



ZONING BOARD OF APPEALS
TOWN HALL WELLESLEY, MA 02181

STEPHEN S. PORTER, Chairman
JOHN A. DONOVAN, JR.
ROBERT R. CUNNINGHAM

MARY ANN McDOUGALL
Executive Secretary
Telephone
235-1664

WILLIAM E. POLLETTA
FRANKLIN P. PARKER
SUMNER H. BABCOCK

84-17

Petition of Marsha D. Rowlands

The Special Permit Granting Authority held a Public Hearing in the Upper Town Hall Main Hearing Room on Thursday, May 3, 1984 and June 7, 1984 at 8 p.m. on the petition of MARSHA D. ROWLANDS, requesting renewal of a Special Permit under the terms of Section II 8 (h) and Section XXV of the Zoning Bylaw which will allow the applicant to continue to use part of her residence located at 295 LINDEN STREET for the conduct of a home occupation, namely an interior decorating business, said residence being in a Single Residence District.

On April 5, 1984, the petitioner requested a hearing before this Authority and thereafter due notice of the hearing was given by mailing and publication.

The petition was scheduled for the hearing on May 3, 1984, but due to the fact that the applicant was not present at the hearing, the case was continued until the June 7, 1984 hearing.

Presenting the case was Marsha Rowlands, who stated that her two brothers, Anthony and Jay DeJon, operate the DeJon Corporation, a building contracting and interior decorating business, from her residence at 295 Linden Street. Her brothers reside in Wayland. She does bookkeeping and typing for the business, but she stated that she is not a partner in the business.

Other than the petitioner, no one was present favoring or opposing the petition.

Statement of Facts

The property in question is located at 295 Linden Street, containing 10,000 square feet of land, in a Single Residence District.

The petitioner and owner of the dwelling is Marsha Rowlands, who was granted a Special Permit in May 1983 for the home occupation, which was described as an interior decorating business. The permit was granted for a one year period.

Ms. Rowlands is requesting renewal of the Special Permit for another year. She stated at the hearing that she is not a partner in the business, which is owned by her brothers, Anthony and Jay DeJon, both of whom reside in Wayland.

The Planning Board, after reviewing the application, stated in a letter of April 18, 1984 that since the requested home occupation appears to meet the Zoning Bylaw standards, it has no objection to continuation on the same terms and conditions currently in effect.

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Decision

This Authority has made a careful study of the evidence submitted.

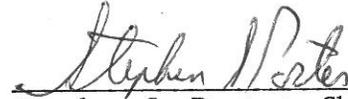
The petitioner was granted a Special Permit by this Authority in 1983 with the understanding that Ms. Rowlands was conducting an interior decorating business from her home.

Upon further questioning at the hearing of June 7, 1984, Ms. Rowlands stated that her residence is actually used by her brothers for the operation of DeJon Corporation, a building contracting and interior decorating business. Ms. Rowlands is not a partner in the business, but acts as a bookkeeper and typist.

The Zoning Bylaw defines "home occupation" as: "a non-residential use of a dwelling unit, by the resident or residents, for gainful employment, that is subordinate but compatible to residential use".

It is the opinion of this Authority that this particular building contracting business is being operated by two non-residents, Anthony and Jay DeJon, of Wayland. This is in violation of the home occupation bylaw.

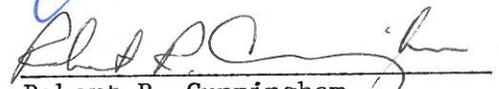
Therefore, the requested Special Permit is denied and the petition is hereby dismissed.



Stephen S. Porter, Chairman



John A. Donovan, Jr.



Robert R. Cunningham

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