



BOARD OF APPEAL

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

KATHARINE E. TOY, CLERK
 TELEPHONE
 235-1664

Petition of Frederic D. MacDonald

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 February 1, 1973, on the petition of Federic D. MacDonald, requesting a special exception from the terms of Section XIX of the Zoning By-law which will permit him to enclose his existing porch on the side of his dwelling at #11 Tennyson Road with a side yard less than the required twenty feet, and to construct a porch on the rear of the dwelling, also with a side yard less than the required twenty feet.

On January 15, 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.

Statement of Facts

The dwelling involved was built in 1929, on a lot of land which was held under separate and distinct ownership from adjacent lots on April 1, 1940, and prior to the enactment of the Zoning By-law requiring a twenty-foot side yard. The lot contains 15,551 square feet and is located within a Single-residence District requiring a minimum lot area of 15,000 square feet.

The petitioner seeks permission to enclose an existing porch on the side of his dwelling, which is to be used as a den, and to construct a new porch 10' x 10' at the rear of the existing porch. The existing porch lies 9' from the boundary line on the northerly side and the proposed porch, if built, will continue the existing line of the porch and will also be 9' from the boundary line. The petitioner stated that he needs additional living space for his family which the proposed enclosure and addition will provide if the request is granted. The only alternative, it was stated, would be to add a completely new room on the back of the house which would be more expensive and would detract from the appearance of the house.

A plot plan was submitted, drawn by Alfred J. Ewald, Land Surveyor, dated Nov. 29, 1972, Revised January 23, 1973, which showed the existing house on the lot as well as the proposed porch.

Decision

The Board has taken ~~an~~ ^{an} view of the ~~locus~~ ^{locus} and has studied the evidence submitted, and in its opinion, the proposed porch enclosure and addition of a new porch, will not prove detrimental to the public good nor derogate from the intent or purpose of the by-law. In its opinion, there is a real need for the additional space which the proposed enclosure and porch will provide.

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The lot is relatively narrow and because of the size of the house and its location on the lot, compliance with the requirements of Section XIX of the Zoning By-law is impracticable because of its width and shape. It was held of record on April 1, 1940, under 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 enclosure and new porch in accordance with the plans submitted and on file with this Board is hereby granted.

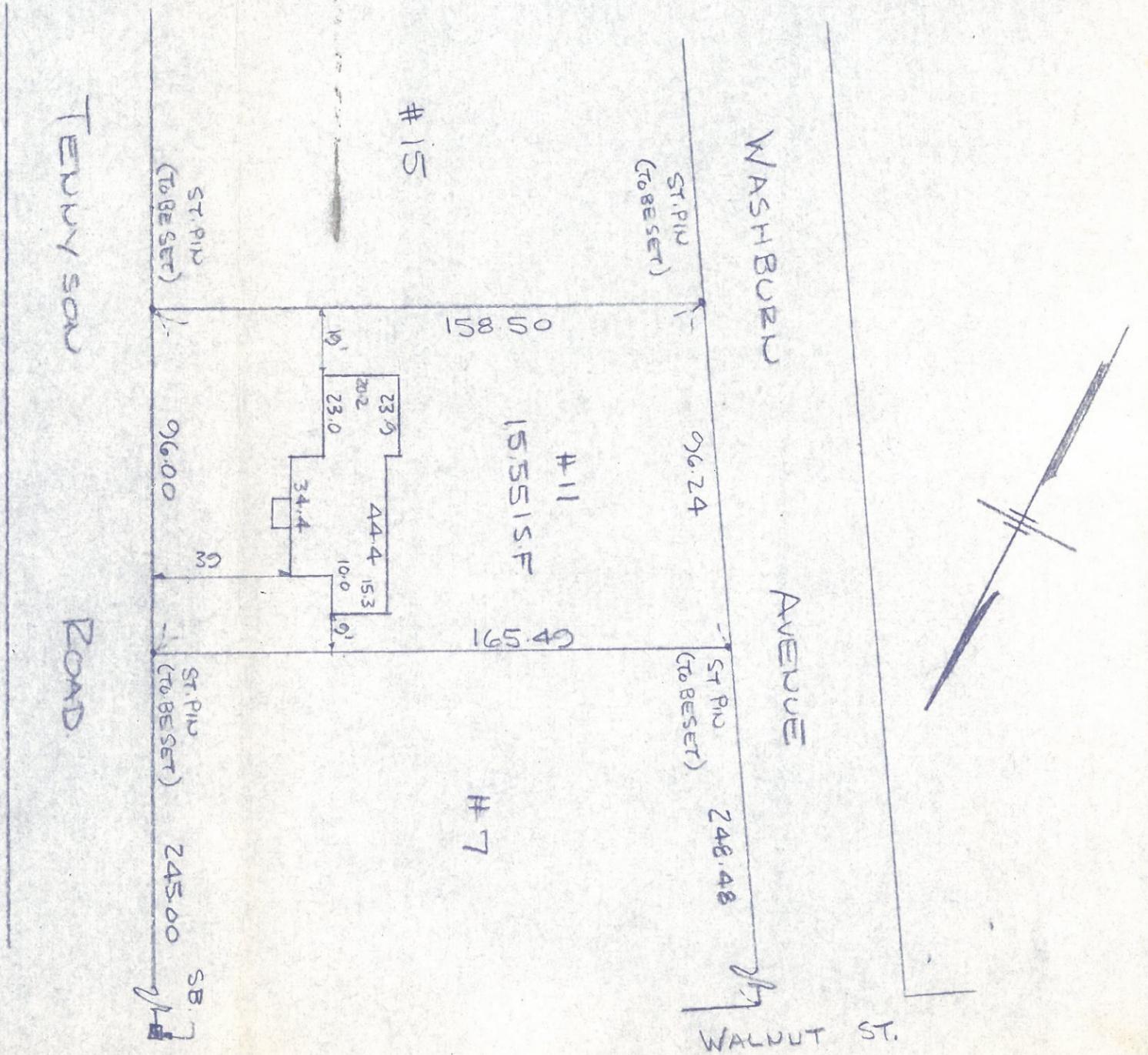
Theodore C. Merlo
Theodore C. Merlo

Dana T. Lowell
Dana T. Lowell

F. Lester Fraser
F. Lester Fraser

Filed with Town Clerk 6/4/73

JUN 14 4 05 PM '73
METTERTREANES
TOWN CLERK'S OFFICE
RECEIVED



Washburn

1579



I CERTIFY THAT THE BUILDING SHOWN
HEREON IS ACTUALLY LOCATED ON THE
GROUND

Robert P. Boeck
Zoning Administrator

DATE: NOV. 29, 1972

WELLESLEY
PLOT PLAN OF LAND
IN

SCALE: 1" = 40' DATE: Nov. 29, 1972

EWALD & MASCHI INC.
ENGINEERING CONSULTANTS
FRAMINGHAM, MASS.