TOWN OF WELLESLEY MASSACHUSETTS

ZONING BOARD OF APPEALS
TOWN HALL WELLESLEY, MA 02181

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ZBA 86-65
Petition of St. Andrews Church
7 Denton Road

Pursuant to due notice, the Special Permit Granting Authority held a Public Hearing on Thursday, December 4, 1986 at 8 p.m. in the Great Hall of the Town Hall at 525 Washington Street, Wellesley on the petition of ST. ANDREW'S CHURCH OF WELLESLEY requesting renewal of a Special Permit which will allow the premises at 7 DENTON ROAD, adjacent to St. Andrews Church, to continue to be used as a two-family dwelling, said premises being located in a Single Residence District. Said request is pursuant to Sections II 8 (a) and (c) and Section XXV of the Zoning Bylaw.

On November 13, 1986 the petitioner requested a hearing before this Board and thereafter due notice of the hearing was given by mailing and publication.

Presenting the case at the hearing was William Tripp, attorney representing St. Andrews Church, who stated that the renewal is requested on the same basis as the last request a year ago.

No others were present expressing favor or opposition to the request.

Statement of Facts

The property in question is located at 7 Denton Road, situated on a parcel of land owned by and including St. Andrews Episcopal Church at 79 Denton Road, in a Single Residence District. The dwelling at 7 Denton Road is located 10 feet from the church building.

The house was constructed prior to 1900, purchased for St. Andrews Church in 1947, used principally to house clergy but was also rented as a one-family unit. A Special Permit was granted by the Board of Appeals on September 24, 1984 for a period of one year (ZBA Case 84-29) to allow 7 Denton Road to be used as a two-family dwelling and a renewal of the Special Permit was granted in 1985 (ZBA 85-65).

The petitioner is requesting renewal of the Special Permit for another year. The proposed use of the premises for the ensuing year is as a residence for two associate clergy of the church with each occupying one of the units. With this exclusive clergy use, a Special Permit is not necessary. However, the church wishes to obtain renewal of the Special Permit so as to preserve the options of renting to two families.

The Planning Board reviewed the application at its regular meeting of November 18, 1986 and, in a letter of November 21, 1986, stated it had voted to offer no objection to continuation of the Special Permit on the same terms and conditions as are currently in effect.

Decision

This Authority has made a careful study of the evidence presented. St. Andrews Episcopal Church is requesting renewal of a Special Permit to allow 7 Denton Road, on the church property, to be used as a two-family dwelling.

It is the opinion of this Authority that St. Andrews has complied with the conditions of this Board's decision of 1985. The building, built prior to 1900, was in existence when the Zoning Bylaw took effect (1925). This Board finds, pursuant to Section II 8 (a) of the Zoning Bylaw, that the dwelling can no longer be used or adapted at a reasonable expense and with a fair financial return as a one-family dwelling.

A Special Permit is hereby granted under Section II 8 (a) and Section XXV of the Zoning Bylaw to St. Andrews Church for the use of 7 Denton Road as a two-family dwelling, subject to the conditions as follows:

1. That this Special Permit is granted for a period of two yrs. from the date of this decision.

2. That all parking related to said premises shall be off-street.

Stephen S. Porter, Chairman

Robert R. Cunningham

William E. Polletta

APPEALS FROM THIS DECISION, IF ANY, SHALL BE MADE PURSUANT TO GENERAL LAWS, CHAPTER 40A, SECTION 17, AND SHALL BE FILED WITHIN 20 DAYS AFTER THE DATE OF FILING OF THIS DECISION IN THE OFFICE OF THE TOWN CLERK.

cc: Planning Board
Inspector of Buildings

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