78-4

TOWN OF WELLESLEY MASSACHUSETTS

ZONING BOARD OF APPEALS

FRANCIS L. SWIFT, Chairman
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WILLIAM F. CULLINANE
FRANKLIN P. PARKER

KATHARINE E. TOY
Administrative Secretary
Telephone
235-1664

Petition of Peter W. Holtje

Pursuant to due notice the Permit Granting Authority held a public hearing in the hearing room on the second floor of the Town Hall at 8:05 p.m. on April 27, 1978, on the petition of Peter W. Holtje, requesting permission to continue to operate a business office in a part of his dwelling at 23 Lawrence Road, as provided under Section XXIV-D of the Zoning By-law.

On March 17, 1978, the petitioner filed his request for a hearing before this Board and thereafter due notice of the hearing was given by mailing and publication.

The petitioner spoke in support of the request at the hearing.

Statement of Facts

The house involved is located within a Single Residence District, a district in which the desired use of the property is not permitted unless a variance is granted by this Board.

The petitioner seeks a variance to continue to use the above-mentioned property in part as a business office for another year. He stated that he has not changed his method of doing business during the past year; he receives telephone calls and mail at his home and sends out bills from his home. No customers come to the house and no inventory is kept at the house. Samples are brought to the customer's house, a selection is made and the draperies are made out of Town and sent directly to the customer. The petitioner further stated that there has been no change in the appearance or character of the property as a result of the non-conforming use, and to his knowledge, no complaint has ever been made as a result of the operation. He still has need for the continued non-conforming use, he stated, and urged the Board to grant the requested variance for another year.

Decision

It is the opinion of this authority that the continued use of a portion of the dwelling involved, as specified in the permit granted by this Board on July 13, 1971, and subject to the conditions imposed therein, will not substantially reduce the value of any property within the district and will not otherwise injure the neighborhood. It is the further opinion of this authority that there is still a real need for the continuance of the non-conforming use for another year and that desirable relief may be granted without substantial detriment to the public good and without nullifying or substantially derogating from the intent or purpose of the Zoning By-law.

Accordingly, the requested variance is granted under the provisions of Section XXIV-D of the Zoning By-law for one year from the date of this permit upon the conditions set forth in the Board's decision on, "Petition of Peter W. Holtje" filed with the Town Clerk on July 13, 1971.

Francis L. Swift

William O. Hewett

William F. Cullinane

Filed with Town Clerk _____

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