

*64 Shore**54-14*

TOWN OF WELLESLEY



MASSACHUSETTS

BURTIS S. BROWN, CHAIRMAN
 THOMAS M. REYNOLDS
 SHERMAN J. L. BROWN

BOARD OF APPEAL

KATHARINE E. TOY, CLERK
 TELEPHONE
 WE. 5-1664

Petition of John P. Gillespie

Pursuant to due notice the Board of Appeal held a public hearing in the hearing room on the first floor of the Intermediate Building at 32½ Washington Street at 8:10 p.m. on March 11, 1954 on the petition of John P. Gillespie for special exceptions to the following violations: to permit the addition now under construction to his dwelling at 64 Shore Road to remain with a side yard less than twenty feet as required under Section 9-C of the Zoning By-law; to permit the garage now under construction at said address to remain in violation of Chapter IV, Section 1 of the Building Code which requires that the exterior of a Type V building shall be at least fifteen feet from an incombustible wall of another building on the same lot and to permit the covering by buildings of more than 25% of the area of the lot as restricted under Section 9-B of the Zoning By-law.

Statement of Facts

On January 8, 1953, the petitioner filed an application in the office of the Building Inspector for the proposed alteration and on June 25, 1953, the petitioner filed an application in the office of the Building Inspector for the proposed garage. The applications described the proposed alteration to be the addition of two bedrooms and a bathroom 14'4" x 32' to be constructed at the rear of the dwelling and a garage 28'2" x 25'4" to be constructed between two existing dwellings. On February 15, 1954 the petitioner applied for a plumbing permit and at that time he was notified verbally by the Inspector of Buildings that the proposed alteration and garage could not be constructed because they would violate Section 9-C of the Zoning By-law and Chapter IV, Section 1 of the Building Code. Through a misunderstanding the petitioner had already started construction on both the addition and the garage and the work was practically completed. On March 1, 1954 the petitioner filed a written request to this Board for special exceptions and thereafter due notice of the hearing was given by mailing and publication.

At the hearing the petitioner appeared and explained to the Board that through a series of misunderstandings work had been started on the addition and garage without obtaining the required permits. A plan showing the location of the existing house and the addition and garage under construction was submitted. Said plan drawn by the Gleason Engineering Co., dated March 1, 1954, showed the two dwellings to be surrounded on three sides by Morse's Pond and the addition under construction to be within a few feet of the water line. The plan showed the concrete garage to be three feet from one dwelling and six feet from the other dwelling on the lot.

The petitioner stated to the Board that it was through a series of misunderstandings that the work had been started without permits and, in his opinion, he has improved the property and the appearance of the neighborhood.

No objections were raised at the hearing to the granting of the requested variance.

Decision

It is the unanimous opinion of the Board that desirable relief can be granted without substantial detriment to the public good and without substantially derogating from the intent and purpose of said Sections.

The Board feels that the mistake was due to error and the correction of this error would result in undue hardship to the petitioner.

The alterations made have improved the appearance of the property and the completion of the work will further improve the property as well as the neighborhood.

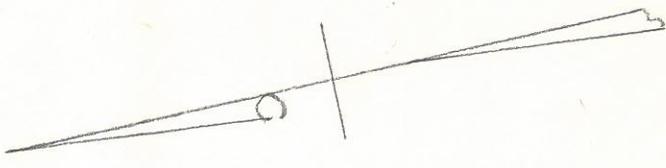
It is, therefore, the unanimous opinion of the Board that the requested variances should be granted and the issuance of a permit for the completion of the addition and garage as described and specified in the petitioner's application on file and plan submitted is hereby directed.

