



BOARD OF APPEAL

F. LESTER FRASER
 STANLEY J. GLOD
 WILLIAM O. HEWETT
 FRANKLIN P. PARKER
 FRANCIS L. SWIFT
 HENRY H. THAYER

KATHARINE E. TOY
 Administrative Secretary
 Telephone
 235-1664

Petition of Joseph P. and Phyllis M. Hanlon

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 8:30 p.m. on May 6, 1976, on the petition of Joseph P. and Phyllis M. Hanlon, requesting an exception from the terms of Section XIX of the Zoning By-law which will allow the construction of an addition on the rear of the dwelling at 26 Aberdeen Road, with a side yard less than the required twenty feet. Said request was made under the provisions of Section XIX of the Zoning By-law.

On April 20, 1976, the petitioners requested a hearing before this Board and thereafter due notice of the hearing was given by mailing and publication.

Joseph P. Hanlon spoke in support of the request at the hearing.

Peter J. Martin, Professional Engineer, explained that he had tried to move the proposed addition as far away from the property line as possible and still provide the space needed.

Jane T. Miller, 22 Aberdeen Road, spoke in favor of the request.

Statement of Facts

The house involved which was built in 1927, 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 petitioners seek permission to construct a one-story addition approximately 16' x 16' on the rear of their dwelling which, if built, will provide a family room and an eating area. It was stated that the existing kitchen is very small, only large enough to prepare food, and more living space is needed in anticipation of the petitioners' first child. The proposed addition will adequately provide the additional space needed. The petitioners considered placing the addition on the northwesterly corner of the house rather than the proposed corner, but found that it would destroy the appearance of the existing dining room by the elimination of windows and it would also encroach into the side yard.

A plot plan was submitted, drawn by Peter James Martin, Professional Engineer, dated March 12, 1976, which showed the existing house on the lot as well as the proposed addition. Said plan showed the existing house to be 12.4' from the lot line on the easterly side at the point where the addition will join the house and the addition set back slightly from the edge of the house line and 15.0' from the lot line at the rear corner.

RECEIVED
 TOWN ENGINEER'S OFFICE
 MAY 11 1976
 15 ST

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 washheld of record on April 1, 1940 under a separate and distinct ownership from adjacent lots. The lot contains 7,800 square feet and is rectangular in shape 78' x 100', with the existing house only 9' from the easterly side lot line at the front corner and 12.4' from the same line at the rear corner.

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 space needed by the petitioners without encroaching into the required side yard. Compliance, therefore, with the yard restrictions is impracticable because of the width and shape of the lot.

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.

Francis L. Swift

Francis L. Swift

F. Lester Fraser

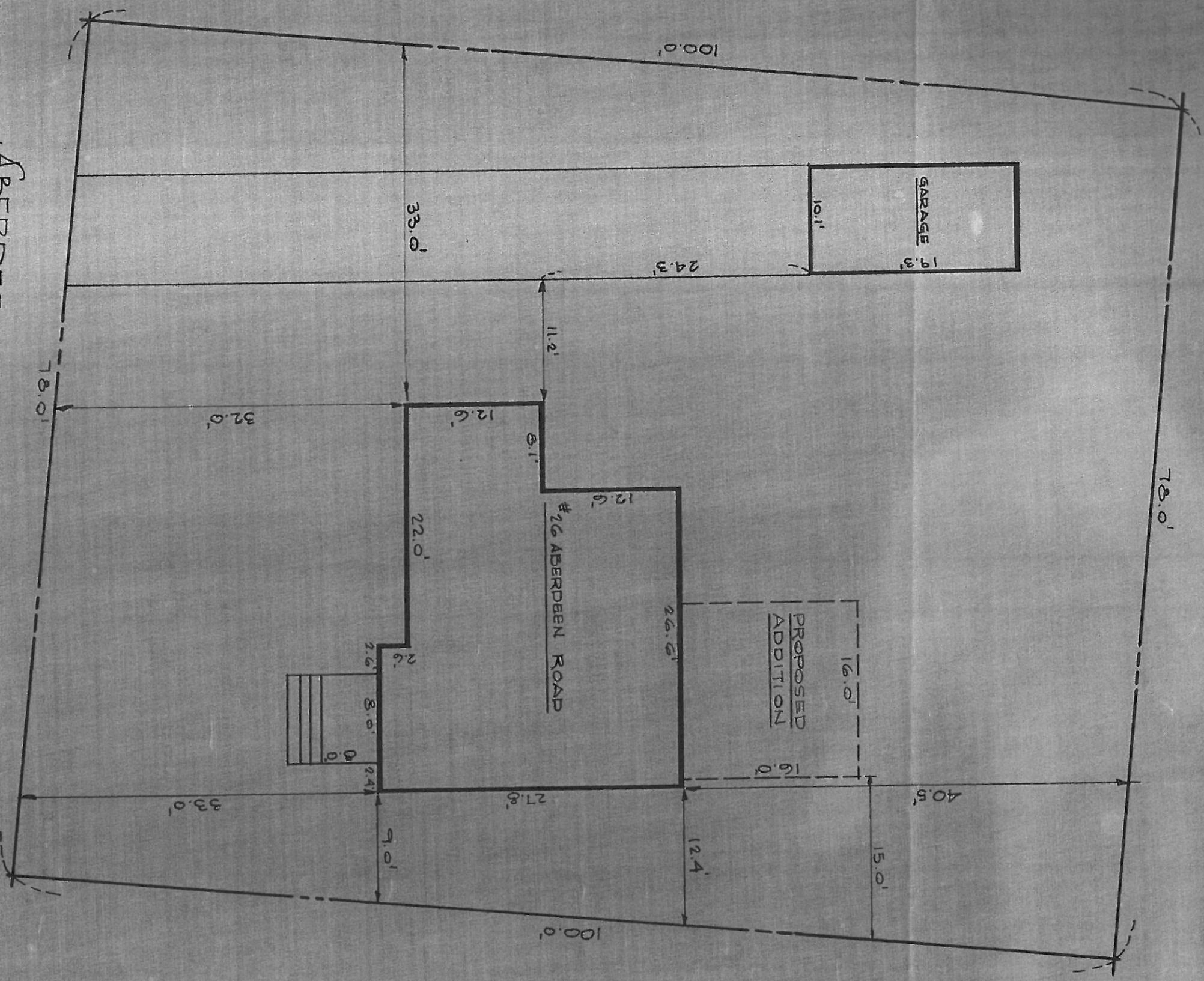
F. Lester Fraser

Stanley J. Giod

Stanley J. Giod

Filed with Town Clerk _____

NOV 24 4 51 PM '42
RECEIVED
TOWN CLERK'S OFFICE



ABERDEEN ROAD



Peter J. Martin

PLAN OF LAND
26 ABERDEEN ROAD
WELLESLEY, MASS.

SCALE 1"=10' DATE: 3-12-76