



BOARD OF APPEAL

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

KATHARINE E. TOY, CLERK
 TELEPHONE
 235-1664

Petition of Charles B. Twigg

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 8:05 p.m. on July 26, 1973, on the petition of Charles B. Twigg, requesting a variance 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 No. 2 Meadowbrook Road with a side yard less than the required twenty feet. Said petition was made under the provisions of Chapter 40A, Section 15, of the General Laws.

On July 10, 1973, 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.

A letter favoring the request was received from Hugh R. Jones, Jr.
 7 Westgate Road, Weston.

Statement of Facts

The lot involved is located within a Single-residence District requiring a minimum lot area of 20,000 square feet. The total area of the lot is 22,311 square feet, with a portion of it within the Town of Weston. There is a dwelling and a swimming pool located on the parcel, both within the Town of Wellesley.

A plot plan was submitted, drawn by Arthur K. Wells, Jr., Wellesley, Mass., dated June 12, 1973, which showed the location of the dwelling on the lot as well as the proposed addition. Said plan showed the proposed addition to be approximately 20' x 25', located on the rear of the dwelling, abutting the Town of Weston boundary line at the side rather than the required twenty feet.

It was explained at the hearing that there is a real need for the proposed addition which, if built, will provide a den for the petitioner's growing family. It was further explained that a hardship exists because the Town of Weston boundary line bisects the lot and the proposed addition cannot be located in a practical or suitable location unless a variance is granted. While the proposed addition will abut the Town of Weston boundary line, it will be 21.9' from the petitioner's side lot line.

Decision

The Board is unable to find the requirements of Section XIX of the Zoning By-law are met in the instant situation, but it has considered the request under the provisions of Chapter 40A, Section 15, of the General Laws, and unanimously finds that owing to conditions especially affecting this parcel but not affecting generally the zoning district in which it is located, a literal enforcement of the provisions of the by-law would involve substantial hardship to the petitioner.

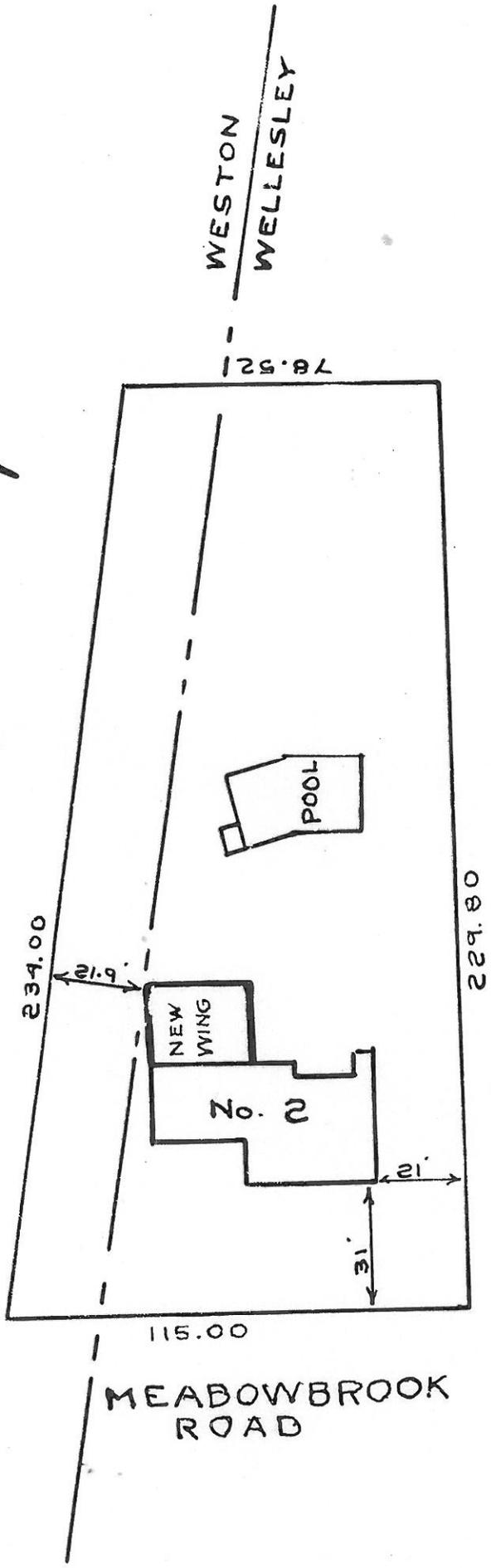
It is, therefore, the opinion of this Board, that because of the location of the dwelling on the lot, there is no other practical location for the proposed addition which would comply with the Zoning By-law. It is the further opinion of this Board that the construction of the proposed addition will not change the character and appearance of the immediate neighborhood and that the variance requested may be granted without substantial detriment to the public good and without nullifying or substantially derogating from the intent or purpose of the Zoning By-law. Although the proposed addition, if built, will abut the Town of Weston boundary line, it will set back the distance required by the Zoning By-law from the property line within the Town of Weston.

Accordingly, the requested variance is granted and the issuance of a permit for the proposed addition as shown on the plan submitted and on file with this Board is hereby authorized, subject to the condition that the portion of the lot in Weston shall remain under common ownership with the portion in Wellesley.

Theodore C. Merlo
Theodore C. Merlo
F. Lester Fraser
F. Lester Fraser
William O. Hewett
William O. Hewett

Filed with Town Clerk _____

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RECEIVED
TOWN CLERK'S OFFICE



WESTON
WELLESLEY

78.521

234.00

115.00

MEADOWBROOK
ROAD

229.80

NEW
WING

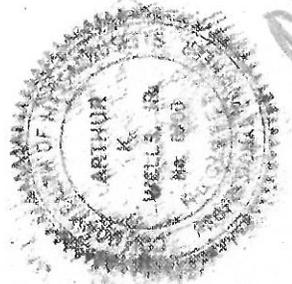
No. 2

POOL

21.9'

31'

21'



LAND OF CHARLES B. TWIGG
WELLESLEY, MASS

Scale: 1" = 40' Date: 6-12-73

Arthur K. Wellesley