

TOWN OF WELLESLEY



MASSACHUSETTS

BOARD OF APPEAL

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

KATHARINE E. TOY  
Administrative Secretary  
Telephone  
235-1664

Petition of Harriet C. Goldweitz and Saul Goldweitz

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 24, 1974, on the petition of Saul and Harriet C. Goldweitz, requesting an exception from the terms of Section XIX of the Zoning By-law which would allow them to construct an addition on the side of their dwelling at 59 Cliff Road with a side yard less than the required twenty feet.

On October 7, 1974, the petitioners filed their request for a hearing before this Board and thereafter due notice of the hearing was given by mailing and publication.

At the hearing the case was presented by Harriet C. Goldweitz who outlined in detail the need for the proposed addition.

The Planning Board in its report opposed the granting of the request.

Statement of Facts

The house involved which was built in 1929, is located within a Single-residence District requiring a minimum lot area of 20,000 square feet.

The petitioners seek permission to construct a one-story addition on the northwesterly side of their dwelling. They presently have a small sunporch which is approximately 9' x 15' and inadequate as a living room. It is proposed, therefore, to increase its size to approximately 16' x 30' which would be in proportion to the rest of the house. It was pointed out that the petitioners have no choice as to its location because of the topography of the lot. If it were to be constructed on the rear of the house, it would require extensive ledge removal and terracing of the lot which would be very costly. Due to the room arrangement and the attached garage, it would not be feasible to construct the desired addition on the other side of the house. It was stated, however, that if the request is granted, the petitioners are considering constructing a small extension to the other side of the dwelling in order to esthetically balance the architecture of the house.

It was also pointed out that the proposed addition, if built, would be approximately forty feet from the house on the adjoining lot and thereby would maintain the intent of the Zoning By-law to keep houses a minimum of forty feet apart. It was stressed that while the house is large, it has a very inadequate family room which results in the family crowded into a small sunporch. Therefore, it is the feeling of the petitioners that undue hardship will result unless relief is granted by the Board.

A plot plan was submitted, drawn by MacCarthy & Sullivan Engineering, Inc., Natick, dated September 30, 1974, which showed the existing dwelling on the lot as well as the proposed addition.

John R. Johnston, 63 Cliff Road, abutting property owner on the side involved, gave a qualified approval of the request providing the addition does not exceed one story.

Decision

The Board has made a careful study of the plans submitted and has taken a view of the locus.

It is the opinion of this Board that the proposed addition can be located at the rear of the dwelling even though it may not be as desirable as the proposed location. To allow the proposed addition to be only 3.1' from the lot line would, in the opinion of the Board, prove detrimental to the property involved as well as to the neighborhood. The Board further finds that compliance with the requirements of Section XIX of the Zoning By-law is not impractical because of the width, depth and shape of the lot. The lot which contains 24,130 square feet, has a frontage of 126.00' and a depth of 190.20' with ample space in the rear for the proposed addition. Therefore, it is the opinion of this Board that the facts in this case do not 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 denied and the case dismissed.

