



ZONING BOARD OF APPEALS

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

KATHARINE E. TOY
Administrative Secretary
Telephone
235-1664

Petition of Thomas R. and Eleanor R. Dawber

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 8:35 p.m. on July 7, 1977, on the petition of Thomas R. and Eleanor R. Dawber, requesting a variance from the terms of Section XIX of the Zoning By-law which will allow the construction of an attached one-car garage on the side of the dwelling at 39 Sheridan 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 June 15, 1977, the petitioners filed their request for a hearing before this Authority and thereafter due notice of the hearing was given by mailing and publication.

Thomas R. Dawber spoke in support of the petition at the hearing.

Statement of Facts

The house involved is located within a Single Residence District, requiring a minimum lot area of 15,000 square feet. It was built in 1941, on a lot containing 11,000 square feet.

The petitioners seek permission to widen their existing one-car garage to convert it into a two-car garage with a single door. In order to accomplish this, it will be necessary to construct an addition 8' x 19.6' on the side of the existing garage, which if built, will lie only 10.85' from the lot line on the westerly side. It was stated that other houses in the neighborhood have two-car garages and it is felt that the proposed addition would improve the property. It is now necessary to park one or two cars in the driveway a great deal of the time which the proposed addition could accommodate if allowed. It is the further opinion of the petitioners that because the house is located on the curve of the street, the appearance of the addition, although closer to the lot line than allowed, would not create a crowded appearance or prove unattractive.

Decision

It is the unanimous opinion of this Authority, after careful study of the plans submitted and a view of the locus, that to allow the proposed addition to be constructed only 10.85' from the side lot line at the nearest point, would prove detrimental to the public good and would substantially derogate from the intent or purpose of the Zoning By-law.

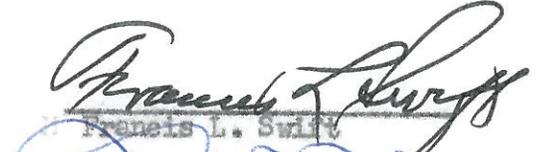
After making a study of the plan, the Authority cannot find that because of the soil conditions, the shape of the lot, or topography of such land or structures, that a detached garage cannot be built elsewhere on the property, and no evidence was submitted at the hearing to justify the hardship which would result if this request is not granted. It is the opinion, therefore, of this Authority that the proposal as submitted, would be

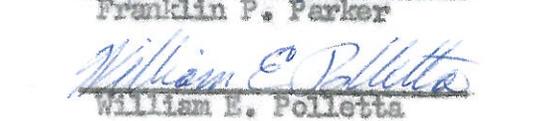
MEETING ROOM RECEIVED
JULY 15 1977

contrary to the intent and purpose of the Zoning By-law.

Therefore, it is the opinion of this Authority that the facts in this case do not satisfy the conditions set forth in Section XXIV of the Zoning By-law on which the Authority's authority depends to vary the requirements of the side yard restrictions of the Zoning By-law.

