

TOWN OF WELLESLEY



MASSACHUSETTS

BOARD OF APPEAL

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WELLESLEY MASS
JUN 27 11 30 AM '74

KATHARINE E. TOY
Administrative Secretary
Telephone
235-1664

THEODORE C. MERLO
F. LESTER FRASER
WILLIAM O. HEWETT

Petition of William J. and Ann T. Fagan

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 8:10 p.m. on June 27, 1974, on the petition of William J. and Ann T. Fagan, requesting a special exception from the terms of Section XIX of the Zoning By-law which will allow the construction of an addition on the side of the dwelling at 3 Vista Road, with a side yard less than the required twenty feet.

On June 7, 1974, the petitioners requested a hearing before this Board and thereafter due notice of the hearing was given by mailing and publication.

Ann T. Fagan spoke in support of the request at the hearing.

John B. Ford, 1 Vista Road, spoke in favor of the request.

Chestina E. and Walter M. Himebaugh, 84 Hopkinson Street, both called attention to a dumping area which they face on the rear of the Fagan property. It is unsightly and they feared that further debris would be added as a result of the proposed addition. They had no objection to the proposed addition as such.

The Planning Board objected to the granting of the request, in its report, as in its opinion, it would constitute a substantial encroachment on the side yard area.

Statement of Facts

The house involved, which was built in 1928, is located within a Single-residence District requiring a minimum lot area of 10,000 square feet.

The petitioners seek permission to construct an addition 12.5' x 26.2' on the southwesterly side of their dwelling which, if built, will provide an additional bedroom. It was stated that the petitioners have five children with only three bedrooms on the second floor. In addition, Mr. Fagan, who is presently in the hospital, will need a first-floor bedroom and bath it is thought, when he returns. At present there is a porch on the side of the house involved and it is proposed to remove the porch and extend the proposed addition five feet closer to the lot line than the existing porch and to extend it the full depth of the house. It was pointed out that while the proposed addition, if built, will be only 9.4' from the side lot line at the front corner, it will be 31' from the house on the adjoining lot. It is the feeling of the petitioners that there is a real need for the proposed addition and if built, it will not provedetrimental to the neighborhood.

A plot plan was submitted, drawn by Alfred Gargaro, Land Surveyor, dated March 2, 1974, which showed the location of the existing dwelling on the lot with the proposed addition located on the southeasterly side of the house, 9.4' from the side lot line at the front corner and 12.0' from the side lot line at the rear corner.

Decision

It is the opinion of this Board that a real need exists for the proposed addition which will provide a needed bedroom for the petitioners' family. Due to the width of the lot which is only seventy feet, compliance with the side yard requirement of Section XIX of the Zoning By-law is impracticable. The lot was held of record on April 1, 1940, under separate and distinct ownership from adjacent lots. The facts, therefore, in this case, satisfy the conditions set forth in said section of the by-law on which the Board's authority depends to grant a special exception from the yard restriction.

Accordingly, the requested exception is granted and the Inspector of Buildings is authorized to issue a permit for the proposed addition in accordance with the plans submitted and on file with this Board. Subject to the following condition:

1. That all debris incidental to the proposed construction shall be removed from the premises prior to the issuance of an occupancy permit and shall not be dumped at the rear of the property.

Theodore C. Merlo

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F. Lester Fraser

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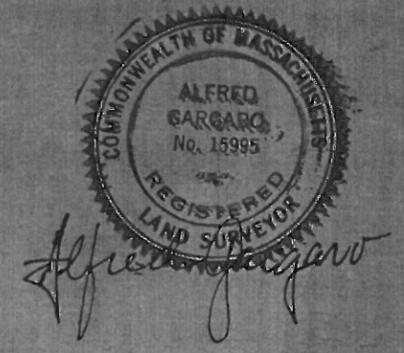
William O. Hewett

