

**ZONING BOARD OF APPEALS**

TOWN HALL • 525 WASHINGTON STREET • WELLESLEY, MA 02181-5992

JOHN A. DONOVAN
KENDALL P. BATES
WILLIAM E. POLLETTAELLEN D. GORDON
EXECUTIVE SECRETARY
TELEPHONE
(781) 431-1019 EXT. 208RECEIVED
TOWN CLERK'S OFFICE
WELLESLEY, MA 02181

1997 SEP 26 A 8:13

SUMNER H. BABCOCK
ROBERT A. BASTILLE

ZBA 97-82

Petition of Sandra T. Donabed
130 Washington Street

Pursuant to due notice, the Special Permit Granting Authority held a Public Hearing on Thursday, September 18, 1997 at 8 p.m. in the Selectmen's Meeting Room (Conference Room B) at the Town Hall, 525 Washington Street, Wellesley, on the petition of SANDRA T. DONABED requesting renewal of a Special Permit pursuant to the provisions of Section II A 8 (a) and Section XXV of the Zoning Bylaw to allow the premises at 130 WASHINGTON STREET, in a Single Residence District, to continue to be used as a two-family dwelling, a use not allowed by right in a Single Residence District.

On August 28, 1997, the petitioner filed a request for a hearing before this Authority, and thereafter, due notice of the hearing was given by mailing and publication.

At the hearing, Ellen Gordon, Executive Secretary, stated that Mrs. Donabed had submitted a letter to the Board asking to be excused from the hearing as she would be in Florida. Mrs. Donabed was requesting renewal of the Special Permit for two more years under the same conditions.

The Board noted that the Special Permit had been renewed for the past 10 or 12 years, and that there had never been any complaints.

No person present had any comment on the petition.

Statement of Facts

The subject property is located at 130 Washington Street, in a Single Residence District. The victorian house was built in 1865, and is recognized as a historical landmark by the Wellesley Historical Society. The first Special Permit for the use of the home as a two-family dwelling was granted in 1954. The Donabeds have been resident owners since 1977 and have been granted Special Permits to continue the two-family use since that time.

The house consists of 17 rooms, of which 12, on the first and second floors, are occupied by the Donabeds. The five rooms on the third floor are rented as an apartment, which has a separate entrance. Rental income from this apartment is used to make improvements and defray maintenance costs.

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On September 9, 1997, the Planning Board reviewed the petition and voted to recommend no objection to renewal on the same terms and conditions as are currently in effect.

Decision

This Authority has made a careful study of the materials submitted. It is the opinion of this Authority that the circumstances in this case have not changed, and that undue hardship would result if this request were not granted.

This Authority is of the opinion that the continued use of the premises as a two-family dwelling will not substantially reduce the value of any property within the district, and will not disturb or disrupt the customary character of the neighborhood.

This Authority unanimously voted at the Public Hearing to grant the requested Special Permit pursuant to Section II A 8 (a) of the Zoning Bylaw for the continued use of the premises at 130 Washington Street as a two-family dwelling, under the following conditions:

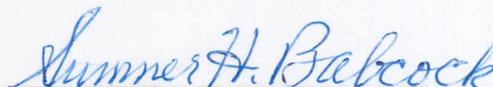
1. The house shall be occupied by the Donabed family and not more than one additional family.
2. All applicable State and local laws shall be complied with by the petitioners and their tenants.
3. Facilities for off-street parking shall be provided for the tenants of the property.
4. This Special Permit 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.

cc: Planning Board
Inspector of Buildings
edg


Kendall P. Bates, Acting Chairman


William E. Polletta


Sumner H. Babcock

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