



ZONING BOARD OF APPEALS  
TOWN HALL WELLESLEY, MA 02181

Oct 31 11 46 AM '91

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ZBA 91-51  
Petition of David & Company, Inc.  
180 Linden Street

Pursuant to due notice, the Permit Granting Authority held a Public Hearing on Thursday, October 24, 1991 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 DAVID & COMPANY, INC. requesting a variance from the terms of Section XXIIA and pursuant to the provisions of Section XXIV-D of the Zoning Bylaw to allow installation of an awning sign, approximately 11 feet by 1 foot, at a height of 9 feet 10 inches, at its premises at 180 LINDEN STREET, in a Business District. Said sign would exceed the number of signs allowed by permit for a business establishment.

On October 7, 1991, 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 David Walker, owner of David & Company, Inc. Mr. Walker said that his jewelry store is located in the building next to Bank of Boston. Customers have difficulty in locating his store, as the whole building is numbered 180 Linden Street. The store does not have a separate address and does not front Linden Street.

Mr. Walker said that as part of an overall signage change to better identify the store in the present unstable business climate, he has redesigned the store front, changing the awning color from blue to red, and rewording his sign. The old sign had both his logo "David & Company" and "Sellers and Buyers of Fine Jewelry". Due to the small size of the letters, the sign was not easily read. His new sign eliminated "Sellers & Buyers of Fine Jewelry", leaving only the logo in larger letters. He would like to put the additional words on the front edge of the new awning to inform the public as to what he does. The lettering will be a soft gold on the red awning.

The Board noted that the Design Review Board had approved the design, and the Planning Board had no objection to the petition.

No other person present had any comment on the petition.

#### Statement of Facts

The subject premises is located in the eastern leg of an "L" shaped building at 180 Linden Street, in a Business District. David & Company, Inc. leases the premises from F. Diehl & Son, Inc.

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The petitioner is requesting a variance from Section XXIIA to install a second sign approximately 11 feet by 1 foot at a height of 9 feet 11 inches on the valance of the awning covering the store entrance and display windows. The awning sign would read: "Sellers and Buyers of Fine Jewelry" in gold letters on a red awning, and would be in addition to an allowed wall sign containing the store logo.

Drawings of the proposed sign by Morgan Industries, a letter of approval dated September 20, 1991 from F. Diehl & Son, Inc., and photographs were submitted.

The Design Review Board reviewed the signage plan on September 12, 1991, and voted to approve both the wall and awning signs.

On October 15, 1991, The Planning Board reviewed the petition and voted to offer no comment.

Decision

This Authority has made a careful study of the materials submitted.

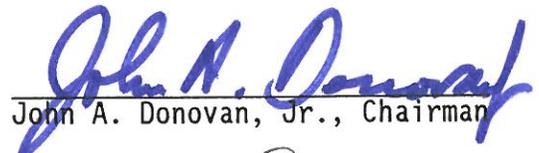
The petitioner is requesting an awning sign in addition to an allowed wall sign to further identify his premises at 180 Linden Street. This Authority is of the opinion that due to the location of the premises, additional identification provided by the second sign is necessary, and that literal enforcement of the provisions of Section XXIIA of the Zoning Bylaw would involve substantial hardship to the petitioner.

Therefore, the requested variance from the terms of Section XXIIA of the Zoning Bylaw is granted to install a second sign on the valance of the awning at the petitioner's premises at 180 Linden Street, subject to conformance with the drawings as submitted and noted in the foregoing Statement of Facts.

The Inspector of Buildings is hereby authorized to issue a permit for the sign upon his receipt and approval of an application. Said sign cannot be installed until this permit is issued.

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

  
Robert R. Cunningham

  
William E. Polletta

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