



ZONING BOARD OF APPEALS

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KATHARINE E. TOY
 Administrative Secretary
 Telephone
 235-1664

Petition of Earl W. and Elizabeth M. Dunbar

Pursuant to due notice the Permit Granting Authority held a public hearing in the hearing room on the second floor of the Town Hall at 8:35 p.m. on November 3, 1977, on the petition of Earl W. and Elizabeth M. Dunbar, requesting a variance from the terms of Section XIX of the Zoning By-law, which will allow them to construct a car-port on the side of their dwelling at 51 Manor Avenue, with a side yard less than the required thirty feet from Fenmere Avenue and a side yard less than the required twenty feet from the lot line on the northerly side. Said request was made under the provisions of Section XXIV-D of the Zoning By-law.

On October 20, 1977, the petitioners filed their request for a hearing before this Board and thereafter due notice of the hearing was given by mailing and publication.

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

Letters favoring the request were received from Lucille M. Paquette, 59 Manor Avenue and E. Victor Knapman and Marion M. Knapman.

A letter was also received from Marguerite L. Swanson, 7 Fenmere Avenue, in which she stated that she would like to cooperate in the matter.

Statement of Facts

The property involved is located on the northeasterly corner of Manor Avenue and Fenmere Avenue.

The house is located within a Single Residence District requiring minimum lot area of 10,000 square feet. It was built prior to the twenty-foot side yard requirement on a lot containing 10,000 square feet.

The petitioners seek permission to construct a car-port on the westerly side of their dwelling, which if built will be 23' x 23', located approximately 60' back from Manor Avenue, 10.6' back from Fenmere Avenue at the nearest point and 16.2' from the northerly side line. The car-port is designed to have three open sides with a fire wall on the house side. It was pointed out that the proposed location is the most economical and feasible place for the car-port because both front and back doors egress to the existing driveway which approaches the car-port. It was further pointed out that Fenmere Avenue is a dead-end street, with only two other houses on that end of it, and the house on the adjacent lot is located less than ten feet back from Fenmere Avenue. While the lot is 100' x 100', the house is located in the center of the lot so that an addition of any size would not be built which would comply with the Zoning By-law.

Decision

The Board has made a careful study of the evidence submitted and has taken a view of the locud.

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It is the opinion of this Board that there is a real need for the proposed car-port and the proposed location appears to be the most practical and economical place for it to be constructed.

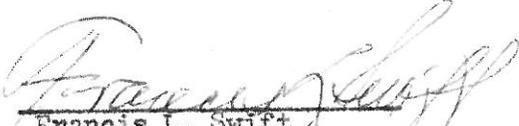
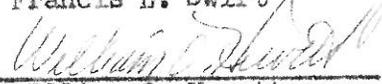
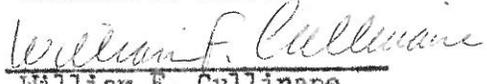
While the lot contains 10,000 square feet, it is a corner lot upon which greater restrictions are imposed than would be otherwise. Due to the shape of the lot remaining around the house, there appears to be no other location that a car-port could be located which would meet the requirements of the Zoning By-law.

Therefore, it is the unanimous opinion of this Board that owing to circumstances relating to the shape of the lot involved, a literal enforcement of the provisions of Section XIX of the Zoning By-law would involve substantial hardship to the petitioners. It is the further opinion of this Board that 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.

Accordingly, the requested variance is granted and the Building Inspector is authorized to issue a permit for the proposed car-port as shown on the plan submitted and on file with this Board, drawn by Carmelo Frazetti, Land Surveyor, dated October 10, 1977, subject to the following condition:

1. That said car-port shall have three sides open and shall remain open in accordance with this restriction.

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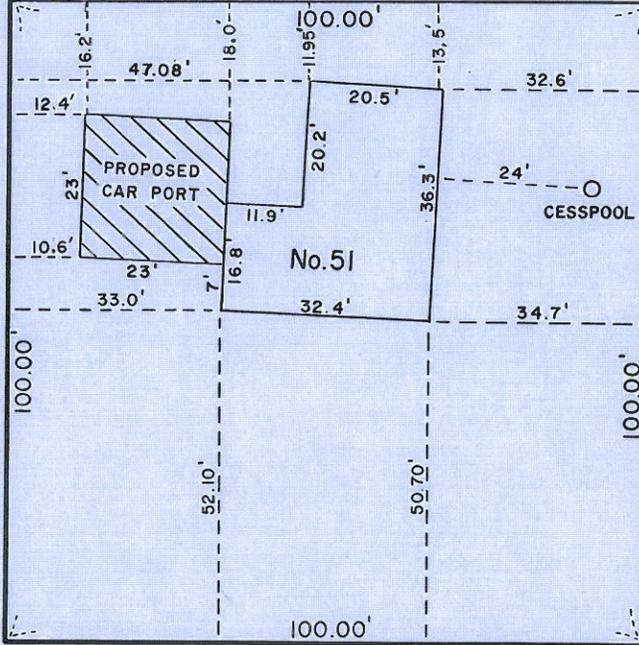
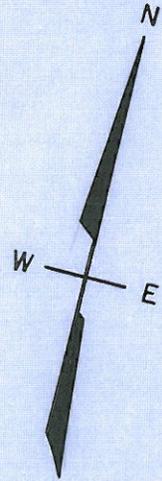
Copies of the decision and all plans referred to in this decision have been filed with the Planning Board and with the Town Clerk.

ROGER L. & LUCILLE M. PAQUETTE

FENMERE
AVE.

No. 7

WILLIAM C. & MARGUERITE SWANSON



N/F RICHARD WOODBINE

No. 47

MANOR AVENUE

PLAN OF LAND
IN
WELLESLEY, MASSACHUSETTS

AT
No. 51 MANOR AVENUE
OWNED BY
Earl W. and Elizabeth M. Dunbar
PROPOSED CAR PORT

October 10, 1977

Scale: 1" = 30'

Carmelo Frazetti

Land Surveyor

