



ZONING BOARD OF APPEALS

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

KATHARINE E. TOY
 Administrative Secretary
 Telephone
 235-1664

Petition of Charles L. and Nancy Potter

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 8:15 p.m. on the petition of Charles L. and Nancy Potter, requesting a variance from the terms of Section XIX of the Zoning By-law which will allow the petitioners to construct a dormer window on their dwelling at 15 Ingersoll 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 8, 1978

On May 23, 1978, the petitioners filed a request for a hearing before this Board and thereafter due notice of the hearing was given by mailing and publication.

Charles L. Potter and Richard Potter both spoke in support of the request at the hearing.

Statement of Facts

The house involved was built in 1923, prior to the enactment of Section XIX of the Zoning By-law requiring a twenty-foot side yard. The lot on which the house stands contains 13,575 square feet, and is located within a Single Residence District requiring a minimum lot area of 10,000 square feet.

The petitioners seek a variance to construct a dormer window across the full width of the house in order to construct three bedrooms and bath on the second floor. It was explained that the petitioners' son and his family would like to make their home with the petitioners, but would need the extra living space the proposed addition would provide in order to do so.

The house presently has a kitchen, dining room living room, family room and two bedrooms and bath on the first floor, which the petitioners would continue to occupy. The proposed second floor rooms, if allowed, would be occupied by the petitioners' son, his wife and two children. It was explained that the petitioners' feel a need for their son and his family to join them and the proposed addition appears to be the most feasible and economical way of solving the living quarters for them.

It was further stated that due to the shape of the lot and the location of the house on it, the only way to add to it would be to go up.

A plot plan was submitted, drawn by Carmelo Grazetti, Land Surveyor, dated April 18, 1978, which showed the house to be located on

Petition of Charles L. and
Nancy Potter

a corner lot, 11.7' from the lot line on the southerly side, 25.2' from Woodland Road, on the northerly side and 43.9' back from Ingersoll Road. The proposed second-floor dormer window will not encroach any closer to the lot lines than the existing house.

Decision

It is the opinion of this Board, after a careful study of the evidence submitted and a view of the locus, that a real need exists for the proposed bedrooms and bath which the proposed addition will provide, and the plan submitted appears to be the most practical and feasible way to provide the space needed. The dormer extension across the full width of the house will not encroach any closer to the side lot line or the two street than the existing house, and, in the opinion of this Board, will not prove detrimental to the area.

The lot involved is a corner lot, with the existing house located approximately eleven feet from the lot line on the southerly side. Therefore, due to the location of the house on the lot, it appears to this Board, that the petitioners would have difficulty to find any space on the lot upon which to construct an addition of any practical size, which would comply with the Zoning By-law. While the lot is rectangular in shape, it is narrow where the house is located, and in addition, it is on a corner, where greater restrictions are imposed.

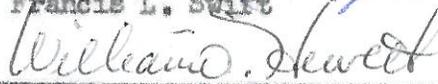
Therefore, it is the unanimous opinion of this Board that owing to the shape of the lot as well as the size of the remaining lot, a literal enforcement of the provisions of Section XIX of the Zoning By-law would involve substantial hardship to the petitioners. It is the further opinion of this Board 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.

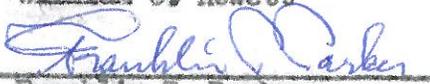
Accordingly, the requested variance is granted and the Building Inspector is authorized to issue a permit for the proposed dormer window as shown on the plan submitted and on file with this Board, drawn by Carmelo Frazetti, Land Surveyor, dated April 18, 1978.

