



GARRETT S. HOAG
JOHN L. HAYDEN
DANA T. LOWELL

BOARD OF APPEAL

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

Petition and appeal of Robert and Norman B. Leventhal

Pursuant to due notice the Board of Appeal held a public hearing in the hearing room on the second floor of the Town Hall at 8:35 p.m. on March 21, 1963 on the petition of Robert and Norman B. Leventhal requesting permission to erect an accessory building to be used as a tool shed, and to provide an addition to the existing parking lot, on a lot of land adjacent to #51 Glenwood Avenue, located in an Administrative and Professional District and owned by Real Estate Investment Trust of America. Said request was made in accordance with the requirements of Section IX of the Zoning By-law. The petitioners also appeal the decision of the Inspector of Buildings in his refusal to issue a permit for the construction of said accessory building which would also violate Chapter IV, Section I (b) of the Building Code which requires that the exterior walls of a Type V building shall be placed at least ten feet from any party line.

The petitioners were represented at the hearing by their attorney Thomas J. Carens.

The Planning Board in its report stated that it felt that plans should be approved for the proposed building by the Board of Appeal.

On January 17, 1963 the petitioners filed their request for a hearing before this Board and thereafter due notice of the hearing was given by mailing and publication.

Statement of Facts

The lot involved is a part of a parcel of land located within an Administrative and Professional District, which contains approximately 77,500 square feet and is adjacent to a lot of land owned by the petitioners upon which they have a large office building.

The petitioners seek permission to erect an accessory building 6' x 10' to be used as a tool shed for storage of equipment used in maintaining the grounds of the petitioners' building on the adjacent lot.

In fact the building involved was erected some time ago without a building permit and in violation of the Building Code.

A letter was submitted from the owner of the property stated that they had no objection to the tool house remaining on their property.

Decision

The building must be removed. It was built in flagrant disregard of the Town Zoning By-law as well as the Building Code. This example of this petitioner's indifference to the Town's ordinances and the decisions of the Town's Boards is only one of many.

The parking facilities provided on the lot adjacent to #51
Glenwood Avenue are over and above the parking area required by law and
are approved.

Accordingly, the petitioners are hereby ordered to forthwith
remove said tool shed and the Inspector of Buildings is directed to take
the necessary steps to enforce this order as provided under Chapter I,
Section 5, of the Building Code; the additional parking facilities are
approved.

Garrett S. Hoag

P. Lester Fraser

Filed with Town Clerk _____

Dana T. Lowell