William O. Hewett

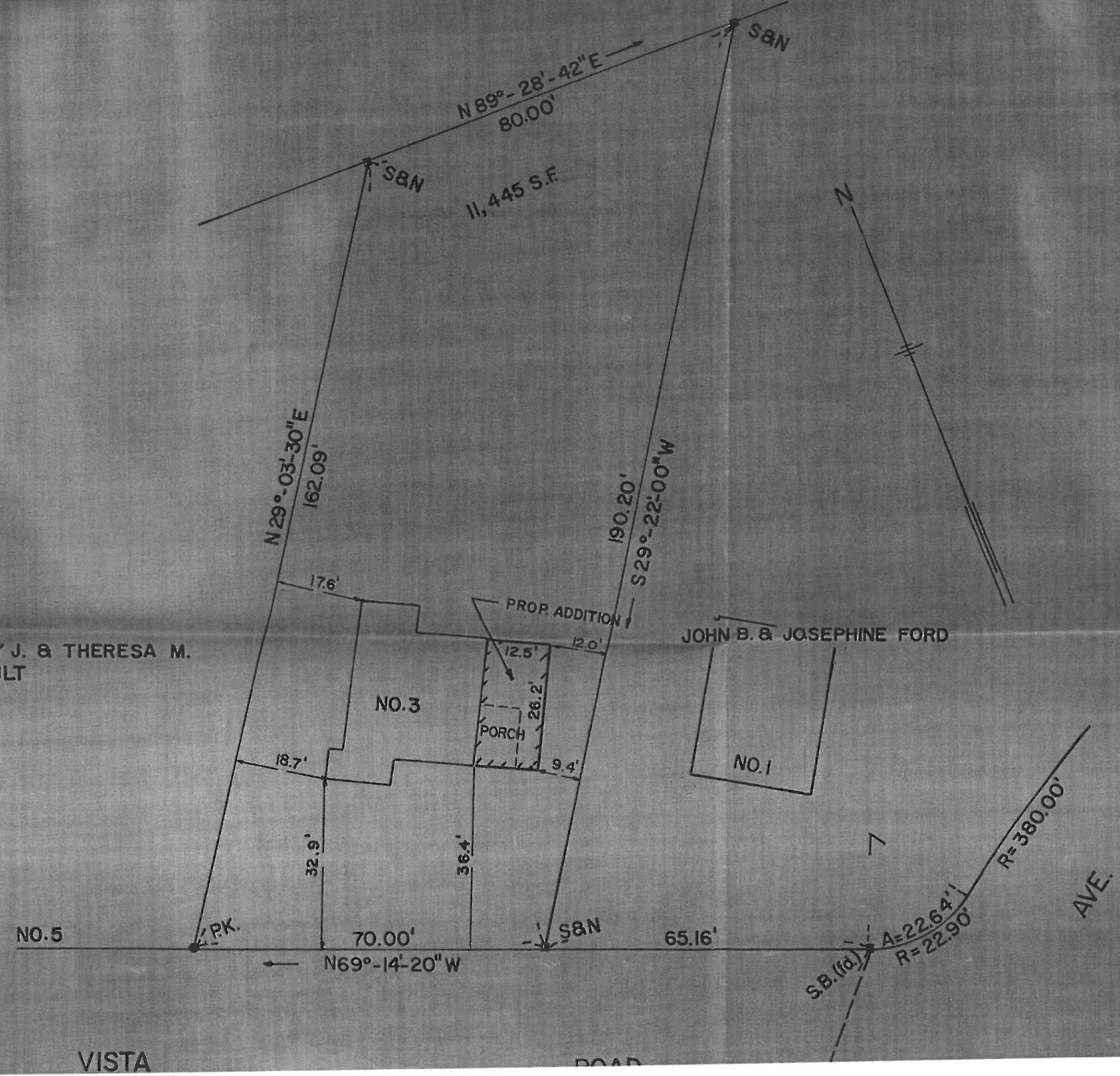
Filed with Town Clerk _____

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MAY 22 11 38 AM '41
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PLAN OF LAND
 in
 WELLESLEY MASS.
 WILLIAM J. & ANN T. FAGAN
 3 VISTA ROAD
 SCALE 1"=20' MARCH 2, 1974
 Alfred Gargaro - Land Surveyor



HARVEY J. & THERESA M.
 THIBAUT



VISTA

ROAD

AVE.