



ZONING BOARD OF APPEALS  
TOWN HALL WELLESLEY, MA 02181

JOHN A. DONOVAN, JR., Chairman  
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ZBA 91-45  
Petition of Ralph and Sandra Donabed  
130 Washington Street

Pursuant to due notice, the Special Permit Granting Authority held a Public Hearing on Thursday, August 29, 1991 at 8 p.m. in the Selectmen's Meeting Room (Conference Room B) of the Town Hall, 525 Washington Street, Wellesley, on the petition of RALPH AND SANDRA 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 12, 1991, the petitioners filed a request for a hearing before this Board and thereafter due notice of the hearing was given by mailing and publication.

Presenting the case at the hearing were Ralph and Sandra Donabed. Mr. Donabed said that they have lived in the house since 1977, and have never allowed more than 1 tenant to occupy the apartment. The income from the apartment has enabled them to maintain their 17 room house in excellent condition. Maintenance would be an economic hardship without this additional income.

No other 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 an historical landmark by the Wellesley Historical Society. Since 1954, the Board of Appeals has granted permission to the property owners for use of the property as a two-family dwelling. The Donabeds have been resident owners since 1977 and have been granted Special Permits to continue the two-family use on an annual or biennial basis since that time.

The house consists of 17 rooms, 12 of which are occupied by the Donabeds. The 5 rooms on the third floor are rented as an apartment. Rental from the apartment is used to make improvements and defray maintenance costs.

On August 20, 1991, the Planning Board reviewed the petition and voted to offer no objection to renewal of the Special Permit under the same conditions as previously in effect.

#### Decision

This Authority has made a careful study of the materials presented. 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.

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This Authority is of the opinion that the continued nonconforming 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.

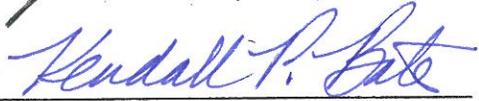
Therefore, a Special Permit is hereby granted pursuant to Section II A 8 (a) of the Zoning Bylaw for continued use of the premises at 130 Washington Street as a two-family residence subject to the following conditions:

1. That the house shall be occupied by the Donabed family and not more than one additional family.
2. That all applicable State and local laws and regulations shall be complied with by the petitioners and the tenant.
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.

cc: Planning Board  
Inspector of Buildings  
edg

  
John A. Donovan, Jr., Chairman

  
Kendall P. Bates

  
William E. Polletta

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