

TOWN OF WELLESLEY



MASSACHUSETTS

BOARD OF APPEAL

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RICHARD O. ALDRICH
F. LESTER FRASER
WILLIAM O. HEWETT

Petition of Charles P. Thomas

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 8:00 p.m. on November 29, 1973, on the petition of Charles P. Thomas, requesting a special exception from the terms of Section XIX of the Zoning By-law which will allow the construction of an addition on the rear of his dwelling at 53 Martin Road with a side yard less than the required twenty feet.

On November 1, 1973, the petitioner requested 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 Valerie Galembert, 39 Pilgrim Road.

Statement of Facts

The house involved, which was built in 1937, prior to the enactment of the Zoning By-law requiring a twenty-foot side yard, is located within a Single-residence District requiring a minimum lot area of 10,000 square feet.

The petitioner seeks permission to construct an addition approximately 12.3' x 17.5' on the rear of his dwelling to provide an additional bedroom and bath. The petitioner, it was stated, has need for a first-floor bedroom at this time and due to the room arrangement of the house, the proposed location appears to be the most practical place for it. The proposed addition has been designed to continue the line of the existing house, although it will be slightly closer to the side lot line. The existing house is 9.37' from the northerly side line and the proposed addition, if built, will lie 7.13' from the same lot line, due to the angle of the lot line.

A plot plan was submitted, drawn by Alexander Cruciolli, Land Surveyor, dated September 18, 1973, which showed the existing dwelling and proposed addition 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 yard requirement of twenty feet and was held of record on April 1, 1940 under a separate and distinct ownership from adjacent lots. The lot contains 10,299 square feet, with a frontage of 87.28' tapering down to 50.28' in the rear. The house was built approximately 33' from the southerly side lot line and approximately ten feet from the northerly side lot line, the lot line which extends at a slight angle in a southerly direction a distance of approximately 117'.

Due to the placement of the house on the lot and the room arrangement, it is the opinion of this Board, that it would not be possible to construct an addition of practical size which would provide the bedroom needed by the petitioner without encroaching into the side yard. Compliance, therefore, with the yard restrictions is impracticable because of the width and shape of the lot.

The Board feels that there is a real need for the proposed addition and that it will not prove detrimental to the neighborhood nor derogate from the intent and purpose of the by-law.

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

Theodore C. Merlo
Theodore C. Merlo

F. Lester Fraser
F. Lester Fraser

William O. Hewett
William O. Hewett

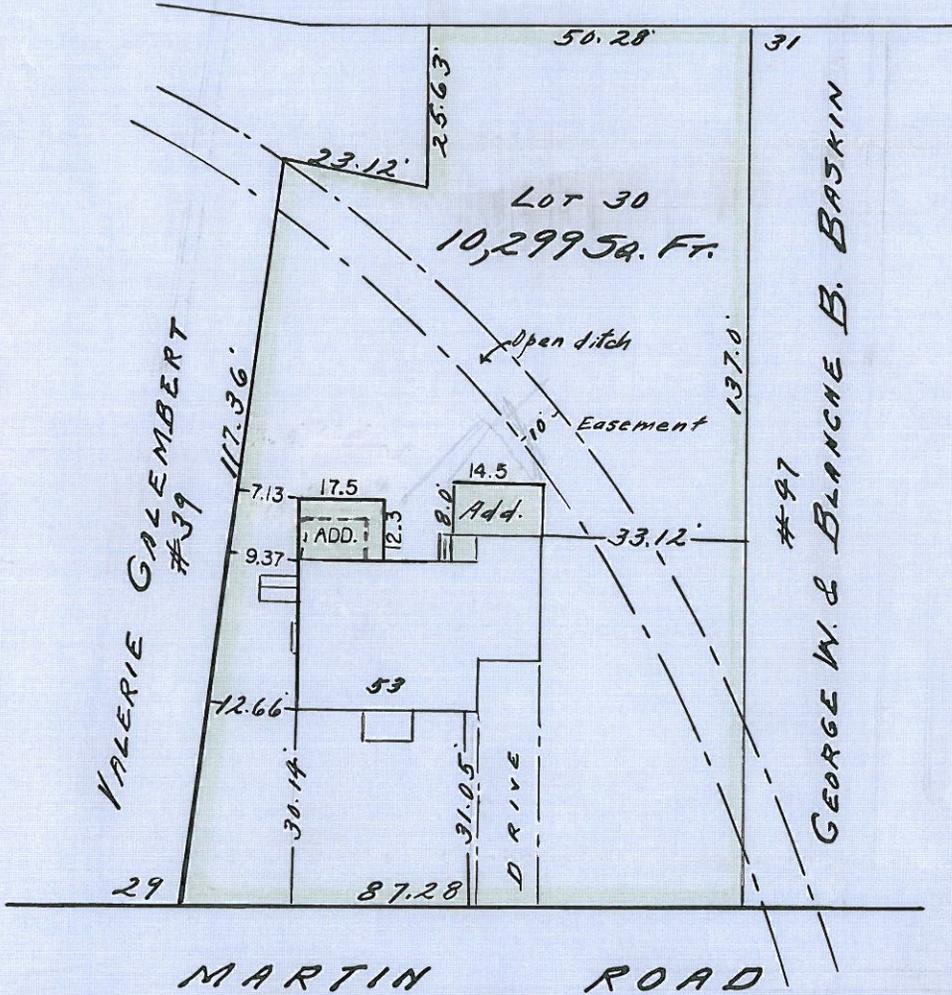
Filed with Town Clerk _____

PLAN OF LAND
IN
WELLESLEY, MASS.

SURVEYOR ALEXANDER CRUCIOLI
ACRES - ENGINEERS
6 ABBOTT ROAD
WELLESLEY, MASS

SCALE: 1" = 30' SEPT. 18, 1973.

H. KEMPTON & HELEN W. PARKER



Alexander Cruciole