



ZONING BOARD OF APPEALS
TOWN HALL WELLESLEY, MA 02181

MAR 15 8 17 AM '94

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ZBA 94-11

Petition of Joanna Burke

56 Washington Street (Henry J. Burke & Sons Funeral Home, Inc.)

Pursuant to due notice, the Permit Granting Authority held a Public Hearing on Thursday, February 24, 1994 at 8 p.m. in the Great Hall at the Town Hall, 525 Washington Street, Wellesley, on the petition of JOANNA BURKE requesting a variance from the terms of Section XXIIA and pursuant to the provisions of Section XXIV-D of the Zoning Bylaw to install a double-faced standing sign, each panel to have an area of 10.5 square feet, at a height of 4.5 feet and a setback of 7.5 feet from the front property line, at HENRY J. BURKE & SONS FUNERAL HOME, INC., 56 WASHINGTON STREET, in a General Residence District. The proposed sign exceeds the allowed area of 1 square foot, the allowed height of 4 feet and the minimum required setback of 15 feet.

On February 7, 1994, 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 Charles Enright, sign contractor representing Mrs. Burke and her son, who were also present. Mr. Enright agreed that the requested sign will be larger than the existing one, but said that it would be the smallest funeral home sign in town.

The Board noted that there was a discrepancy of two inches between the height of the sign which the Design Review Board approved, and the height of the sign on the application. Mr. Enright said that it must be a typographical error because, at the first meeting, the Design Review Board had requested the sign be reduced from 6 feet to 4 feet 6 inches, and at the Final Review, the sign design at a height of 4 feet 6 inches was approved. The approved sign is the one that was submitted for approval by the Board of Appeals. The sign will be double-faced and will be placed perpendicular to the street.

No other person present had any comment on the petition.

Statement of Facts

The property in question is located at 56 Washington Street on the corner of Crescent Street, in a General Residence District. The property is owned by Joanna Burke, and houses the Henry J. Burke & Sons Funeral Home, Inc.

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A variance is requested for the proposed double-faced standing sign to exceed the allowed area of 1 square foot, the allowed height of 4 feet and the minimum setback of 15 feet required in a General Residence District. The proposed sign will have an area of 21 square feet (10.5 square feet per panel), a height of 4.5 square feet and a minimum front setback of 7.5 feet.

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The petitioner considers the size, height and setback of the sign necessary in order for vehicular traffic travelling east and west on Washington Street to identify the funeral home in sufficient time to signal and turn into the driveway of the premises.

A site plan showing the location of the sign; a drawing of the sign by Sign-Right; and photographs using a mock-up of the sign were submitted.

The Design Review Board held a Preliminary Review on December 3, 1993, and expressed concern with the height of 6 feet for the proposed sign. A Final Review was held on December 23, 1993, at which the petitioner submitted a drawing of the sign with the reduced height of 4.5 feet. The Board voted to approve the design of the sign and to support the granting of the requested variance.

On February 15, 1994, the Planning Board reviewed the petition and voted to recommend approval of the request.

Decision

This Authority has made a careful study of the submitted materials and the information presented at the hearing. The proposed sign will not be in conformance with the area, height and setback requirements in a General Residence District pursuant to Section XXIIA of the Zoning Bylaw.

It is the opinion of this Authority that the proposed double-faced standing sign, each panel to have an area of 10.5 square feet, at a height of 4.5 feet, set 7.5 feet from the front property line perpendicular to the building can be allowed, as a literal enforcement of the provisions of Section XXIIA of the Zoning Bylaw would involve a substantial hardship to the petitioner, and desirable relief may be granted without substantially derogating from the intent or purpose of the Zoning Bylaw.

Therefore, the requested variance is granted subject to construction and installation in accordance with the site plan and design drawing submitted.

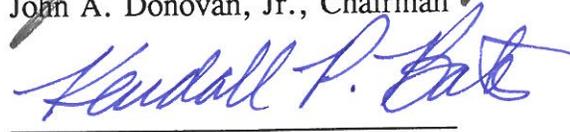
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The Inspector of Buildings is hereby authorized to issue a a permit for said sign upon his receipt and approval of an application. No sign may be installed without the issuance of a sign permit.

