

TOWN OF WELLESLEY



MASSACHUSETTS

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J.E.A.

76-26

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 F. and Lynn P. Finn

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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 8:45 p.m. on June 17, 1976, on the petition of Joseph F. and Lynn P. Finn, requesting an exception from the terms of Section XIX of the Zoning By-law. Said exception would allow the construction of an addition on the side of their dwelling at 27 Heckle Street 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 May 20, 1976, the petitioners requested a hearing before this Board and thereafter due notice of the hearing was given by mailing and publication.

Joseph F. Finn spoke in support of the request at the hearing.

A petition favoring the request and signed by fourteen persons was submitted at the hearing by Charles A. Quick, 19 Bancroft Road.

Statement of Facts

The house involved, which was built in 1926, 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 an addition and sun deck on the rear of the dwelling. The addition, which is to be 9.5' x 16.6', will provide a substantial kitchen area. The present kitchen, it was stated, is very small, approximately 7' x 12' with scarcely space for the petitioners and their children to sit at the table. The house, otherwise, is adequate in size, with four bedrooms upstairs, a living room, dining room and porch on the first floor and a small kitchen. The proposed addition, it was stated, will not only provide an adequate-size kitchen, but will also provide a back entrance which will relieve the flow of traffic through the front of the house. It is also felt that the proposed sun deck will also complete the petitioners' needs for additional space.

It was pointed out that while the proposed addition will lie only 9.3' from the lot line on the southerly side, it will continue the line of the existing house, but due to the angle of the house on the lot, it will be closer to the lot line than the existing house.

A plot plan was submitted, drawn by Alfred Gargaro, Land Surveyor, dated April 1, 1976, which showed the existing house on the lot as well as the proposed addition.

Finn

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 7,343 square feet with a frontage of approximately 90' tapering down to 80' at the rear. The house was built on an angle with the front corner 20.32' from the lot line on the southerly side and the rear corner approximately 13.0' from the same line. The southerly lot line also extends at a slight angle in a westerly direction a distance of 80.0'.

Due to the placement of the house on the lot and the need for an enlargement of the petitioners' kitchen, 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 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.

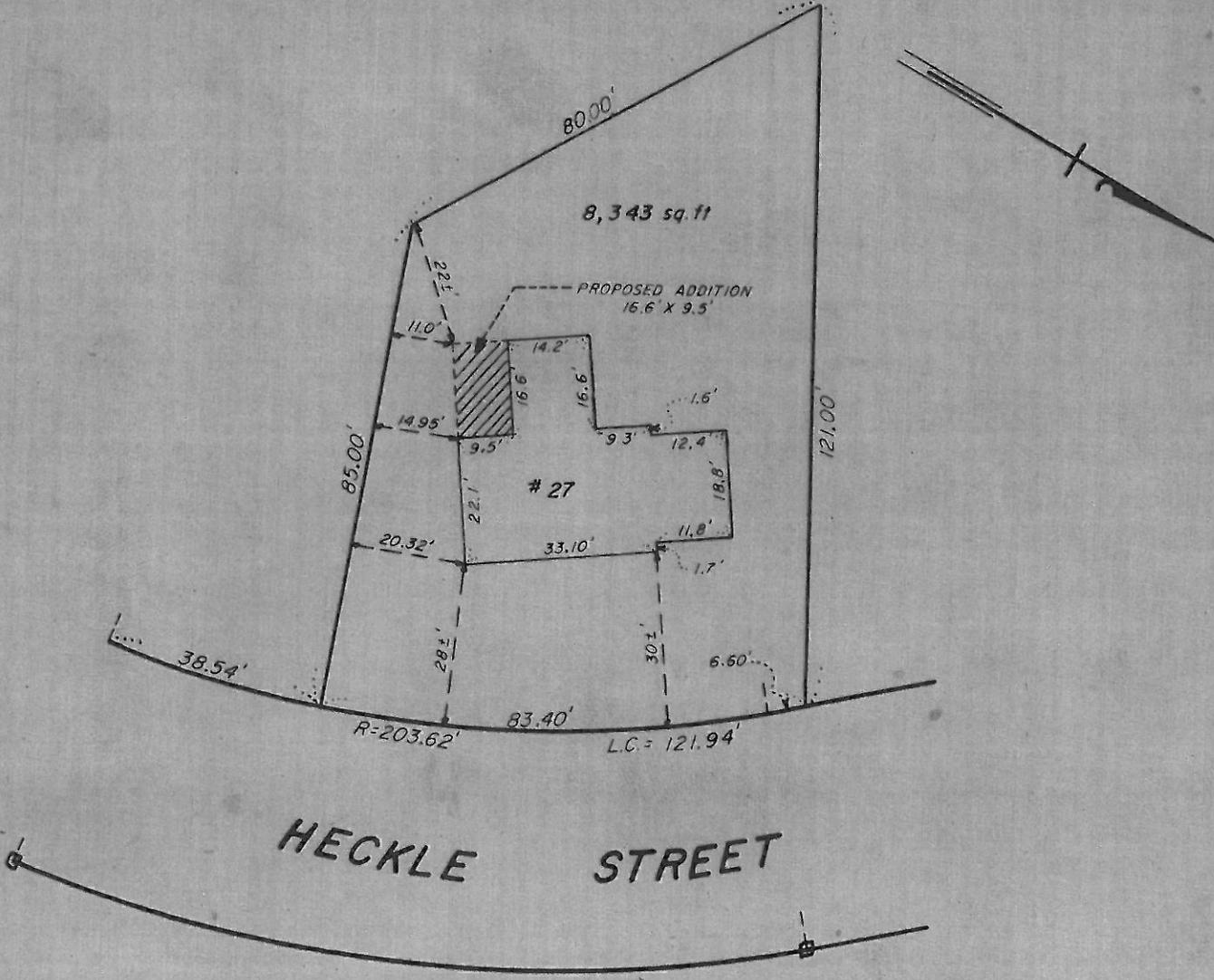
Accordingly, the requested exception is granted and the Building Inspector is authorized to issue a permit for the proposed addition as shown on the plan submitted and on file with this Board.

Francis L. Swift

F. Lester Fraser

Filed with Town Clerk 9/17/76

William O. Hewett

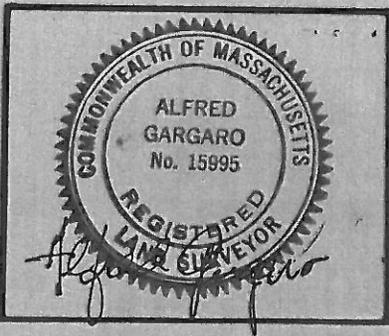


PLAN of LAND
 in
 WELLESLEY, MASSACHUSETTS

at
 No. 27 HECKLE STREET

owned by
 Joseph F. Finn & Lynn P. Finn
 Proposed House Addition

April 1, 1976
 Alfred Gargaro



Scale: 1" = 30'
 Land Surveyor