



70-61

## BOARD OF APPEAL

RICHARD O. ALDRICH  
 DANA T. LOWELL  
 F. LESTER FRASER

KATHARINE E. TOY, CLERK  
 TELEPHONE  
 235-1664

Petition of Edward M. Levitt

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 8:05 p.m. on November 30, 1970, on the petition of Edward M. Levitt requesting permission to continue to use the premises at 617 Washington Street for the purpose of conducting a lodging house as provided under Section XXIV-E of the Zoning By-law.

On November 5, 1970, 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 building involved is located within a Single-residence District requiring a minimum lot area of 10,000 square feet. It is a four-story, brick, stone and frame building, built over sixty years ago and has been used as a sanatorium, mental hospital, Wellesley College dormitory, convalescent and nursing home and lodging house. It has nineteen rooms and seven baths on the four floors.

The petitioner stated at the hearing that he would like to have the opportunity to continue to use the building as a lodging house for another year. He has been operating it as a lodging house for the past three years under permits granted by this Board annually and to his knowledge no complaints have been registered with the Building Inspector. He is familiar with the conditions imposed in the previous permits and he has been enforcing these since he acquired the property.

Decision

It is the opinion of this Board that the circumstances in this case have not changed substantially and that undue hardship to the owner will result if this permit is not granted. The Board has made a finding in its previous decision that the house involved can no longer be used or adapted at a reasonable expense and with a fair financial return as a single-family residence. The Board has granted special permits for non-conforming uses of the property since 1952, and previous to that time it had been used for many years as a Wellesley College dormitory.

The Board, therefore, finds that the continued non-conforming use will not substantially reduce the value of any property within the district, and will not otherwise be injurious, obnoxious, or offensive to the neighborhood.

For these reasons, the requested permit is hereby granted subject to the following conditions:

1. That all applicable laws shall be complied with as required by the Inspector of Buildings and Chief Engineer of the Fire Department as well as all State requirements and local permits and licenses.
2. That not more than sixteen persons shall occupy the premises at any one time and that lodgers shall occupy rooms on the first, second and third floors only.
3. That no meals shall be served to lodgers and that no lodgers shall be allowed to remain there if ill or in need of nursing care or prolonged medical care.
4. That no stoves, hot plates or refrigerators shall be installed or permitted in any lodger's room or elsewhere on the premises where it is available for use by lodgers.
5. That adequate parking space shall be provided and maintained in the rear of the dwelling for all occupants of the house and that no cars of the occupants shall be parked on Washington Street.
6. That no one shall occupy the rooms on the fourth floor, unless and until permission is granted by the Board of Appeal.
7. That the apartment on the first floor shall be occupied only by the person or persons having supervision of the building
8. That said permission shall expire one year from the date of this permit or in the event that any of the above-mentioned conditions are not or cease to be complied with.

  
Richard O. Aldrich

  
Dana T. Lowell

  
Robert T. Colburn

Filed with Town Clerk \_\_\_\_\_

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