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

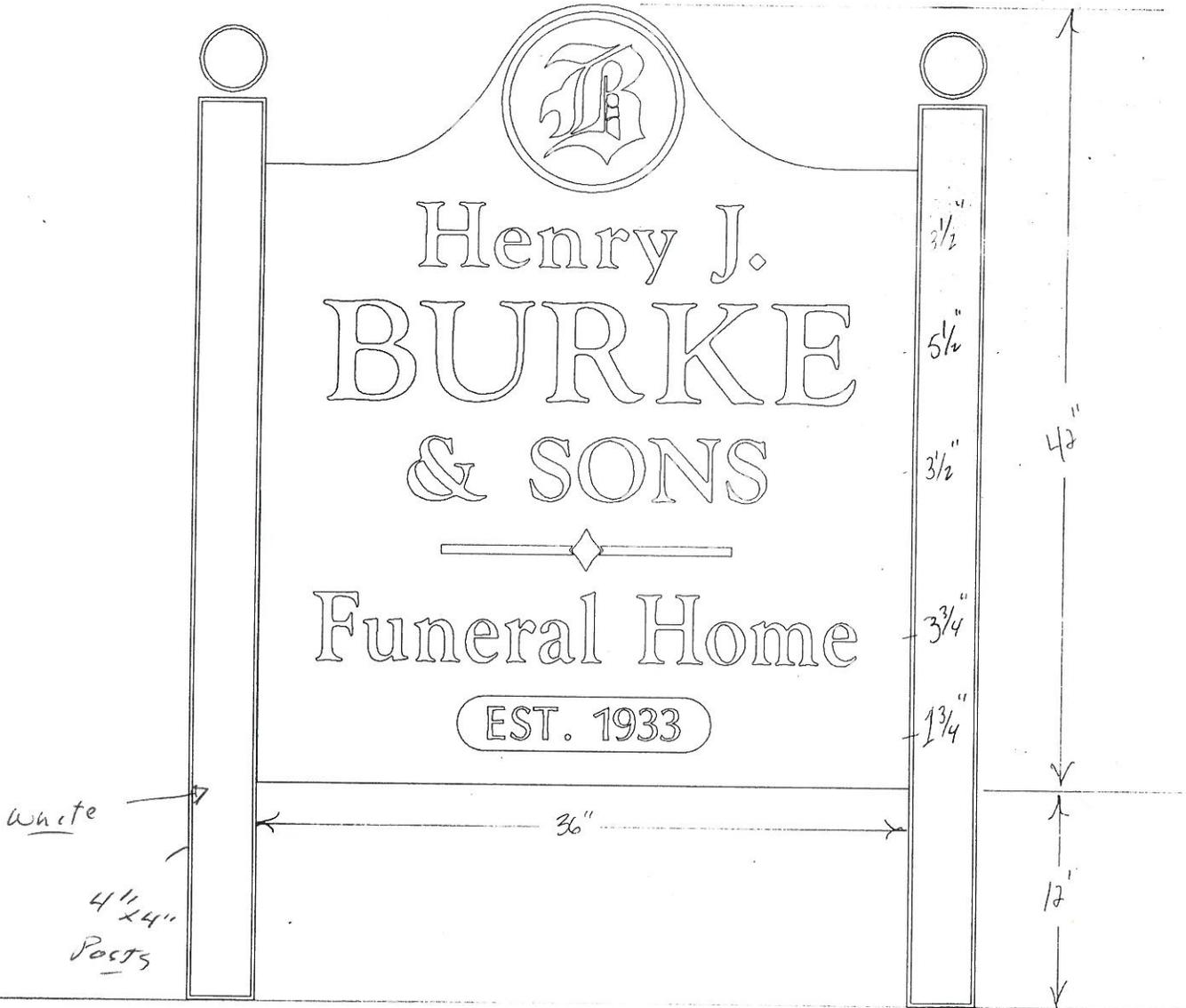

William E. Polletta

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- Charcoal Wood Sign
- Double Faced.
- Colors Blue & Gold letters

SIGN-RIGHT
41 BRIGHAM ST.
MARLBOROUGH, MA 01752

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