



ZONING BOARD OF APPEALS
TOWN HALL WELLESLEY, MA 02181

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85-30

Petition of Ralph A. and Sandra Donabed
130 Washington Street

Pursuant to due notice, the Special Permit Granting Authority held a Public Hearing on Thursday, June 20, 1985 at 8 p.m. in Room 17 of the Town Offices at the Phillips Building, 12 Seaward Road, Wellesley Hills, on the petition of RALPH A. AND SANDRA DONABED requesting renewal of a Special Permit under Section XXV and II 8 (a) of the Zoning Bylaws which will allow them to continue to use the premises at 130 WASHINGTON STREET as a two-family residence, said residence being in a Single Residence District.

On May 30, 1985, the petitioner filed an application for 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 Ralph Donabed, who stated that he has lived there since 1977, that the house is a 17 room Victorian which has been used as a two-family since the early 1950's. The Donabeds use 12 rooms and rent out a 5 room apartment. Rental income allows them to maintain the house. Mr. Donabed stated that he would be willing to install hard-wired smoke detectors as required by the Fire Chief. Mr. Donabed requests renewal of the Special Permit for a period of two years or more, if possible.

Other than Ralph and Sandra Donabed, no others were present favoring or opposing the petition.

Statement of Facts

The property in question is located at 130 Washington Street, in a Single Residence District. The house was built in 1865, a historic landmark designated by the Historical Society. The Zoning Board of Appeals has granted permission since 1954 to former owners of the property to use the house as a two-family dwelling. Mr. and Mrs. Donabed have been resident owners of the property since 1977, and were granted variances and special permits each year since 1978.

The house consists of 17 rooms, 12 of which are occupied by the Donabeds and 5 of which are rented out as an apartment. Rental from the apartment is needed to help defray heating and maintenance costs and to make structural and cosmetic improvements to the dwelling.

The Planning Board, at its regular meeting of June 4, 1985, voted to offer no comment on the petition.

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Petition of Ralph A. and Sandra Donabed
130 Washington Street

Decision

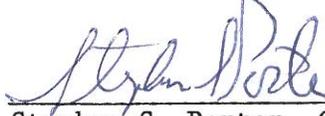
This Authority has made a careful study of the evidence submitted, and it is the opinion of this Authority that the circumstances in this case have not changed substantially and that undue hardship will result if this request is not granted.

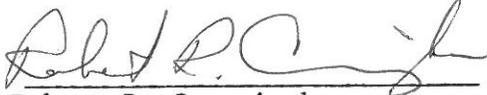
This Authority feels that the continued non-conforming use will not substantially reduce the value of any property within the district and will not otherwise be injurious, obnoxious or offensive to the neighborhood. It is the opinion of this Authority that desirable relief may be granted without substantial detriment to the public good and without nullifying or substantially derogating from the intent or purpose of the Zoning Bylaw.

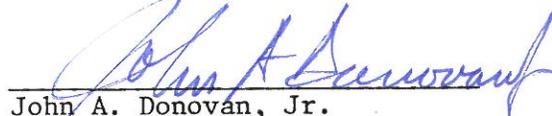
Therefore, a Special Permit is granted under Section II 8 (a) of the Zoning Bylaw, subject to the following conditions:

1. That the house shall be occupied by ~~the Donabed family~~ and not more than one additional family.
2. That hard-wired smoke detectors be installed as would be required under the State Building Code for new construction of the same use (Sec. 1216.3.33), within 90 days of the date of this decision.
3. That facilities for off-street parking shall be provided for the tenants of the property.
4. That this Special Permit shall expire two years from the date of this decision.

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.


Stephen S. Porter, Chairman


Robert R. Cunningham


John A. Donovan, Jr.

CC Planning Board
Building Inspector

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