



STANLEY W. LEIGHTON, CHAIRMAN
BURTIS S. BROWN
THOMAS M. REYNOLDS

BOARD OF APPEAL

KATHARINE E. TOY, CLERK
TELEPHONE
WE. 5-1664

Appeal of Andrew T. Hanson

Pursuant to due notice the Board of Appeal held a public hearing in the Upper Town Hall on Wednesday, July 19, 1950 at 8:50 p.m. to consider the appeal of Andrew K. Hanson from the refusal of the Inspector of Buildings to issue a permit to him to alter his dwelling at 65 Martin Road.

Statement of Facts

The Inspector of Buildings under date of June 27, 1950 notified the appellant in writing that a permit for the proposed alteration could not be granted because the same would violate Section 9-C of the Zoning By-law which requires a 20-foot side yard, and Section 24 (a) of the Building By-law which requires that all buildings of frame construction must be at least ten feet from the lot line. On the same date the appellant took an appeal in writing from such refusal, and thereafter due notice of the hearing was given by mailing and publication.

The plan submitted by the appellant at the hearing showed that he desired to extend an existing platform on the northly side of his dwelling toward the rear and out to span the existing driveway. The platform when completed will be 13'6" x 12' and will be 7'10" from the side lot line. Mr. Hanson explained that the platform is to be covered over with an awning and used only for an open porch. No permanent roof or side structure is to be constructed.

No objections were raised at the hearing to the proposed porch, or to the granting of the requested variance.

Decision

The Board of Appeal unanimously finds that the granting of the requested variance in this case will not in any way prove detrimental to the appearance and character of the neighborhood, and that no increased fire hazard will result therefrom. The neighborhood appears to be developed with side yards of considerably less than twenty feet, and the proposed structure will be in keeping with the general neighborhood.

The Board therefore finds that sufficient reasons exist for determining that a literal enforcement of Section 9-C of the Zoning By-law would involve substantial hardship to the appellant and that a variance can be granted without substantial detriment to the public good and without substantially derogating from the intent and purpose of said section.

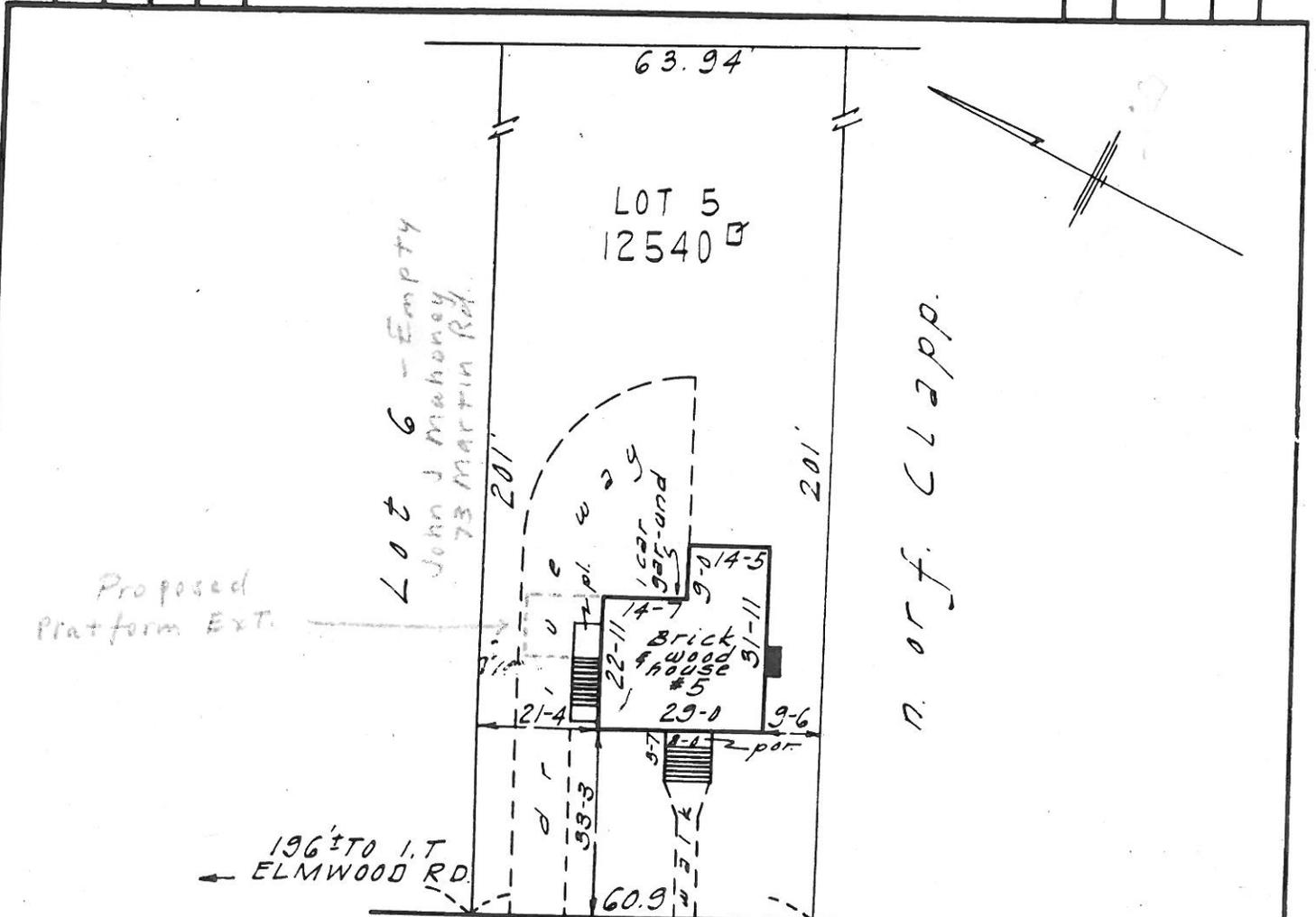
Accordingly, the requested variance is authorized and granted and the issuance of the permit for the proposed platform without roof or side structure as described and specified in the appellant's application therefor is hereby directed.

S. W. Leighton
S. W. Leighton

B. S. Brown
B. S. Brown

T. M. Reynolds
T. M. Reynolds

August 9, 1950.



AVERY RD.

65 Martin Rd.

RECORDED AT NORFOLK
 REGISTRY OF DEEDS
 REC BOOK No. 1810 PAGE No. 380
 SHOWN AS LOT 5 PLAN BY
 E. M. BROOKS C.E.
 DATED MAY 1928

**PLAN OF PROPERTY
 5 AVERY RD.
 WELLESLEY-MASS**
 EVERETT M. BROOKS CO.-CIVIL ENG'RS
 NEWTONVILLE - MASSACHUSETTS
 SCALE: 1/4" = 30 FT. DATE: MAR. 11, 1947

I HEREBY CERTIFY THAT THE
 BUILDINGS ON THIS PROPERTY
 ARE LOCATED AS SHOWN ON
 ABOVE PLAN AND COMPLY WITH
 THE ZONING LAWS OF THE
 TOWN OF WELLESLEY.
Everett M. Brooks
 Surveyor

DP 35-A