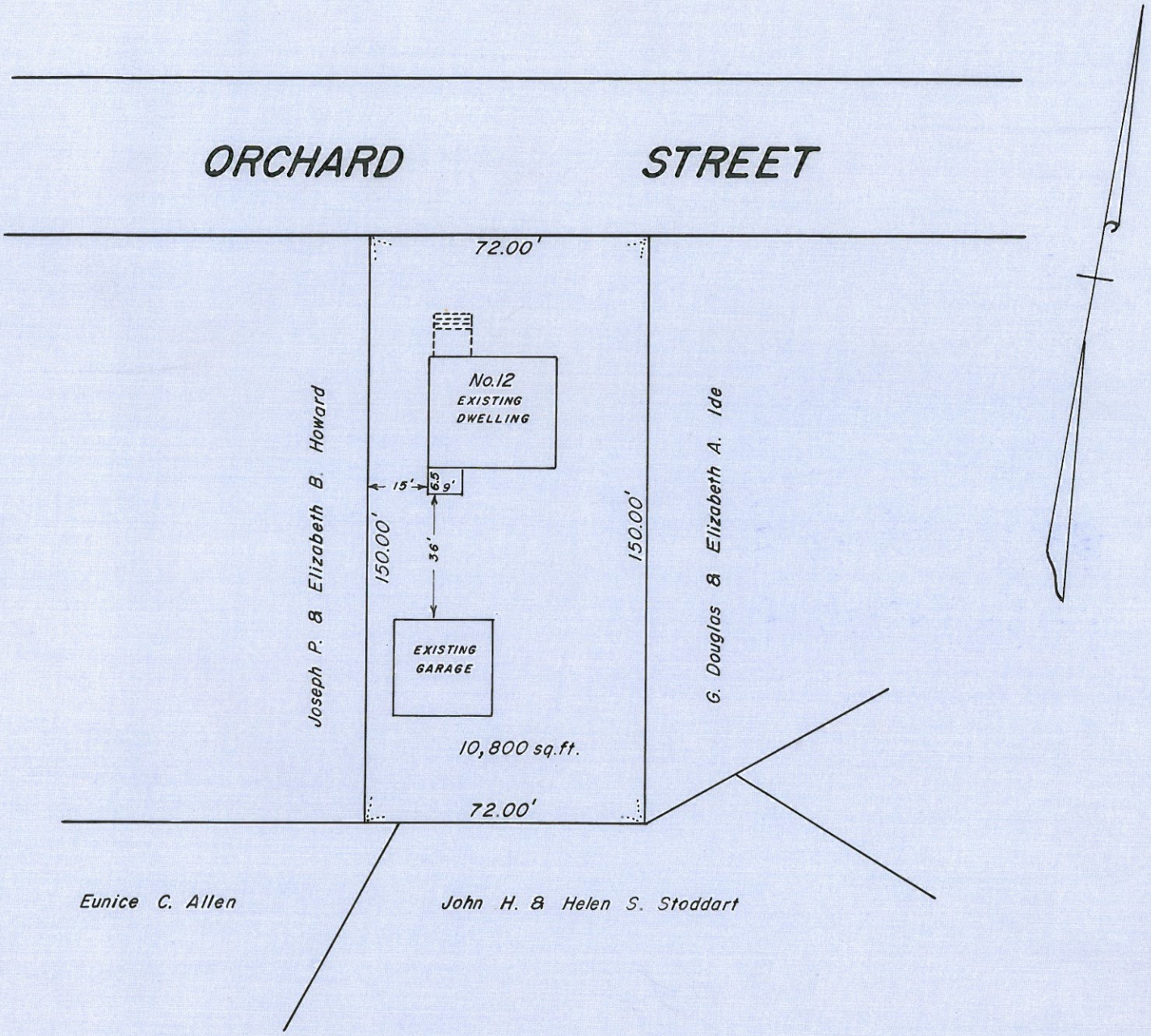
Richard O. Aldrich

Dana T. Lowell

F. Lester Fraser

Filed with Town Clerk _____

RECEIVED
TOWN CLERK'S OFFICE
WELLESLEY, MASS.
1969 MY 23 PM 12:01



PLAN OF LAND
IN
WELLESLEY, MASS.
OWNED BY
ANDREW J. GARD
Scale 40 feet to an inch
June 12, 1969
Gleason Engineering Company