B. S. Brown
Burtis S. Brown

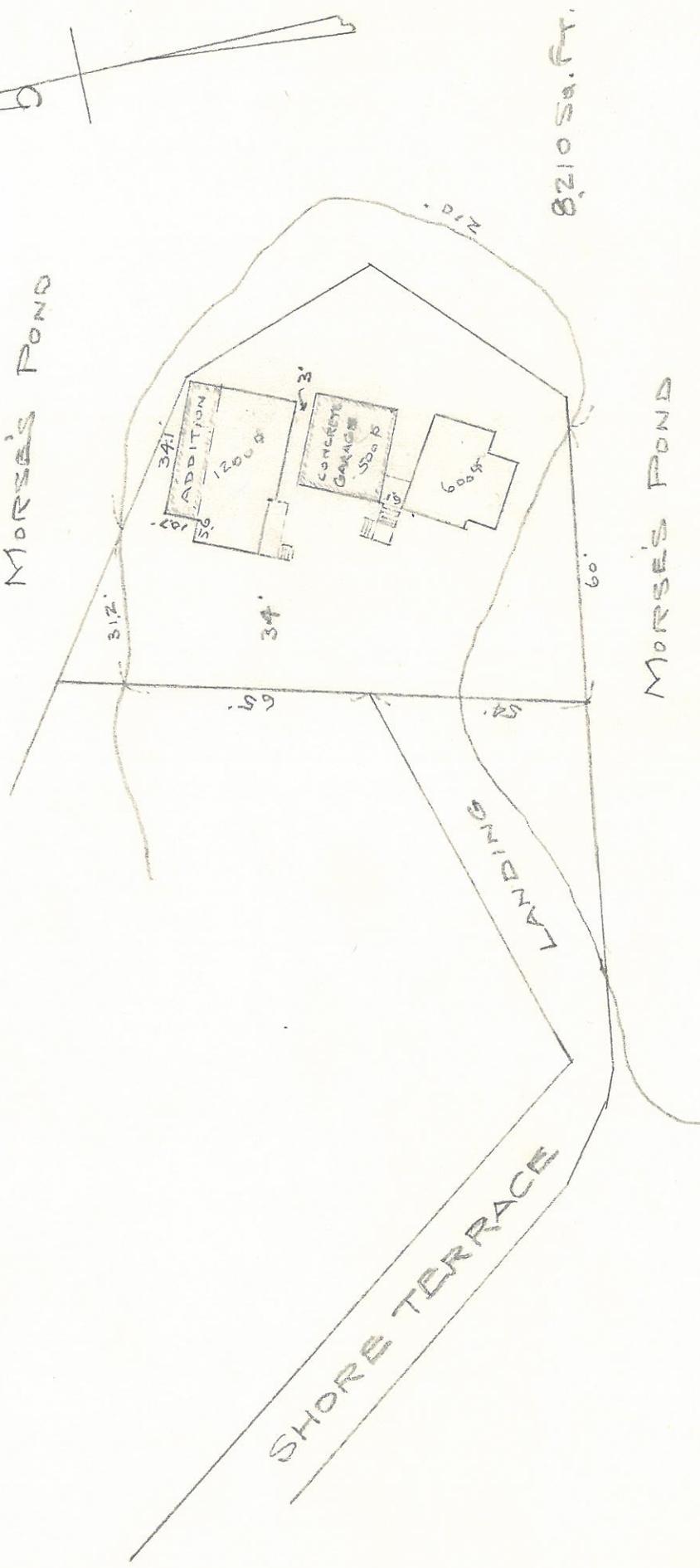
J. M. Reynolds
Thomas M. Reynolds

Sherman J. L. Brown
Sherman J. L. Brown

Filed with Town Clerk on APR 5th 1953



MORSE'S POND



8210 5/8 FT.

MORSE'S POND

SHORE TERRACE

LANDING

341
ADDITION
1260 sq

CONCRETE
GARAGE
350 sq

600 sq

27.87% COVERAGE

LAND IN WELLESLEY

OWNED BY

JOHN P. GILLESPIE

SCALE 1"=40' MARCH 1, 1954

GLEASON ENGINEERING CO.