



ZONING BOARD OF APPEALS  
TOWN HALL WELLESLEY, MA 02181

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ZBA 87-50  
Petition of Soterios & Lee Diamond  
8 Donazette Street

Pursuant to due notice, the Permit Granting Authority held a Public Hearing on Thursday, June 25, 1987 at 8 p.m. in the Selectmen's Meeting Room (Conference Room B) of the Town Hall at 525 Washington Street, Wellesley on the petition of SOTERIOS & LEE DIAMOND requesting a variance from the terms of Section XIX and pursuant to Section XXIV-D of the Zoning Bylaw to allow a two-story addition approximately 17.11 feet by 30.1 feet at their non-conforming dwelling at 8 DONAZETTE STREET leaving less than the required left (southerly) side yard. The lot in question contains 20,196 square feet of land and contains the non-conforming two-family dwelling known as 8-10 DONAZETTE STREET located in a Single Residence District.

On June 3, 1987 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 Mr. Diamond, who stated that the house was purchased 14 years ago and since then the family has increased from 2 to 7. The addition would not come closer to the side line than the existing house. His parents and sister own the other half of the duplex house which is about 60 years old.

No others were present expressing favor or opposition to the request.

Statement of Facts

The property in question is located at 8-10 Donazette Street, containing 20,196 square feet of land, in a Single Residence District, with a non-conforming duplex dwelling on the lot. Soterios and Lee Diamond own 8 Donazette Street and 10 Donazette Street is owned by Mr. Diamond's parents and sister. The dwelling has a left (southerly) side yard of 14.80 feet at the front corner and 15.19 feet at the rear corner. A previous variance in 1977 (ZBA 77-58) allowed the enclosure of a front porch.

The Diamonds propose a two-story addition approximately 17.11 feet by 30.1 feet leaving a left side yard of 15.46 feet. The addition would contain a kitchen and bedroom on the first floor and storage on the second floor.

A Plot Plan was presented, drawn by John J. Regan, Apex Associates, Newton Highlands, Ma. dated April 10, 1987. Construction drawings were presented by S. Diamond, dated 11/2/86. Photos were also submitted.

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The Planning Board on June 16, 1987 voted to oppose the granting of the variance request based on the substantial bulk increase on the inadequate side yard.

Decision

This Authority has made a careful study of the evidence presented. The particular house in question in its location on the lot does not conform to the present Zoning Bylaws. The dwelling comes to 14.80 feet from the left side lot line.

It is the opinion of this Board that the proposed two-story addition conforms to the present lines of the house and does not alter the relationship of the house to the left side lot line.

It is the opinion of this Authority that, because of the shape of the lot and the location of the house on the lot, a literal enforcement of the provisions of Section XIX of the Zoning Bylaw would involve a substantial hardship to the petitioner. It is the further opinion of this Authority that desirable relief may be granted without substantially derogating from the intent or purpose of the Zoning Bylaw.

Therefore, the requested variance is granted to construct a two-story addition at 8 Donazette Street, said addition approximately 17.11 feet by 30.1 feet, as shown on the Plot Plan by John J. Regan, Registered Land Surveyor, dated April 10, 1987, coming no closer than 15.46 feet to the left side lot line.

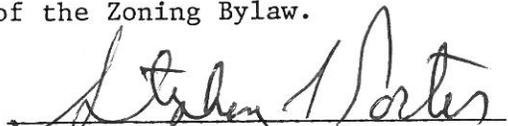
The Inspector of Buildings is hereby authorized to issue a permit for the construction upon his receipt and approval of a building application and construction plans.

If the rights authorized by a variance are not exercised within one year of the date of grant of such variance, they shall lapse, and may be re-established only after notice and a new hearing pursuant to Section XXIV-D of the Zoning Bylaw.

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

mam

  
Stephen S. Porter, Chairman

  
Robert R. Cunningham

  
William E. Polletta

JUL 29 9 39 AM '87  
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Joseph P. Centola

Kenneth W. &  
Nancy J. Vest

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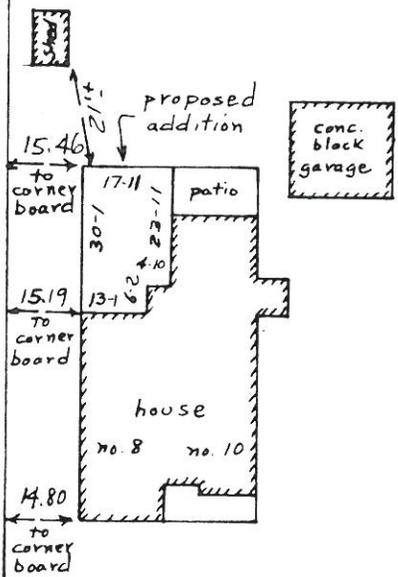
Lot 76  
20,196 s.f.

203.42

200.5

Paul J. & Adelaide Maccini

Sarah G. & Ethel F. Hinchy



100.00

DONAZZETTE ST.

PLAN OF LAND  
IN  
WELLESLEY MASS.

TO ACCOMPANY THE PETITION OF  
SOTERIOS & LEE DIAMOND  
8 DONAZZETTE STREET  
WELLESLEY



*John J. Ryan*

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WELLESLEY MASS.  
JUN 3 2 13 PM '87

SCALE 1 IN = 40 FT  
APEX ASSOCIATES  
NEWTON HIGHLANDS

APRIL 10, 1985  
LAND SURVEYORS  
MASS.