



## BOARD OF APPEAL

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

KATHARINE E. TOY, CLERK  
TELEPHONE  
235-1664

Appeal of George F. and  
Beth Ann Effenberger

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 8:20 p.m. on October 5, 1967, on the appeal of George F. and Beth Ann Effenberger, for a variance from an order of the Inspector of Buildings to relocate or remove a dwelling located at 66 Pilgrim Road. The reason for such order was that said dwelling stands in violation of Section XIX of the Zoning By-law which requires a twenty-foot side yard. Said appeal was made under the provisions of Section 15, Chapter 40A, of the General Laws.

On September 1, 1967, the appellants appealed the order of the Inspector of Buildings and requested a hearing before this Board. Thereafter due notice of the hearing was given by mailing and publication.

John A. Cunniff, Attorney, represented the appellants at the hearing.

Statement of Facts

The dwelling involved, which was built in 1951, on a lot of 12,654 square feet, is located within a single-residence district now 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 17.8' from the side lot line rather than twenty feet as required by Section XIX of the Zoning By-law. The house is now being sold and the bank engineers have checked the location of the dwelling and have revealed the slight violation.

A plot plan drawn by MacCarthy Engineering Service, Inc., Natick, Mass., 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 set-back from the side boundary line was due to error and that the correction of this violation would result in undue hardship 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 by-law and without substantial detriment to the public good.

Accordingly, the requested variance is authorized and granted under the provisions of Chapter 40A, Section 15, of the General Laws, 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*  
Richard O. Aldrich

*Dana T. Lowell*  
Dana T. Lowell

*F. Lester Fraser*  
F. Lester Fraser

Filed with Town Clerk \_\_\_\_\_

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