



ZONING BOARD OF APPEALS
TOWN HALL WELLESLEY, MA 02181

APR 6 9 48 AM '90

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ZBA 90-12
Petition of Maria Nuzzi
15 Columbia Street

Pursuant to due notice, the Special Permit Granting Authority held a Public Hearing on Thursday, March 22, 1990 at 8 p.m. in the Selectmen's Meeting Room (Conference Room B) of the Town Hall, 525 Washington Street, Wellesley, on the petition of MARIA NUZZI, requesting renewal of a Special Permit pursuant to the provisions of Section II 8 (a) and Section XXV of the Zoning Bylaw which will 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 5, 1990, the petitioner filed a request for 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 Corey Surette, attorney for Maria Nuzzi. Mr. Surette said that Mrs. Nuzzi is requesting renewal of the Special Permit which has been in existence for about 12 years. The Nuzzis have lived in the home for the past 15 years. Mr. Nuzzi passed away in November, 1988, and Mrs. Nuzzi, who occupies the first floor apartment, relies on the rental income from the second floor apartment. There have been no changes and no complaints from neighbors in the past two years.

No person present at the hearing 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 and has 10 rooms divided into two five room apartments. Mr. Nuzzi purchased the property about 42 years ago and occupied it with his family until his death. Mrs. Nuzzi presently occupies the first floor apartment.

In 1975, Mr. Nuzzi requested permission to convert the dwelling into a two-family house and rent the second floor apartment, which his daughter and her family had occupied. Permission was granted for a period of one year. In 1977, a variance was granted to continue the use for a period of five years. Special Permits renewing the allowed use have been granted annually or biannually since 1982.

Mrs. Nuzzi is now requesting renewal of the Special Permit for another two years.

The Planning Board, on March 13, 1990, voted to offer no objection to the continuation of the subject use, but recommended inclusion of the enumerated condition that the owner continue to reside on the premises.

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Decision

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

It is the opinion of this Authority that the continued use of the dwelling as a two-family residence, with the owner residing on the property, will not substantially reduce the value of any property within the district and will not be injurious or offensive to the neighborhood.

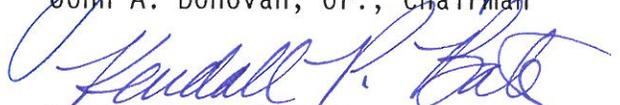
Therefore, a Special Permit is granted for the continued use of the premises at 15 Columbia Street as a two-family dwelling subject to the following conditions:

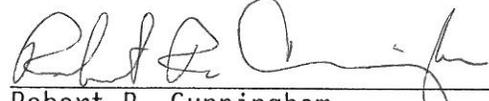
1. That no more than two families shall occupy said dwelling at any one time.
2. That the owner shall occupy the dwelling.
3. That all applicable State and local laws, ordinances and regulations shall be complied with by the petitioner and the tenant.
4. That said Special Permit shall expire two years 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


Robert R. Cunningham

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