



ZONING BOARD OF APPEALS  
TOWN HALL WELLESLEY, MA 02181

May 11 8 48 AM '90

JOHN A. DONOVAN, JR., Chairman  
ROBERT R. CUNNINGHAM  
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ZBA 90-26  
Petition of Holly Pope  
9 Roanoke Road

Pursuant to due notice, the Permit Granting Authority held a Public Hearing on Thursday, April 26, 1990 at 8 p.m. in the Selectmen's Meeting Room (Conference Room B) on the petition of HOLLY POPE requesting a Finding pursuant to the provisions of Section XVII and Section XXIV-D of the Zoning Bylaw that the proposed structural changes and change in use of her pre-existing non-conforming garage at 9 ROANOKE ROAD, in a Single Residence District, with less than the required left side yard, shall not be more detrimental to the neighborhood than the existing structure and use.

On April 9, 1990, 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 Holly Pope, who said she would like to change her existing garage into studio space for herself. She said she would like to put in skylights, a side door and a wood-burning stove. The garage has electricity, but no heat or water. The footprint would remain the same. Ms. Pope said that she was asking for a change of use from a garage to a studio, but did not want to alter the structure so that it could never be used as a garage again.

No other person present had any comment on the petition.

Statement of Facts

The pre-existing non-conforming garage, approximately 20 feet by 22 feet, is located at 9 Roanoke Road, in a Single Residence District, on an 18,210 square foot lot. The garage was built prior to 1941 and is non-conforming in that it has a minimum left side yard clearance of 11.2 feet. The garage has always been used for automobile storage.

Ms. Pope recently purchased the property, and is requesting a finding that the change of use of the garage to studio space and the changes in structure consisting of the addition of skylights, a side door and a wood-burning stove shall not be substantially more detrimental to the neighborhood than the existing non-conforming use and structure.

A Plot Plan dated April 2, 1990, drawn by George N. Guinta, Registered Land Surveyor; construction drawings and elevations; and photographs were submitted.

A letter dated April 23, 1990 was received from Helen and William Allison, 11 Roanoke Road, in support of the petition.

On April 10, 1990, the Planning Board voted to oppose the request.

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Decision

This Authority has made a careful study of the evidence presented. The subject garage is a pre-existing non-conforming structure.

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It is the finding of this Authority that the change in use from a garage to an art studio and the interior and exterior alterations requested may be permitted within the bounds of the existing structure and in accordance with the plot plan and construction drawings noted in the foregoing Statement of Facts.

It is the further finding of this Authority that pursuant to Section XVII of the Zoning Bylaw, said changes shall not be substantially more detrimental to the neighborhood than the existing structure and use with the following conditions:

1. That the requested change in use shall commence when the petitioner commences residence on the premises and shall terminate with any future sale of said property.
2. That there shall never be any construction or addition of sanitation facilities in said garage.
3. That the garage shall never be used as a separate dwelling unit.
4. That the garage shall be used solely as an art studio, and shall never be used as a gallery to display art works or as a business establishment in which the purchase or sale of art is transacted.

The Inspector of Buildings is hereby authorized to issue a permit for the installation of skylights, a side door and a wood-burning stove upon his receipt and approval of a building application and construction plans.

