

TOWN OF WELLESLEY



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BOARD OF APPEAL

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

Petition of John A. and Mary Rutledge

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 324 Washington Street at 8:20 p.m. on September 24, 1959 on the petition of Paul F. Rutledge for an exception from the terms of Section 9-A, Area Regulations, of the Zoning By-law which would permit the erection of a dwelling at #19 Seaward Road, owned by John A. and Mary Rutledge and containing less than the required 10,000 square feet.

The petitioners were represented by Paul Rutledge, son of the petitioners, at the hearing.

The Planning Board offered no objection in its report.

Statement of Facts

On August 24, 1959, the petitioners filed their request for a hearing before the Board and thereafter due notice of the hearing was given by mailing and publication.

Section 9-A of the Zoning By-law requires a lot area of at least 10,000 square feet for a residence in the district here involved and the lot involved contains 7,678 square feet. It is proposed to erect a dwelling on the lot, to be occupied by the petitioners' son, which will comply with all other Zoning and Building requirements. The petitioners own the adjoining lot which contains approximately 9,000 square feet and on which a dwelling stands. A plot plan was submitted, drawn by Gleason Engineering Company, dated September 2, 1959, which showed the proposed dwelling to be 24.6' x 28.6' and located thirty feet from Seaward Road, twenty-one feet from the northerly side line and twenty-seven feet from the southerly side line. The lot now has several unused automobiles parked on it and it was stated at the hearing that if a dwelling were erected on the lot all the debris would be cleared away which should be an improvement to the neighborhood.

Decision

The Board has taken a view of the locus and it is the unanimous opinion of the Board that the standard of the neighborhood so established requires a minimum lot of 10,000 square feet. While there are some houses in the immediate neighborhood on lots containing less than the required area, there are others greatly in excess of the required area.

The Board cannot find that a substantial hardship will result to the petitioners if this variance is not granted as the property was purchased originally as one house lot and the petitioners were aware of the area requirement which was in effect at that time.

It is, therefore, the unanimous opinion of the Board that to permit the construction of a dwelling on the lot involved would not only defeat the intent and purpose of the Zoning By-law but also would prove detrimental in appearance to the neighborhood and depreciate the values of surrounding properties.

Dana T. Lowell

Dana T. Lowell

John L. Hayden

John L. Hayden

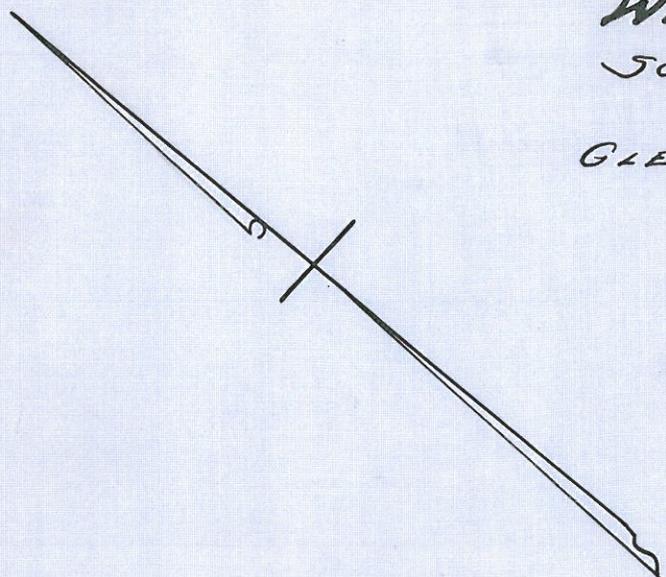
Garrett S. Hoag

Garrett S. Hoag

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PLAN OF LAND
IN
WELLESLEY, MASS.
SCALE 40 FEET TO AN INCH
SEPTEMBER 2, 1959.
GLEASON ENGINEERING COMPANY



SEAWARD ROAD

TOWN OF WELLESLEY PARK

