



67-4

BOARD OF APPEAL

RICHARD O. ALDRICH
 DANA T. LOWELL
 F. LESTER FRASER

KATHARINE E. TOY, CLERK
 TELEPHONE
 235-1664

Appeal of Kenneth E. Sorlien and
 Priscilla W. Sorlien

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 8:15 p.m. on January 25, 1967, on the appeal of Kenneth E. Sorlien and Priscilla W. Sorlien, for a variance from the order of the Inspector of Buildings to relocate the dwelling at #9 Martin Road. The reason for such order was that said house stands in violation of Chapter IV, Section 1, of the Building Code (Section 12 of the Building Code in effect when the building was erected in 1936), which requires that all such buildings shall be placed at least fifty feet from the center line of Martin Road and not less than ten feet from any party line.

On January 10, 1967, the appellants appealed the order of the Inspector of Buildings and requested a hearing before this Board. Thereafter, after due notice of the hearing was given by mailing and publication.

Henry D. White, attorney, represented the appellants at the hearing.

Statement of Facts

The house involved, which was built in 1936, is located within a single-residence district requiring a minimum lot area of 10,000 square feet.

The appellants seek permission which will allow the dwelling involved to remain in its present location 25' from Martin Road and 45' from the center of the street rather than the required fifty feet, and ten feet plus or minus from the boundary line on the southerly side rather than at least ten feet as required by the Building Code at the time the house was erected. The house has been sold recently and the bank engineers have checked the location of the dwelling and have revealed the slight violation.

A plot plan drawn by Everett M. Brooks Co., C. E., dated November 30, 1966, which showed the lot involved with the house thereon, was submitted and is on file with this Board.

Decision

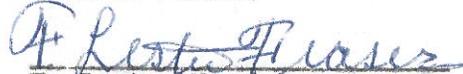
It is the opinion of this Board that the violation of the setback from the center of the street and the lot side line was due to error and that the correction of this violation would result in manifest injustice to the appellants. It is the further opinion of this Board that the requested relief may be granted without derogating from the intent or purpose of the Building By-law.

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Accordingly, the requested variance is authorized and granted under the provisions of Chapter I, Section 10, of the Building Code, and the dwelling involved may remain in its location as shown on the plan submitted and on file with this Board, and the order of the Inspector of Buildings to relocate said dwelling is annulled.


Richard O. Aldrich


Dana T. Lowell


F. Lester Fraser

Filed with Town Clerk _____

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TOWN CLERK'S OFFICE
BECIAD

n. of f. Clapp Est.

70.00
LOT 14
8019 S.F.

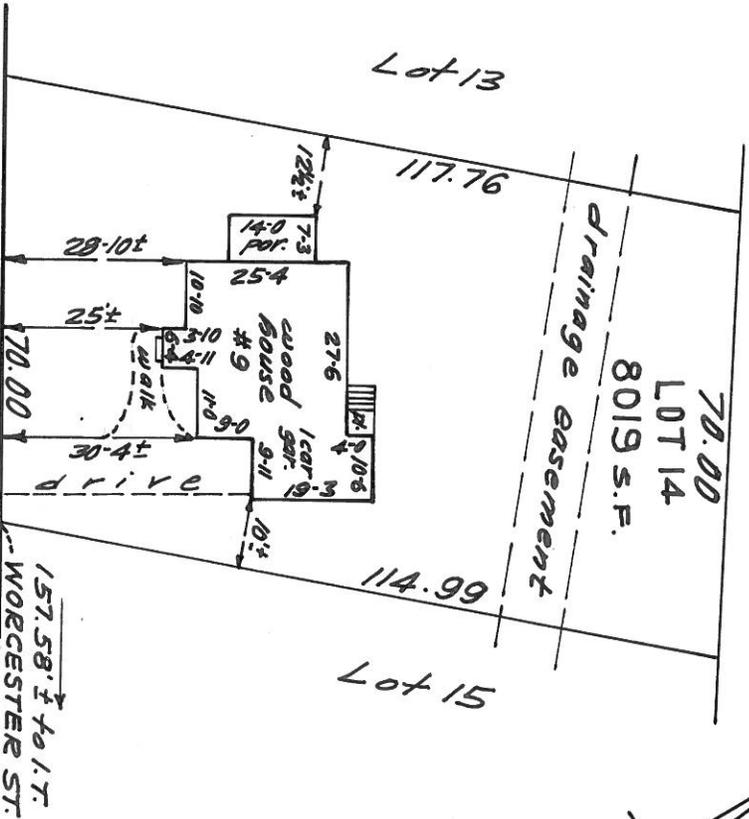
Drainage easement

Lot 13

117.76

114.99

Lot 15



MARTIN RD.

157.58' ± to 171.7'
WORCESTER ST.

Lot designations refer to
 Norfolk Registry or Deeds
 Book 2109 Page End
 Plan By Gleason Eng. Corp.
 Dated May 1, 1936

THIS PLOT PLAN WAS NOT MADE FROM
 AN INSTRUMENT SURVEY AND IS FOR THE
 USE OF THE BANK ONLY. UNDER NO CIR-
 CUMSTANCES ARE OFFSETS TO BE USED
 FOR FENCES, WALLS, HEDGES, ETC.

PLAN OF LAND
 IN

WELLESLEY, MASS.

SCALE: 1 IN. = 30 FT. NOV. 30, 1966
 EVERETT M. BROOKS CO. - CIVIL ENGRS
 NEWTONVILLE, MASS.

Violation: House 25'± from street - should be 30', unless variance granted.

NOTE: This plan is not to be recorded.

Everett M. Brooks Co.
St. Rudolph's Surveyor