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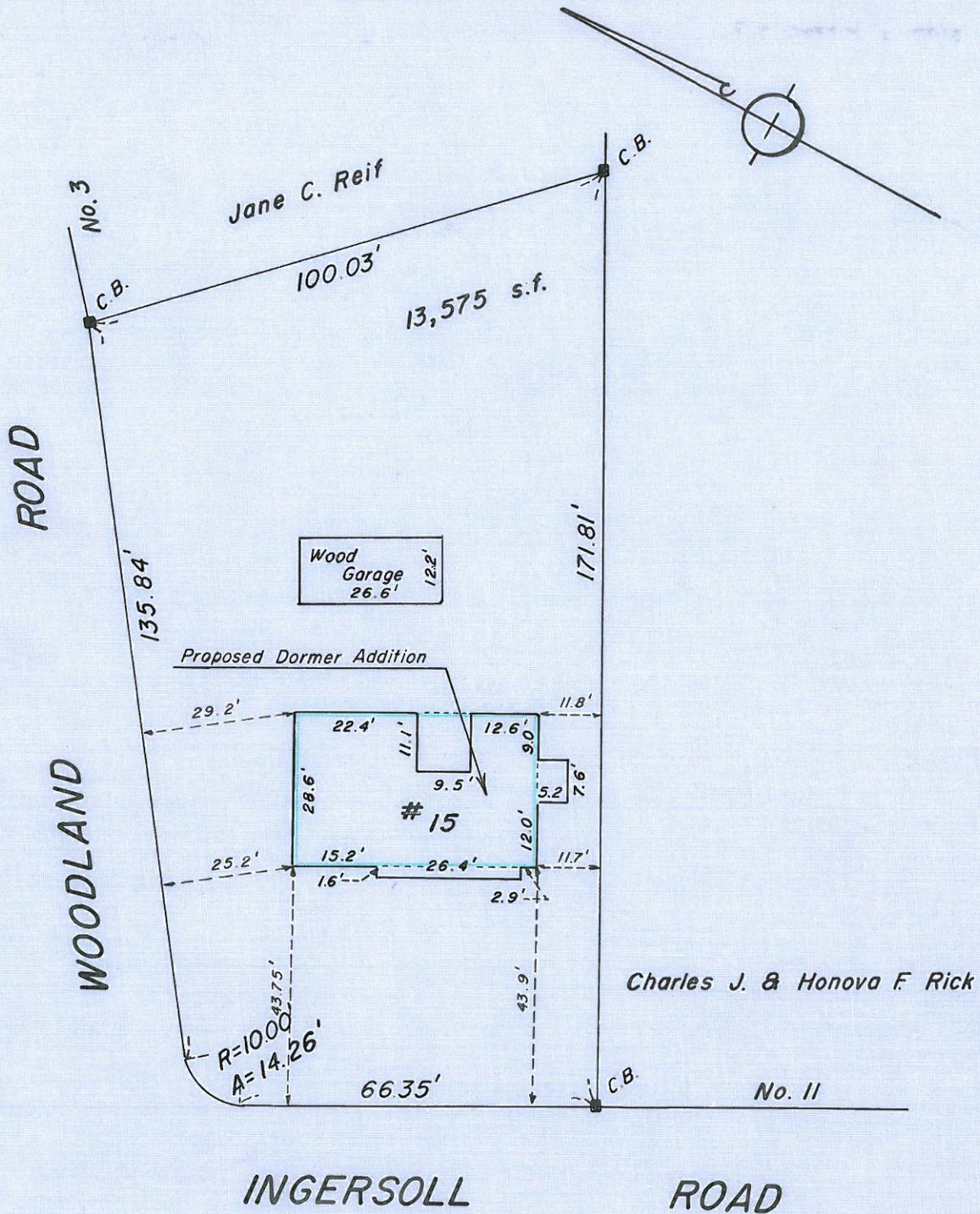

Francis L. Swift


William O. Hewett


Franklin P. Parker

Filed with Town Clerk _____

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



PLAN OF LAND
in
WELLESLEY, MASSACHUSETTS
at
No. 15 INGERSOLL ROAD

owned by
Charles L. & Nancy Potter

April 18, 1978
Carmelo Frazetti

Proposed
House Addition

Scale: 1" = 30'
Land Surveyor

