



ZONING BOARD OF APPEALS

FRANCIS L. SWIFT, Chairman  
HENRY H. THAYER  
WILLIAM O. HEWETT  
WILLIAM E. POLLETTA  
WILLIAM F. CULLINANE  
FRANKLIN P. PARKER

KATHARINE E. TOY  
Administrative Secretary  
Telephone  
235-1664

RECEIVED  
TOWN CLERK'S OFFICE  
WELLESLEY MASS.  
JUL 15 5 20 PM '77

Petition of Michael J. Coppolino

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 8:15 p.m. on November 3, 1977, on the petition of Michael J. Coppolino, requesting a variance which will allow him to continue to use the premises located at 156 Walnut Street as a two-family dwelling as provided under Section II and Section XXIV-D of the Zoning By-law.

On October 18, 1977, the petitioner filed an application 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 special permission is granted by the Permit Granting Authority.

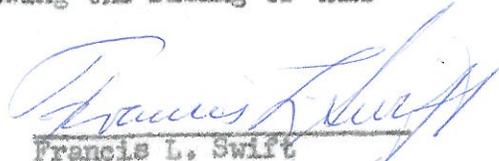
The petitioner stated that he recently purchased the property involved and that he was unaware at the time of purchase that the use of the dwelling for two families was under a special permit granted by the Zoning Board of Appeals, on an annual basis. He explained that he needs the income derived from the rental of the third floor in order to maintain the property. He stated that he has removed the kitchen facilities which were on the second floor and has been improving the interior of the house as well as put on a new roof. Adequate parking space for four cars has also been provided. He urged the Board to grant permission for a continuation of the requested non-conforming use for another year.

Decision

From the evidence submitted, this Board feels that there is a real need for the requested permit to be granted for another year and that a literal enforcement of the provisions of the Zoning By-law would involve substantial hardship to the petitioner if the request is not granted. The change of ownership does not alter the circumstances in this case sufficiently to compel the use of the house to be reduced to one family.

Accordingly, the Board finds that continued non-conforming use of the dwelling involved will not reduce the value of any property within the district 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; the requested variance is, therefore, granted subject to the following conditions:

1. That not more than two families shall occupy the dwelling at any time.
2. That off-street parking spaces shall be used by the petitioner and his tenant, or the subsequent owner of the property and its tenant.
3. That no cars at any time shall be parked in the space between the house and Walnut Street or otherwise so as to obstruct any passageway or public sidewalk by the occupants of the premises or their invitees.
4. That all applicable State and local laws, ordinances and regulations in respect to the premises and the use thereof shall be complied with by the owners of the property and the tenant.
5. That said permit shall expire one year from this date or sooner if the above-mentioned conditions are not complied with.
6. Written evidence of approval of work recorded and required as outlined in the Wire Inspector's report of December 21, 1977, which is attached herewith and made a part of this decision, must be filed with the Board within six weeks following the filing of this decision.

  
Francis L. Swift

  
William O. Hewett

  
William F. Cullinane

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

7:15 5 20 PM '78  
RECEIVED  
TOWN CLERK'S OFFICE  
MAY 22 1978