



ZONING BOARD OF APPEALS
TOWN HALL WELLESLEY, MA 02181

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ZBA 94-13
Petition of Maria Nuzzi Realty Trust
15 Columbia Street

Pursuant to due notice, the Special Permit Granting Authority held a Public Hearing on Thursday, March 24, 1994 at 8 p.m. in the Selectmen's Meeting Room (Conference Room B) at the Town Hall, 525 Washington Street, Wellesley, on the petition of the MARIA NUZZI REALTY TRUST requesting renewal of a Special Permit pursuant to the provisions of Section II A 8 (a) and Section XXV of the Zoning Bylaw to allow the premises at 15 COLUMBIA STREET, in a Single Residence District, to continue to be used as a residence for not more than two families, a use not allowed by right in a Single Residence District.

On March 7, 1994, the petitioner requested a hearing before this Authority, and thereafter due notice of the hearing was given by mailing and publication.

Presenting the case at the hearing was Corey Surett, counsel for the petitioner. Mr. Surett said that Mrs. Nuzzi resides on the premises, and uses the rental income as a supplement to her social security income. The renewal of the Special Permit is necessary to retain the use of the upstairs apartment as a rental unit. There have been no changes in the past two years.

No other person present had any comment on the petition.

Statement of Facts

The subject property is located at 15 Columbia Street, in a Single Residence District, on an 18,000 square foot lot. The dwelling, which is over 100 years old, is two and one-half stories in height and has 10 rooms which are divided into two five room apartments. Mrs. Nuzzi occupies the first floor apartment.

The property was purchased by the late Pietro Nuzzi about 45 years ago. In 1975, Mr. Nuzzi requested and received permission to convert the dwelling into a two-family house. The family has maintained residence on the premises since that time. In 1977, a variance was granted to continue the use for a 5 year period. Special Permits renewing the use as a two family dwelling have been granted annually or biennially since 1982.

Mr. Nuzzi passed away in 1988 and the ownership of the property was placed in the Maria Nuzzi Realty Trust.

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On March 15, 1994, the Planning Board reviewed the petition and voted to recommend renewal of the Special Permit under the same conditions as the previous Special Permit.

Decision

This Authority has made a careful study of the materials submitted and the information presented at the hearing.

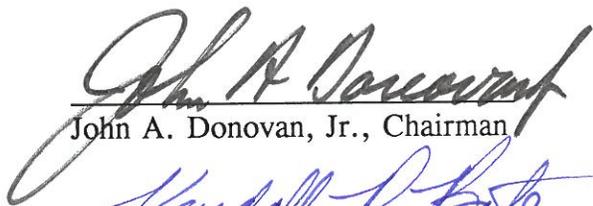
It is the opinion of this Authority that the continued use of the dwelling as a two-family dwelling, with the owner residing on the premises, will not substantially reduce the value of any property within the district, and will be neither injurious nor offensive to the neighborhood.

Therefore, a Special Permit, pursuant to the provisions of Section II A 8 (a) of the Zoning Bylaw is granted for the continued use of the premises at 15 Columbia Street as a two-family dwelling, subject to the following conditions:

1. No more than two families shall occupy said dwelling at any one time.
2. The owner shall occupy one of the dwelling units.
3. All applicable State and local laws, ordinances and regulations shall be complied with by both the petitioner and the tenant.
4. This Special Permit shall expire two years from the date of this decision.

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
edg


John A. Donovan, Jr., Chairman


Kendall P. Bates


William E. Polletta

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