



BOARD OF APPEAL

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

KATHARINE E. TOY  
Administrative Secretary  
Telephone  
235-1664

Petition of Richard F. Burke

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 October 24, 1974, on the petition of Richard F. Burke, requesting permission to construct a dormer window on his non-conforming dwelling at 24 State Street, as provided under Section XVII-B of the Zoning By-law.

On October 5, 1974, the petitioner filed a request for a hearing before this Board and thereafter due notice of the hearing was given by mailing and publication.

Vincent Trubiani represented the petitioner at the hearing.

A letter favoring the request was submitted, signed by Richard L. Dube and Beatrice D. Dube, 55 Atwood Street.

Statement of Facts

The property involved is located within a Single-residence District, requiring a lot area of not less than 10,000 square feet.

The building on the premises is a frame and stucco dwelling containing three apartments, two on the first floor and one on the second floor, and has been non-conforming since before the adoption of the Zoning By-law in 1925.

It was stated at the hearing that the petitioner's family, who occupy the second floor, have their three small children together in one of the two bedrooms. Permission, therefore, is sought to utilize the available space in the attic by building a dormer window on the side of the house. The hip roof will be eliminated and a gable put up on the side, with a new stairway. The petitioner feels that the additional space which will be provided by the proposed alteration is urgently needed by his family and that it will not prove detrimental in any way to the neighborhood.

Decision

The Board feels that a real need exists for the proposed alteration which will provide more adequate living space for the petitioner's family and that a literal enforcement of the Zoning By-law, in this instance, would involve substantial hardship to the petitioner. There will be no greater encroachment into the yards and the house will not be enlarged to any great extent.

This Board is authorized to permit the alteration of a building devoted to a non-conforming use, as in this instant case, if it finds that a literal enforcement of the provisions of the by-law would involve substantial hardship, and where desirable relief may be granted without substantial detriment to the public good and without nullifying or substantially derogating from the intent or purpose of the Zoning By-law.

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OCT 28 1974  
ADMINISTRATIVE SECRETARY

In the opinion of the Board permission can be granted without substantial detriment to the public good and without derogating from the intent and purpose of the by-law.

Accordingly, the requested permission is granted and the issuance of a permit for the proposed alteration is hereby authorized in accordance with the plan submitted and on file with this Board.

*Henry H. Thayer*

Henry H. Thayer

*F. Lester Fraser*

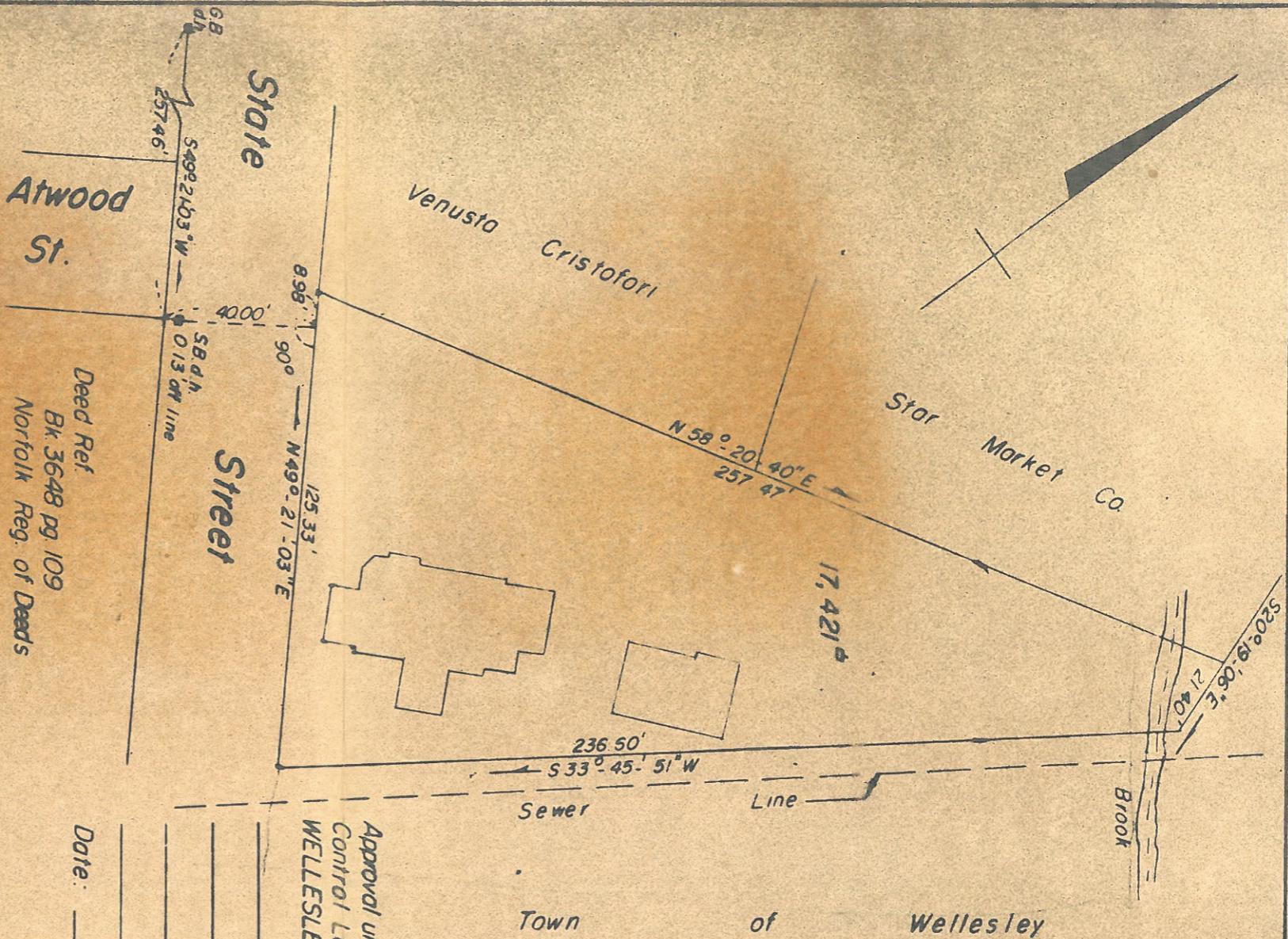
F. Lester Fraser

*William O. Hewett*

William O. Hewett

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

DEC 28 10 37 AM '34  
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TOWN ENGINEER'S OFFICE  
BRIDGE



Deed Ref.  
Bk 3648 pg 109  
Norfolk Reg. of Deeds

Approval under the Subdivision  
Control Law not required  
WELLESLEY PLANNING BOARD

Date: \_\_\_\_\_

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Plan of Land in Wellesley, Mass.

Owned by: Assunta Magliozzi  
Trustee

Scale 1" = 40'  
Jan. 18, 1963

Survey by: McCarthy Engineering Service Inc  
Natick, Mass.