



## BOARD OF APPEAL

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

KATHARINE E. TOY, CLERK  
 TELEPHONE  
 235-1664

Petition of Gerald W. Mungerson

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 8:10 p.m. on August 26, 1971, on the petition of Gerald W. Mungerson, requesting a special exception from the terms of Section XIX of the Zoning By-law which will allow him to extend and enclose the existing porch on the rear of the dwelling at 36 Leighton Road and provide a side yard less than the required twenty feet.

On August 5, 1971, 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 dwelling involved is located within a Single-residence District requiring a minimum lot area of 10,000 square feet, and was built prior to the enactment of Section XIX of the Zoning By-law requiring a minimum twenty-foot side yard.

The petitioner seeks permission to enlarge and enclose the existing porch on the rear of his dwelling in order to provide an additional room. The open porch is approximately 7.7' x 10.5' and the proposed extension is designed to be approximately 7.7' x 20.3' and lie 18.03' from the side lot line. It was stated at the hearing that because of the room above, it is not possible to extend the porch out and acquire additional space in that way. It was also stated that because of the width of the lot and the location of the house on the lot, it would not be possible to expand in any direction and comply with the Zoning By-law.

A plot plan was submitted drawn by Alex. Crucioli, Chelsea, Mass. dated July 10, 1971, which showed the existing porch and the proposed enclosure.

Decision

The Board has made a careful study of the facts in this case and has taken a view of the locus. It is the opinion of this Board that a real need exists for the additional space which the proposed enclosure will provide, and that the proposed construction will not reduce the value of any property within the district or otherwise injure the neighborhood.

The lot is narrow which makes compliance with the requirements of Section XIX of the Zoning By-law impracticable because of its width and shape. It was held of record on April 1, 1940 under a separate and distinct ownership from adjacent lots. Therefore, 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 vary the requirements of the side yard restrictions of the Zoning By-law.

Accordingly, the requested exception is granted and the issuance of a permit for the proposed extension and enclosure in accordance with the plans submitted and on file with this Board is hereby granted.

*Richard O. Aldrich*  
Richard O. Aldrich

*F. Lester Fraser*  
F. Lester Fraser

*Robert T. Colburn*  
Robert T. Colburn

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

255 0 4 20 1941  
RECEIVED  
TOWN ENGINEER  
JAN 23 1941

PLAN OF LAND  
IN  
**WELLESLEY-MASS.**

SCALE: 1" = 20'  
SURVEYOR

JULY 10, 1971.

Alex. Crucoli  
57 Winthrop Rd.  
Chelsea, Mass.

