

TOWN OF WELLESLEY



76-76  
MASSACHUSETTS

BOARD OF APPEAL  
2019 APR 18 10 38 AM '77

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

KATHARINE E. TOY  
Administrative Secretary  
Telephone  
235-1664

Petition of Helen Sherman

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 November 23, 1976, on the petition of Helen Sherman, requesting an exception from the terms of Section XIX of the Zoning By-law, which will allow the construction of a carport on the side of her dwelling at 39 Summit Road with a side yard less than the required twenty feet.

On November 1, 1976, 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.

Letters favoring the request were received from the following: Richard H. Nickeson, 41 Summit Road, Clarence and Virginia Knudson, 38 Summit Road, Robert J. Gretze, 35 Summit Road and John A. and Amy F. Donovan, 24 Crown Ridge Road.

The Planning Board opposed the granting of the request in its report.

Statement of Facts

The house involved is located within a Single-residence District requiring a minimum lot area of 10,000 square feet.

The petitioner seeks permission to construct a carport 13.6' x 22.0' on the southerly side of her dwelling, to be located 4.28' from the side lot line at the nearest point. The petitioner stated that she feels there is a real need for the proposed addition, which will not only provide protection for her car but, if built, will correct a water problem in the cellar which occurs during a heavy rain storm. She further stated that she has had two dry wells installed which she had hoped would alleviate the problems, but to no avail. She explained that she is alone and can no longer cope with the situation as it now exists.

A plot plan was submitted drawn by Alfred Gargo, Land Surveyor, dated October 20, 1976, as well as plans showing the existing house and the proposed carport.

Decision

The Board has made a careful study of the plans submitted and has taken a view of the locus.

It is the opinion of this Board to allow the proposed addition to be only 4.28' from the lot line ~~would prove detrimental to the property~~

involved as well as to the neighborhood. The Board finds that there is ample space in the rear of the petitioner's lot to construct a garage or carport which will comply with the Zoning By-law and that compliance with the requirements of Section XIX of the Zoning By-law is not impractical because of the width, depth and shape of the lot. It is the further belief of this Board that the proposed construction will not correct the water problem that the petitioner is now experiencing. Therefore, it is the opinion of this Board that the facts in this case do not 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 denied and the case dismissed.

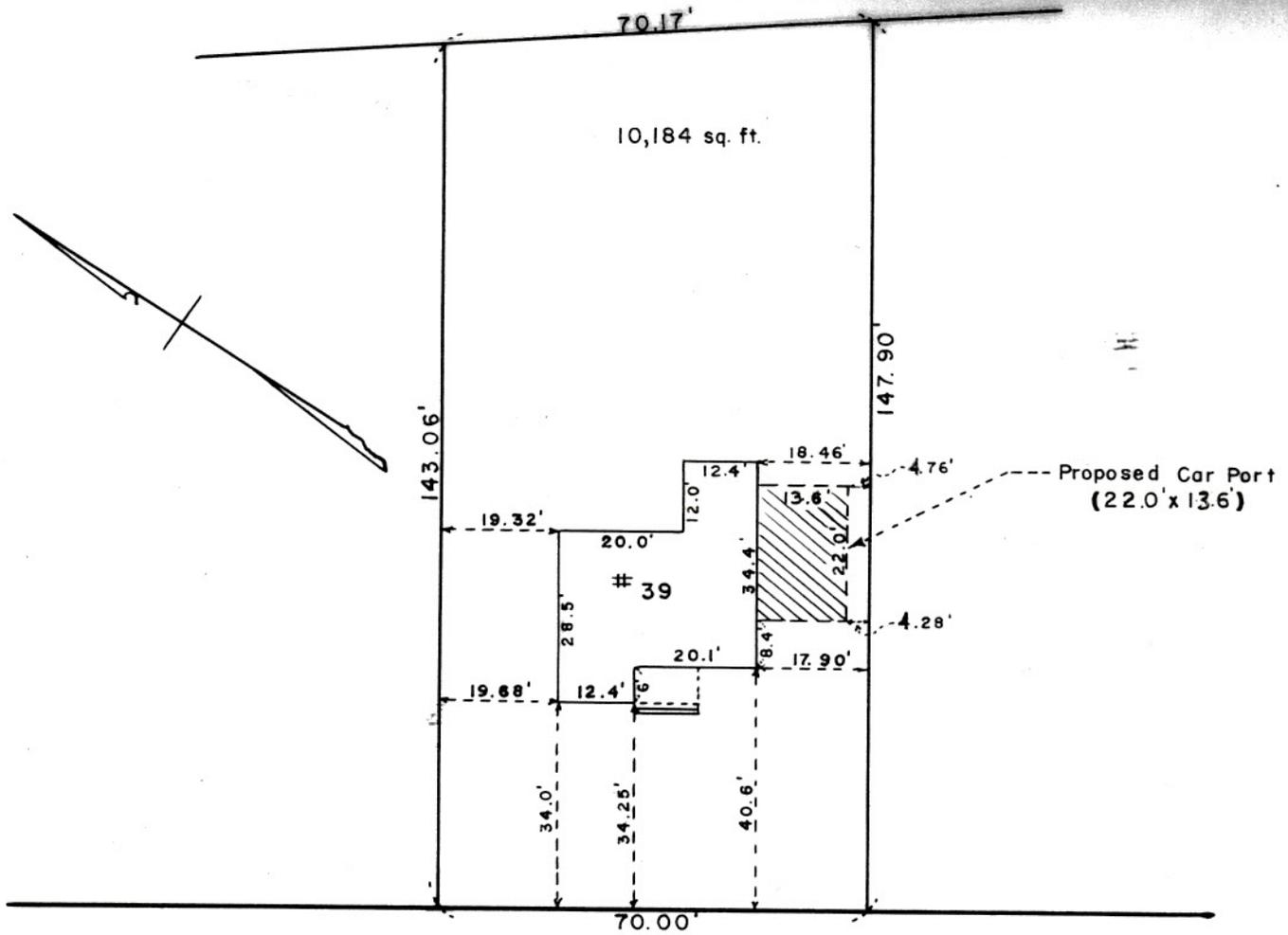
*Francis L. Swift*  
 Francis L. Swift

*F. Lester Fraser*  
 F. Lester Fraser

*William E. Polletta*  
 William E. Polletta

Filed with Town Clerk \_\_\_\_\_

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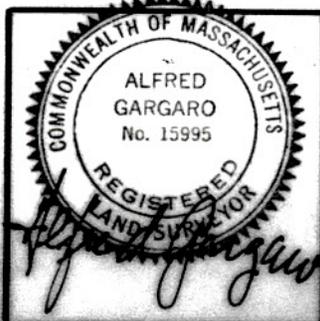


*SUMMIT ROAD*

*PLAN of LAND  
in  
WELLESLEY, MASSACHUSETTS  
at  
No. 39 Summit Rd.  
owned by  
HELEN SHERMAN  
Proposed Car Port*

*October 20, 1976*

*Alfred Gargaro*



*Scale: 1" = 30'*

*Land Surveyor*