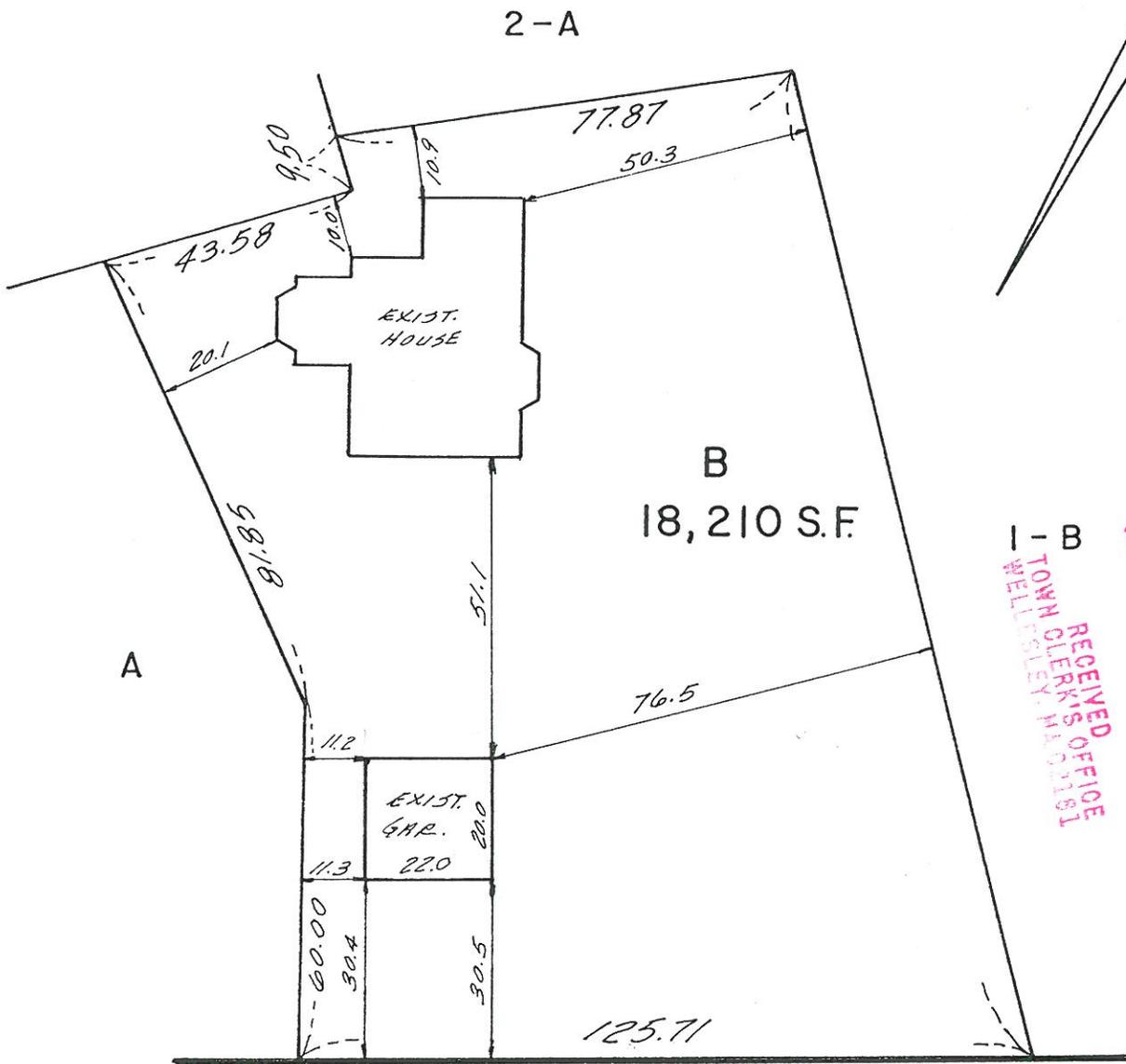
APPEALS FROM THIS DECISION, IF ANY, SHALL BE MADE PURSUANT TO GENERAL LAWS, CHAPTER 40A, SECTION 17, AND SHALL BE FILED WITHIN 20 DAYS AFTER THE DATE OF FILING OF THIS DECISION IN THE OFFICE OF THE TOWN CLERK.

John A. Donovan, Jr.  
John A. Donovan, Jr., Chairman

Sumner H. Babcock  
Sumner H. Babcock

cc: Planning Board  
Inspector of Buildings  
edg

William E. Polletta  
William E. Polletta



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PLOT PLAN OF LAND  
IN  
**WELLESLEY — MASS.**

APR. 2, 1990 SCALE 1" = 30'  
NEEDHAM SURVEY ASSOCIATES, INC.  
281 CHESTNUT ST  
NEEDHAM, MASS.

