



64-8

BOARD OF APPEAL

GARRETT S. HOAG
JOHN L. HAYDEN
DANA T. LOWELL

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

Appeal of Jenney Manufacturing Company

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 8:15 p.m. on March 4, 1964 on the appeal of Jenney Manufacturing Company from the refusal of the Inspector of Buildings to issue a permit to erect a sign at the Wellesley Square Garage, 8 Spring Street, the reason for such refusal being that said sign would violate Section XXXIIIA, Signs and Advertising Devices, of the Zoning By-law, Subpart 3 a. 1. (c) and Subpart 3 a. 4. (b), and Chapter IX of the Building Code.

Philip Paine, Area Representative for Jenney Manufacturing Company, and Mr. Arnold Dalghren, operator of the station, spoke in favor of the appeal.

The Planning Board in its report expressed its opposition to granting the appeal.

On February 12, 1964, the Inspector of Buildings notified the appellant in writing that his application for a permit to erect said sign had been refused as it violated the Zoning By-law for the above-mentioned reason. On March 3, 1964, the appellant took an appeal in writing and thereafter due notice of the hearing was given by mailing and publication.

Statement of Facts

The property involved is located within a Business District, and the appellant seeks permission to erect a hanging sign to display identification of Jenney Gasoline which is sold at the garage on the premises. It is proposed to erect a sign 4' x 8' approximately 13'6" above grade which would overhang Town property approximately five feet. It is to be a double face porcelain enamel sign, red, white and blue, with the word "Jenney" in red letters. Plans and details of the sign were submitted which showed the proposed location, its size and lettering.

Decision

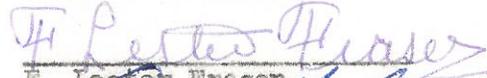
The Board finds that the proposed sign would violate the above-cited provisions of the Zoning By-law by virtue of its projecting over a public way (the Zoning By-law incorporates Chapter IX of the Building Code for this purpose) and by reason of its exceeding the number of colors permitted without special permission of the Board of Appeals. In the opinion of the Board the facts in this case do not warrant the granting of the requested permission and departure from the express requirement of the Zoning By-law and to grant

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such permission would derogate from the general purpose and intent of
Section XXIIIA.

Therefore, the appeal is denied.


Richard O. Aldrich


F. Lester Fraser


Dana T. Lowell

Filed with Town Clerk _____

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