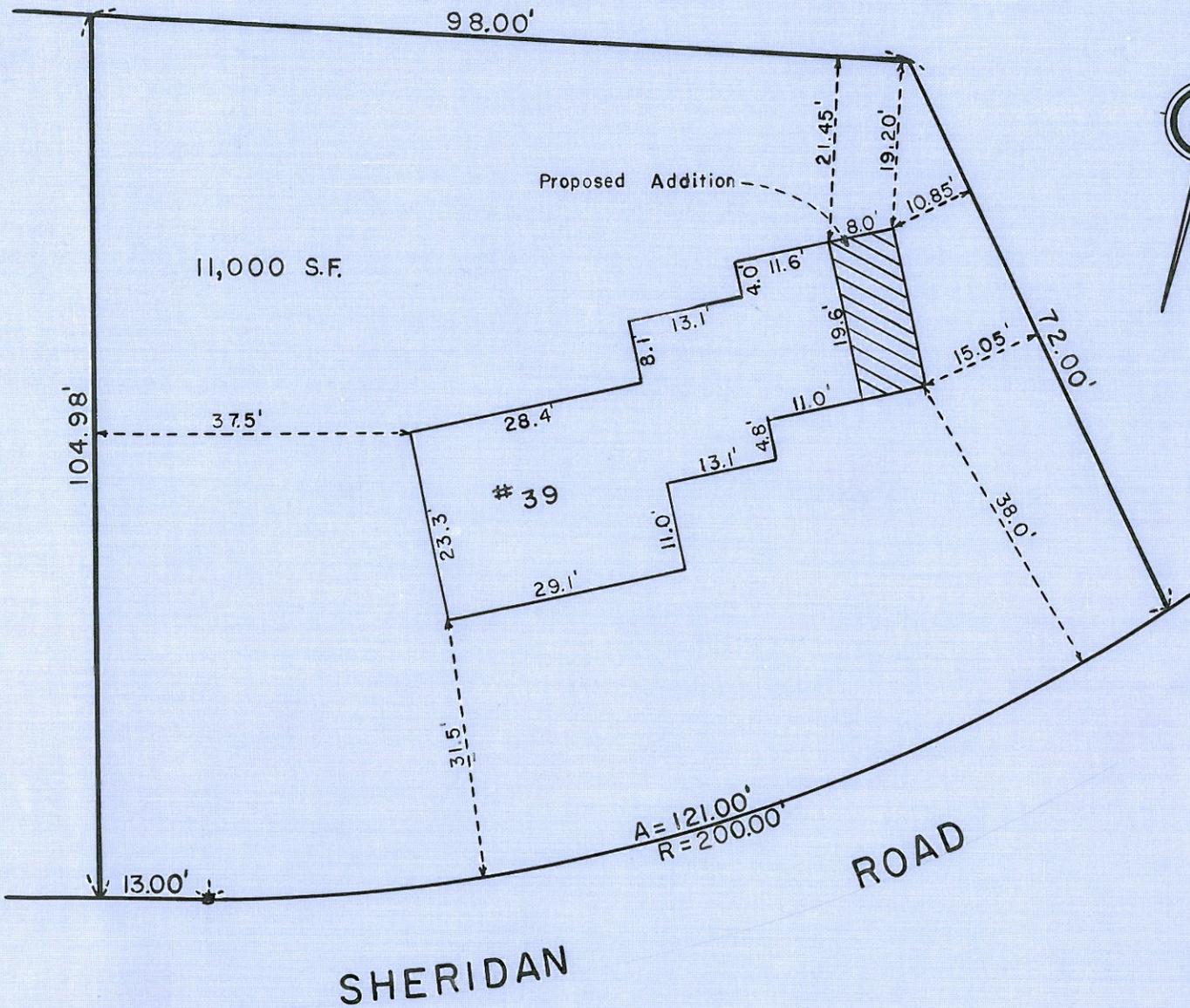
Accordingly, the requested variance is denied and the case dismissed.


Francis L. Swift

Franklin P. Parker

William E. Polletta

Filed with Town Clerk _____

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TOWN CLERK'S OFFICE



PLAN of LAND
 in
 WELLESLEY, MASSACHUSETTS
 at
 No. 39 SHERIDAN ROAD

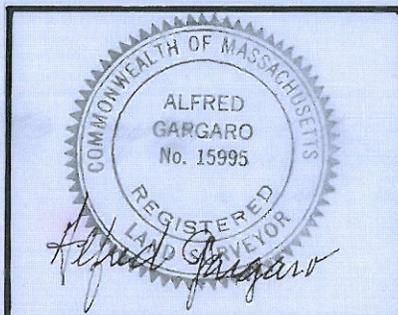
owned by

Thomas R. & Eleanor R. Dawber

Proposed Garage Addition

June 10, 1977

Alfred Gargaro



Scale: 1" = 20'

Land Surveyor