



## BOARD OF APPEAL

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

KATHARINE E. TOY, CLERK  
 TELEPHONE  
 235-1664

Petition of Paul E. Murphy

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 8:15 p.m. on March 16, 1972, on the petition of Paul E. Murphy, requesting a special exception from the terms of Section XIX of the Zoning By-law which will permit him to enclose the existing entrance platform on the side of his dwelling at 32 Pine Ridge Road which has a side yard less than the required twenty feet.

On February 29, 1972, the petitioner filed an application 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.

A petition, signed by eighteen nearby neighbors, favoring the request was submitted.

No objections were made to the granting of the request.

Statement of Facts

The house involved which was built in 1939, prior to the effective date of the twenty-foot side yard requirement, on a lot containing 13,445 square feet, is located within a Single-residence District requiring a minimum lot area of 10,000 square feet.

The petitioner seeks permission to enclose an existing platform in order to provide a mud room. The entrance platform is located on the side of the dwelling approximately 6 $\frac{1}{2}$ ' from the easterly lot line and is approximately 6' x 7'. It was pointed out that the platform will not be enlarged and there will be no further encroachment into the side yard as a result of the proposed construction. The proposed enclosure, it is felt, will not detract from the appearance of the property, but will be an improvement.

A plot plan was submitted, drawn by Chester Smith, Professional Engineer, dated February 1, 1972, which showed the house located 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 side yard requirements and was held of record on April 1, 1940, under a separate and distinct ownership from adjacent lots. While the lot is fairly rectangular in shape, the house is so situated on the lot, that the proposed enclosure could not be provided without encroaching into the side yard. Compliance, therefore, with the side yard requirement is impracticable

because of the shape of the lot. The Board feels that there is a need for the proposed enclosure of the entrance platform and that the proposed alteration will not prove detrimental to the neighborhood nor derogate from the intent and purpose of the by-law.

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

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Philip H. R. Cahill

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Dana T. Lowell

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

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F. Lester Fraser

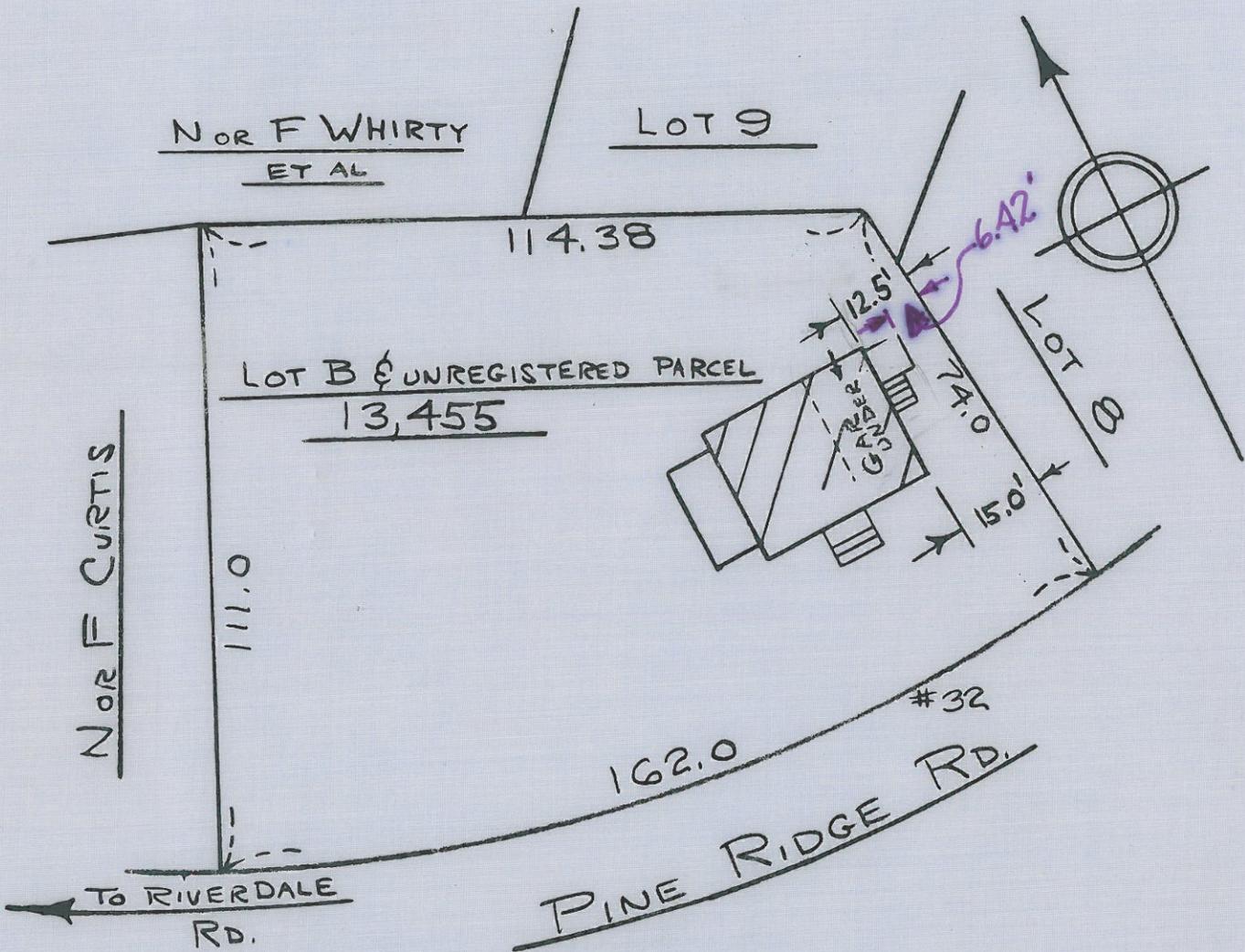
LOCATION PLAN

AT

32 PINE RIDGE ROAD WELLESLEY

SCALE 1" = 30'

JANUARY 12, 1972



NORFOLK COUNTY REG. OF DEEDS

LAND REGISTRATION DIVISION

BOOK 381 PAGE 49 CERT 76049

UNREGISTERED BOOK 4190 PAGE 384

PLAN FILED WITH CERT. 23224 PLAN#16178 B

*Chester Smith*  
2-1-72



THIS PLAN IS NOT TO BE RECORDED