

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 Charles R. Jr. and
Marian B. Currier

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 8:20 p.m. on August 11, 1970, on the petition of Charles R. Jr. and Marian B. Currier, requesting a special exception from the terms of Section XIX of the Zoning By-law which will permit the construction of a dormer window on the rear of their dwelling at 32 Boulevard Road with side yards less than the required twenty feet.

On July 17, 1970, the petitioners requested a hearing before this Board and thereafter due notice of the hearing was given by mailing and publication.

Charles R. Currier, Jr. spoke in support of the petition at the hearing.

Stanley Glod, 3 Dudley Road, builder for the petitioners spoke in favor of the request.

Letters favoring the granting of the request were received from Miriam T. Fox, 33 Boulevard Road and Pau K. and Sally V. Belden, 35 Boulevard Road.

No objections were made at the hearing to the granting of the request.

Statement of Facts

The house involved, which was built in 1935 prior to the enactment of Section XIX of the Zoning By-law, is located within a Single-residence District requiring a minimum lot area of 10,000 square feet.

The petitioners seek permission to construct a dormer window at the rear of their dwelling in order to provide a upstairs bathroom. The window, if built, will not be nearer than four feet from the existing sides of the dwelling. It was pointed out that it would not be possible otherwise to construct an addition onto the dwelling and provide the necessary additional space and still comply with the Zoning By-law. The bathroom is particularly needed for Mrs. Currier's elderly mother, to save extra trips up and down stairs.

A plot plan was submitted, drawn by Donald W. Scully, Reg. Surveyor, dated July 15, 1970, which showed the existing dwelling on the lot. Said plan showed the house to be located 10' from the lot line on the westerly side and 13' from the lot line on the easterly side. The proposed dormer was shown as extending 24' in length to within 4' of the side walls of the house.

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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 side yard requirement of twenty feet and was held of record on April 1, 1940, under a separate and distinct ownership from adjacent lots. While the lot is rectangular in shape, it is narrow, and the house is so situated on the lot, that a dormer could not be constructed on the rear without encroaching into the side yards. The Board feels that as there will be no increase in the encroachment in the side yard that the proposed dormer window will not prove detrimental to the public good nor derogate from the intent and purpose of the by-law.

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

Philip H. R. Cahill
Philip H. R. Cahill
Dana T. Lowell
Dana T. Lowell
F. Lester Fraser
F. Lester Fraser

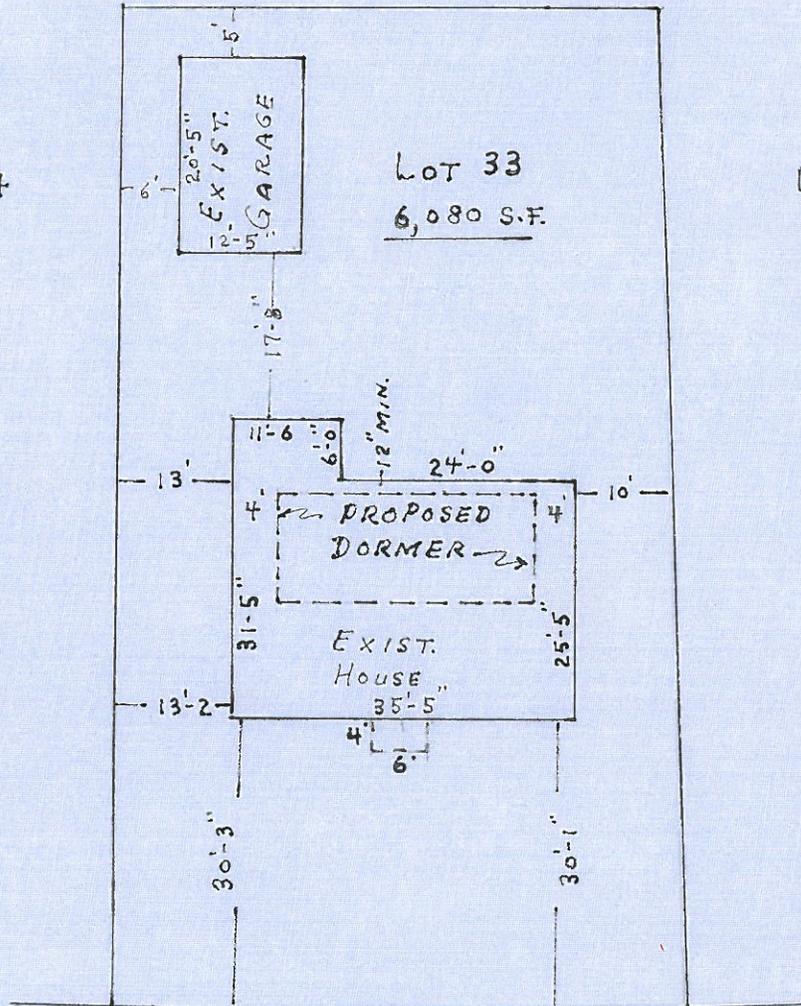
Filed with Town Clerk _____

1940 SEP 3 11 10:45
REGISTERED MAIL
TOWN CLERK'S OFFICE
MUNICIPAL

LOT 34

LOT 33
6,080 S.F.

LOT 32



No. 32

B O U L E V A R D R D.



PLAN OF LAND
IN
WELLESLEY, MASS.
SCALE: 1" = 20' JULY 15, 1970
D. W. SCULLY ~ REG. SURVEYOR
WELLESLEY HILLS, MASS.