73-49

TOWN OF WELLESLEY MASSACHUSETTS

BOARD OF APPEAL

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

KATHARINE E. TOY, CLERK
TELEPHONE
235-1664

Petition of Mary R. Hill

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 November 29, 1973, on the petition of Mary R. Hill, requesting a special exception from the terms of Section XIX of the Zoning By-law which will allow the construction of an attached garage on the side of the dwelling at 4 Solon Street, with a side yard less than the required twenty feet.

On October 30, 1973, the petitioner filed her 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 house involved was built prior to the enactment of the Zoning By-law requiring a twenty-foot side yard, and is located within a Single-residence District requiring a minimum lot area of 10,000 square feet.

The petitioner seeks permission to construct a one-car garage 15' x 20' on the westerly side of her dwelling. There is a small porch on the side of the house now which needs to be removed and the proposed garage will be built in its location if permission is granted, it was stated. The proposed addition, if built, will lies 15' from the side lot line at the rear corner and 17.6' from the line at the front corner. The petitioner feels the proposed addition of a garage on the side of the dwelling as designed, will be an improvement to the property as well as a great convenience to her as she now has to park her car in the driveway. It was also pointed out that because of the size of the lot and the location of the house on it, it is not possible to construct an attached garage which will conform with the Zoning By-law and Building Code.

A plot plan was submitted, drawn by Alfred Gargaro, Land Surveyor, dated October 25, 1973, which showed the existing dwelling as well as the proposed garage.

Decision

The Board has made a careful study of the plans submitted and has taken a view of the locus. In its opinion, a real need exists for the proposed garage and 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 that section.

The lot which contains 6,368 square feet with a dwelling thereon has a frontage of 68' a rear line of 60' and a depth of approximately 100'. The house is located approximately six feet at the nearest point from the lot line on the easterly side which prevents any possibility of a garage being built on that side. Therefore, due to the width and shape of the lot as well as the location of the dwelling on the lot, it is the opinion of the Board that it would be virtually impossible to construct an attached garage on either side of the house involved and comply with the by-law requiring a twenty-foot side yard. The house was built on a lot which was held of record on April 1, 1940, under a separate and distinct ownership from adjacent lots.

Accordingly, the requested exception is granted and the Inspector of Buildings is authorized to issue a permit for the proposed attached garage in accordance with the plot plan submitted and on file with this Board, drawn by Alfred Gargaro, dated October 25, 1973.

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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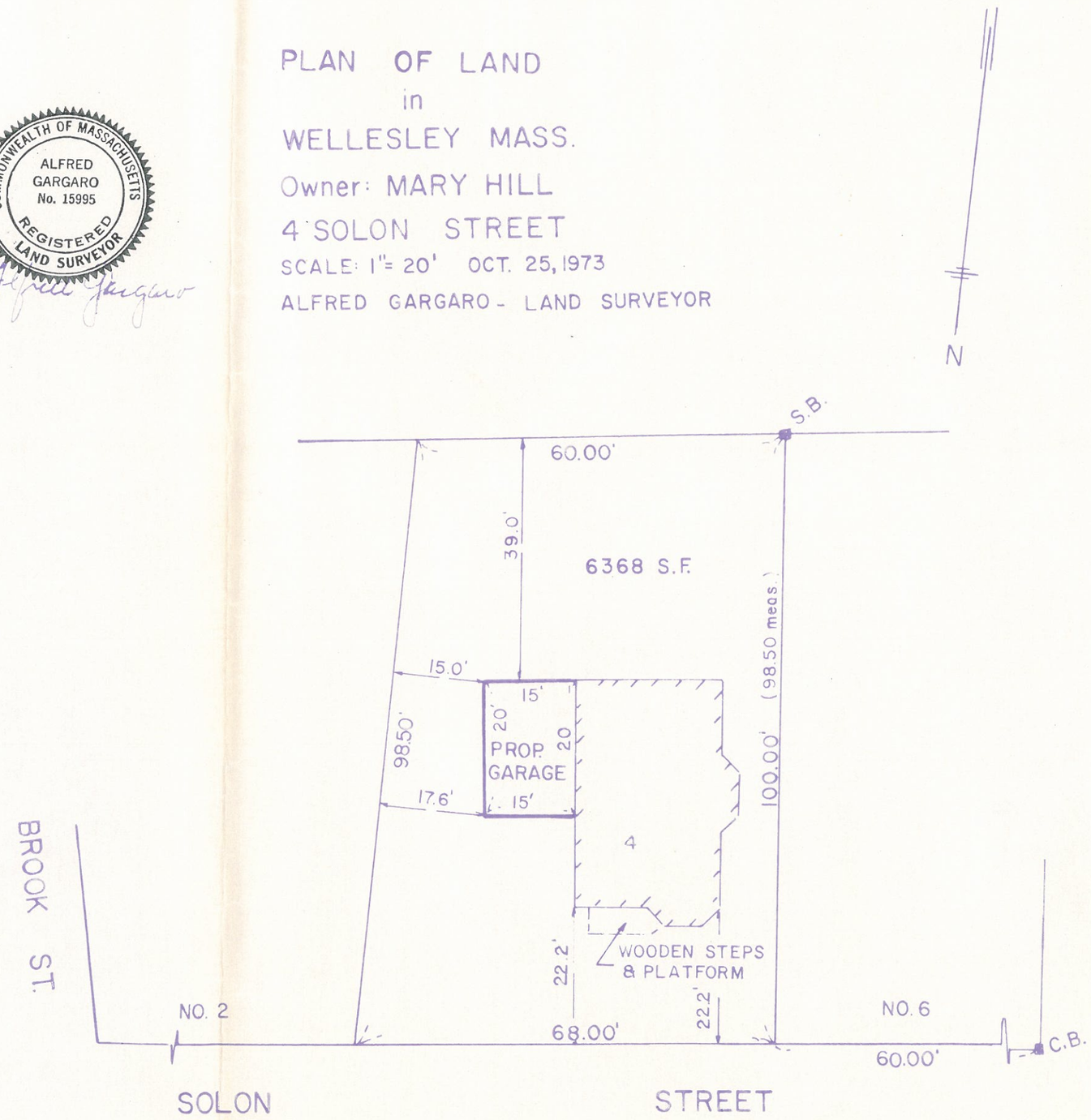
COMMONWEALTH OF MASSACHUSETTS
ALFRED GARGARO
No. 15995
REGISTERED LAND SURVEYOR

Alfred Gargaro

PLAN OF LAND
in
WELLESLEY MASS.
Owner: MARY HILL
4 SOLON STREET
SCALE: 1" = 20' OCT. 25, 1973
ALFRED GARGARO - LAND SURVEYOR