



80-42

ZONING BOARD OF APPEALS
TOWN HALL WELLESLEY, MA 02181

WILLIAM F. CULLINANE, CHAIRMAN
STEPHEN S. PORTER
JOHN A. DONOVAN, JR.

STEPHANIE J. GOSSELIN
Executive Secretary
Telephone
235-1664

WILLIAM E. POLLETTA
FRANKLIN P. PARKER
SUMNER H. BABCOCK

Petition of George C. McMichael

Pursuant to due notice the Permit Granting Authority held a Public Hearing in the second floor hearing room of the Town Hall on Tuesday, September 23, 1980 at 9:30 PM on the Petition of George C. McMichael for a Variance pursuant to Section XXIV-D of the Zoning Bylaws which will enable him to relocate a rear entry, winterize an existing porch, add a half bath, and open walls to enlarge bedrooms and create a study in Unit 3 on the premises of 594 Washington Street.

On September 5, 1980 the Petitioner filed his request for a hearing before this Board and thereafter due notice was given by mailing and publication.

On September 22, 1980 the Petitioner requested permission to withdraw his Petition without prejudice by virtue of a letter to the Executive Secretary which is on file. No one appeared at the Public Hearing on behalf of the petitioner or in opposition to his requested petition.

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DEC 28 10 18 AM '80

Statement of Facts

The Petitioner sought a Variance to remodel Unit 3 of 594 Washington Street which public records indicate is one of seven condominiums on the premises of 594 Washington Street, with two further condominium units in existence at 594A Washington Street. The premises of 594 Washington Street was allowed seven apartments as permitted by the Zoning Board of Appeals in it's decision of May 26, 1972, while 594A Washington Street was allowed two apartments as permitted by the Zoning Board of Appeals in another decision of May 26, 1972. The premises are located in an Educational District which otherwise would not permit the creation of the apartments. The petitioner seeks by way of his letter of September 22, 1980, following published notice of the petition for a Variance, to withdraw without prejudice.

Decision

Permission to withdraw a petition after publication lies within the discretion of this Board. The Board hereby allows the Petitioner's request to withdraw his petition without prejudice.

NOTE: This decision revises the decision of the Board of Appeals as filed with the Town Clerk on November 12, 1980.

William F. Cullinane

William F. Cullinane, Chairman

John A. Donovan, Jr.

John A. Donovan, Jr.

Stephen S. Porter

Stephen S. Porter



TOWN OF WELLESLEY



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On September 5, 1980 the Petitioner filed his request for a hearing before this Board and thereafter due notice was given by mailing and publication.

On September 22, 1980, the Petitioner requested permission to withdraw his Petition without prejudice by virtue of a letter to the Executive Secretary which is on file. No one appeared at the Public Hearing on behalf of the petitioner or in opposition to his requested petition.

Statement of Facts

The petitioner sought a Variance to remodel Unit 3 of 594 Washington Street, which public records indicate is one of nine condominiums on the premises which formerly contained seven apartments as permitted by the Zoning Board of Appeals in it's decision of May 26, 1972. The premises are located in an Educational District which otherwise would not permit the creation of the apartments. The petitioner seeks by way of his letter of September 22, 1980, following published notice of the petition for a Variance, to withdraw without prejudice.

Decision

The Board denies both petitioner's request to withdraw his petition for a Variance and the petition itself.

Permission to withdraw a petition after publication lies within the discretion of this Board. Petitioner presented no evidence at the hearing either in sup-



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Petition of George C, McMichael, continued

port of his request to withdraw or in support for his petition for a Variance. In addition, it appears that petitioner has violated the terms of this Board's decision of May 26, 1972 which granted a Special Permit for "not more than seven apartments" and specifically stated that "no alterations or additions shall be made hereafter to the building until permission has been obtained from the Board of Appeal."

It has come to the Board's attention from a review of records of the Building Department and Assessor's Office at the Town Hall that not only have Building Permits been issued for "alterations or additions", but that the premises has been divided into nine condominium units, most of which have been sold.

