

TOWN OF WELLESLEY



MASSACHUSETTS

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WELLESLEY, MASS.

BOARD OF APPEAL

FEB 12 4 02 PM '74

KATHARINE E. TOY, CLERK  
TELEPHONE  
295-1664

RICHARD O. ALDRICH  
F. LESTER FRASER  
WILLIAM O. HEWETT

Petition of William S. Duncklee, Jr.

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 8:05 p.m. on February 7, 1974, on the petition of William S. Duncklee, Jr., requesting a special exception from the terms of Section XIX of the Zoning By-law which will permit him to enclose the existing porch on the side of the dwelling at 24 Orchard Street with a side yard less than the required twenty feet.

On January 21, 1974, the petitioner filed his request for a hearing before this Board and thereafter due notice of the hearing was given by mailing and publication.

The petitioner spoke in support of the request at the hearing.

Statement of Facts

The dwelling involved was built prior to the enactment of the by-law requiring a twenty-foot side yard, on a lot which was held under separate and distinct ownership from adjacent lots on April 1, 1940. The lot contains 8,800 square feet and is located within a Single-residence District requiring a minimum lot area of 15,000 square feet.

The petitioner seeks permission to enclose an existing porch on the northerly side of his dwelling in order to provide a year-round room for his family. The existing porch, it was stated, is 8' x 16' and is 18' from the side lot line. At present it serves no practical purpose, and the petitioner feels that it would be far more beneficial if it can be enclosed. The proposed enclosure will not result in any greater extension to the porch or any further encroachment into the side yard.

Decision

The Board has taken a view of the locus and has reviewed the evidence submitted, and in its opinion, the proposed porch enclosure will not prove detrimental to the public good nor derogate from the intent or purpose of the by-law. In its opinion, there is a real need for the additional space which the proposed enclosure will provide.

The lot is relatively narrow with a width of eighty feet and because of the size of the house and its location on the lot, compliance with the requirements of Section XIX of the Zoning By-law is impracticable because of its width and shape. It was held of record on April 1, 1940, under a separate and distinct ownership from adjacent lots. Therefore, the facts in this case satisfy the conditions set forth in Section XIX of the Zoning By-law on which the Board's authority depends to vary the requirements of the side yard restrictions of the Zoning By-law.

Accordingly, the requested exception is granted and the issuance of a permit for the proposed enclosure in accordance with the plan submitted, drawn by Alfred Gargaro, Land Surveyor, dated November 8, 1973, and on file with this Board is hereby granted.

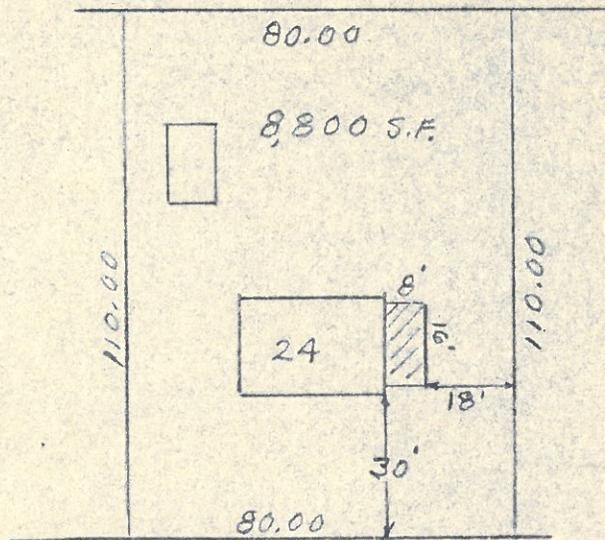
Theodore C. Merle  
Theodore C. Merle

F. Lester Fraser  
F. Lester Fraser

William O. Hewett  
William O. Hewett

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

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ORCHARD ST.

Note: Existing 8'x 16' porch to be enclosed.

PROPOSED ENCLOSURE

WELLESLEY - MASS.

OWNER: WILLIAM S. DUNCKLEE, Jr.

Scale: 1 inch = 40 feet      November 8, 1973

