



F. LESTER FRASER  
WILLIAM O. HEWETT  
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KATHARINE E. TOY  
Administrative Secretary  
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Petition of George A. and Irma Abraham

Pursuant to due notice the Permit Granting Authority held a public hearing in the hearing room on the second floor of the Town Hall at 8:25 p.m. on May 19, 1977, on the petition of George A. and Irma Abraham, requesting a variance from the terms of Section XIX of the Zoning By-law, which will allow the construction of an addition on the side of the dwelling at 60 Cartwright Road with a side yard less than the required twenty feet. Said request was made under the provisions of Section XXIV-D of the Zoning By-law.

On April 29, 1977, the petitioners filed their request for a hearing before this Board and thereafter due notice of the hearing was given by mailing and publication.

The petitioners spoke in support of the request at the hearing.

A statement was submitted, signed by four abutters and near abutters favoring the request.

Statement of Facts

The property involved is located within a Single Residence District requiring a minimum lot area of 20,000 square feet. The house involved was built in 1926, prior to the twenty-foot side yard requirement, on a lot containing 2.21 acres.

The petitioners seek permission to remove the existing deck from the rear of the dwelling and to construct in its place, an addition 25' x 22' for the enlargement of the kitchen, and a porch 25' x 10'. It was stated that the existing kitchen is very small with no space for an eating area; the petitioners' family consists of three grown children and one thirteen year old child, all living at home. It was pointed out that while the proposed addition, if built, would be only 15.76' from the side lot line, it abuts a Town of Wellesley Right-of-Way which leads to a swamp in the rear, and there is little likelihood that it will ever be built upon. It was also pointed out that due to the topography of the land, it would not be feasible to construct the proposed addition on the southerly side of the house.

A plot plan was submitted, drawn by John J. Regan, Land Surveyor, dated December 8, 1976, which showed the existing house on the lot as well as the proposed addition.

Decision

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

In its opinion, there is a real need for the enlargement of the petitioners' kitchen, which is only 10' x 10', and the proposed location of the addition appears to be the only practical and feasible place it can be

constructed to provide the space needed.

While the lot contains 2.21 acres, the house is located in the extreme northwesterly corner of the lot, 26' back from Cartwright Road, and 15.76' from the Town of Wellesley Right-of-Way on the northerly side. It is proposed to extend the existing line of the house so that the proposed addition, if built, will not encroach any closer to the side lot line than the house.

Because of the location of the house on the lot, the shape of the remaining lot is such that little space remains available to construct an addition which will conform to the setback requirements of the Zoning By-laws. The grades shown on the plot plan submitted, indicates that there is a gradual drop in the land from the front of the lot to the rear, with the greater drop on the southerly side, which makes it more difficult to design an addition which will be feasibly economical as well as practical.

Therefore, it is the unanimous opinion of this Board that owing to circumstances relating to the shape of the lot and the topography of the land involved, a literal enforcement of the provisions of Section XIX of the Zoning By-law would involve substantial hardship to the petitioners. It is the further opinion of this Board that desirable relief may be granted without substantial detriment to the public good and without nullifying or substantially derogating from the intent or purpose of the Zoning By-law.

Accordingly, the requested variance 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*  
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 Francis L. Swift

*F. Lester Fraser*  
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 F. Lester Fraser

*William O. Hewett*  
 \_\_\_\_\_  
 William O. Hewett

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

Copies of the decision and all plans referred to in the decision have been filed with the Planning Board and with the Town Clerk.

RECEIVED  
 TOWN CLERK'S OFFICE  
 WELLESLEY, MASS.  
 JUN 1 1953

# PLAN OF LAND IN WELLESLEY MASS.

TO ACCOMPANY THE PETITION OF  
GEORGE A. ABRAHAM  
60 CARTWRIGHT ROAD  
WELLESLEY



*John J. Regan*

SCALE 1 IN = 40 FT  
APEX ASSOCIATES  
NEWTON HIGHLANDS

DEC. 8, 1976  
LAND SURVEYORS  
MASS.

Town of Wellesley  
425.55

2.21<sup>±</sup> Acres