*Henry H. Thayer*

Henry H. Thayer

*F. Lester Fraser*

F. Lester Fraser

*William O. Hewett*

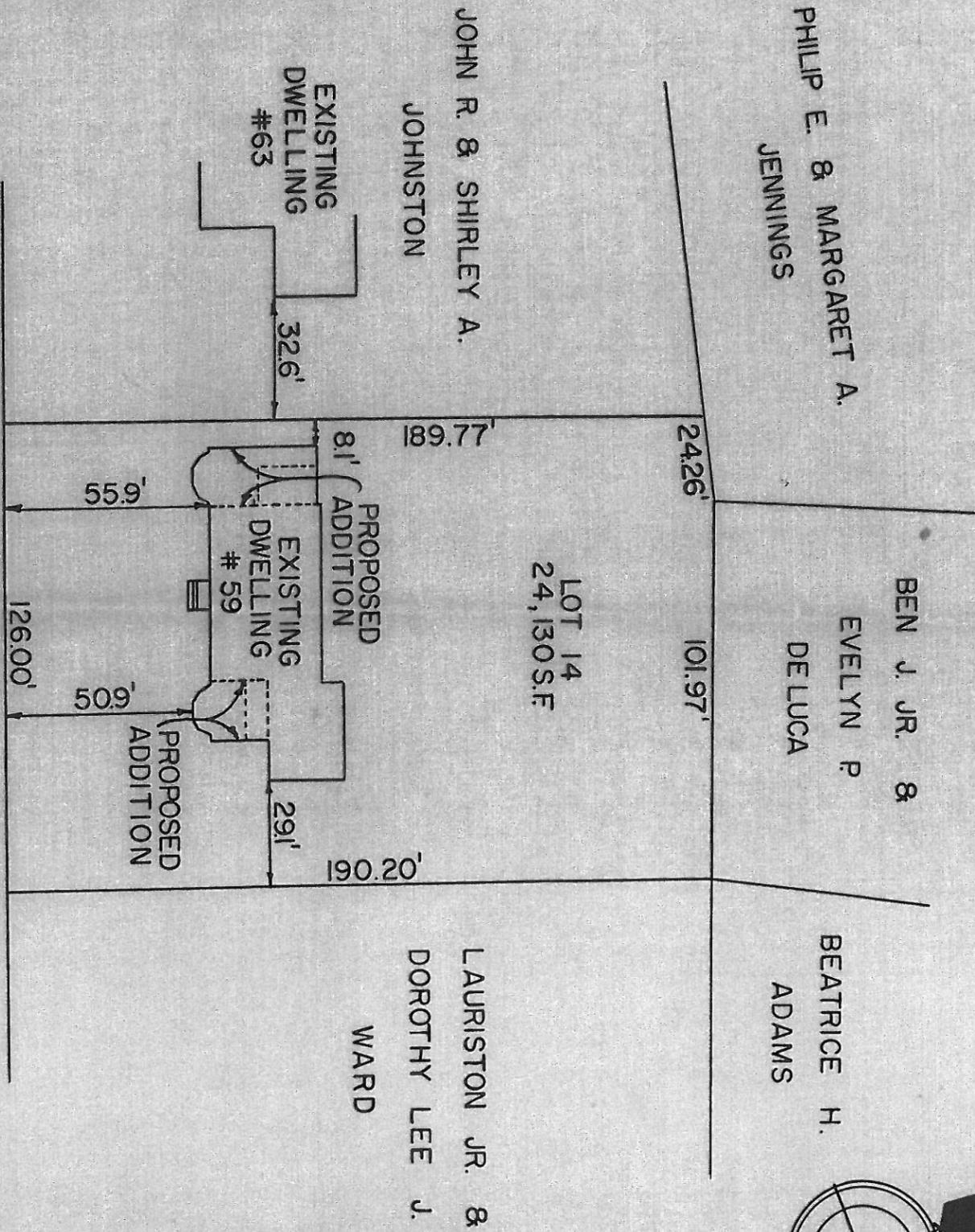
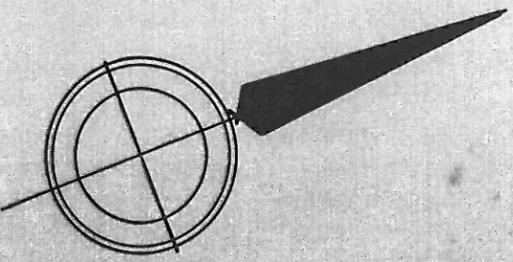
William O. Hewett

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

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15 434'



# CLIFF ROAD

WELLESLEY BOARD OF APPEALS

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DATE: \_\_\_\_\_

## PLAN OF LAND IN WELLESLEY, MASS.

OWNED BY: SAUL & HARRIET C. GOLDWEITZ

SCALE: 1" = 40'

SEPTEMBER 30, 1974



PLAN BY: JOSEPH R. SULLIVAN & SULLIVAN ENGINEERING, INC.  
NATICK, MASS.