William F. Cullinane
William F. Cullinane, Chairman

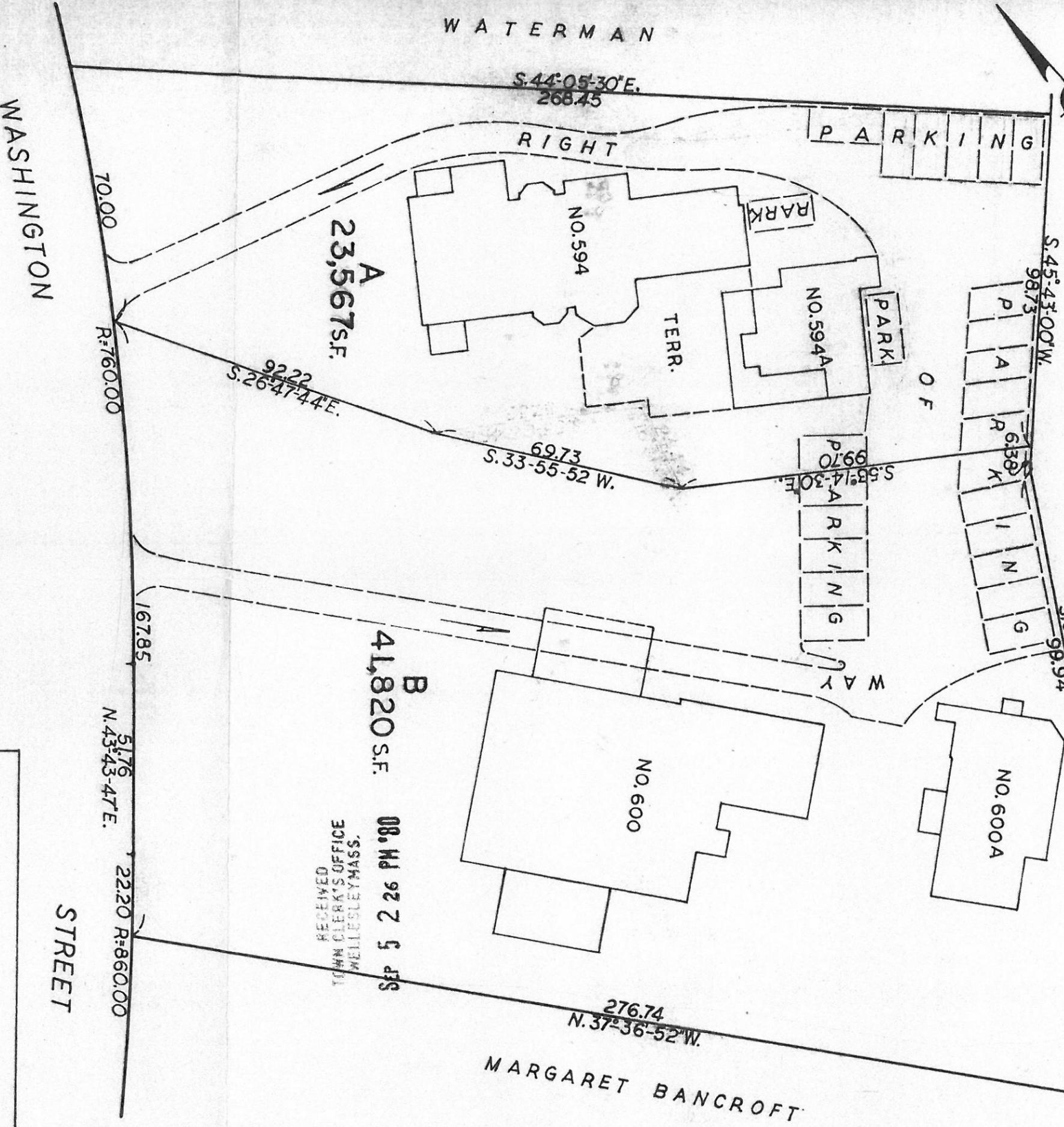
John A. Donovan, Jr.
John A. Donovan, Jr.

Stephen S. Porter
Stephen S. Porter



CHARLES H. SPAULDING
CHARLES R. HEFFORD, TRS.

SPAULDING & SLYE CORP.
S.37°22'38"W.
71.19



APPROVAL UNDER THE SUBDIVISION
CONTROL LAW NOT REQUIRED

DATE: _____
WELLESLEY PLANNING BOARD

I HEREBY CERTIFY THIS PLAN IS MADE IN ACCORDANCE
WITH THE REGULATIONS OF THE REGISTERS OF DEEDS.

Jan 30, 1979
DATE

Robert H. Dunning
REG. LAND SURVEYOR

Robert H. Dunning



PLAN OF LAND

WELLESLEY, MASS.

SCALE: 30' TO 1" JAN. 30, 1979

ROBERT H. DUNNING, SURVEYOR
NEEDHAM, MASS. KITTERY, ME.

GEORGE C. MC MICHAEL, OWNER

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