



ZONING BOARD OF APPEALS
TOWN HALL WELLESLEY, MA 02181

STEPHEN S. PORTER, Chairman
JOHN A. DONOVAN, JR.
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Executive Secretary
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WILLIAM E. POLLETTA
FRANKLIN P. PARKER
SUMNER H. BABCOCK

85-36

Petition of Bryan and Julie Killian
4 Ingersoll Road

Pursuant to due notice, the 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 BRYAN AND JULIE KILLIAN requesting a variance from the terms of Section XIX and pursuant to Section XXIV-D of the Zoning Bylaws to allow the construction of an addition to the rear of their dwelling at 4 INGERSOLL ROAD including alterations to the existing attached one-car garage approximately 10 feet by 20 feet to create a family room and an addition approximately 16 feet by 21 feet to contain a one-car garage, leaving less than the required right side yard. Said dwelling is a non-conforming structure.

On May 30, 1985 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 Bryan Killian, who stated that the encroachment to the side line would not be increased by the proposed addition.

Other than the petitioner, no one was present favoring or opposing the petition.

Statement of Facts

The property in question is located at 4 Ingersoll Road, containing 14,992 square feet of land, in a Single Residence District. The existing dwelling was constructed in 1940, is a non-conforming structure, coming to 14.15 feet from the right side lot line.

A previous variance was granted in 1968 on the property to Robert G. and Ruth C. McGowan to enclose a breezeway and construct a 6 foot by 11 foot addition.

The petitioner proposes to make alterations to the existing attached one-car garage which is approximately 10 feet by 20 feet to create a family room and to construct an addition approximately 16 feet by 21 feet to contain a one-car garage, leaving a right side yard of 14.21 feet at the rear corner.

A Plot Plan was submitted, drawn by Louis F. Bruno, Registered Land Surveyor, of LKF Consultants, Inc., W. Newton, Ma. dated May 26, 1985. Construction drawings were submitted, drawn by Joseph F. Britton, Randolph, dated 5/28/85. Photos were also submitted.

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TOWN ENGINEER'S OFFICE
MAY 28 1985
M.M.S.

Petition of Bryan and Julie Killian
4 Ingersoll Road

The Planning Board, at its regular meeting of June 4, 1985, voted to offer no objection to the variance request.

A letter was received from Kent and Barbara Browner, 8 Ingersoll Road, stating that they have no objection to the request.

Decision

This Authority has made a careful study of the evidence submitted. The particular house in question in its location on the lot does not conform to the present Zoning Bylaws. The dwelling comes to 14.15 feet from the right side line.

It is the opinion of this Authority that the proposed one-story addition conforms to the present lines of the house and does not alter the relationship of the house to the right side line.

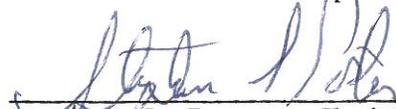
It is the opinion of this Board that, because of the shape of the lot and the location of the house on the lot, a literal enforcement of the provisions of Section XIX of the Zoning Bylaw would involve a substantial hardship to the petitioner. It is the further opinion of this Authority that desirable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

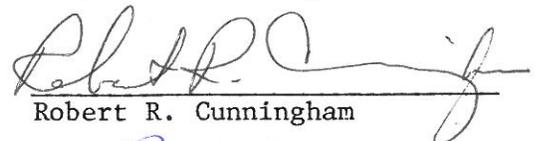
Therefore, the requested variance is granted to alter the existing garage at 4 Ingersoll Road to create a permanent room and to construct an addition approximately 16 feet by 21 feet to contain a one-car garage, as shown on the plot plan drawn by Louis F. Bruno, Registered Land Surveyor, dated May 26, 1985, coming no closer than 14.15 feet from the right side lot line.

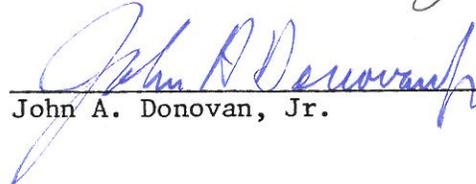
The Inspector of Buildings is hereby authorized to issue a permit for the construction upon his receipt and approval of a building application and construction plans.

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
Building Inspector


Stephen S. Porter, Chairman


Robert R. Cunningham

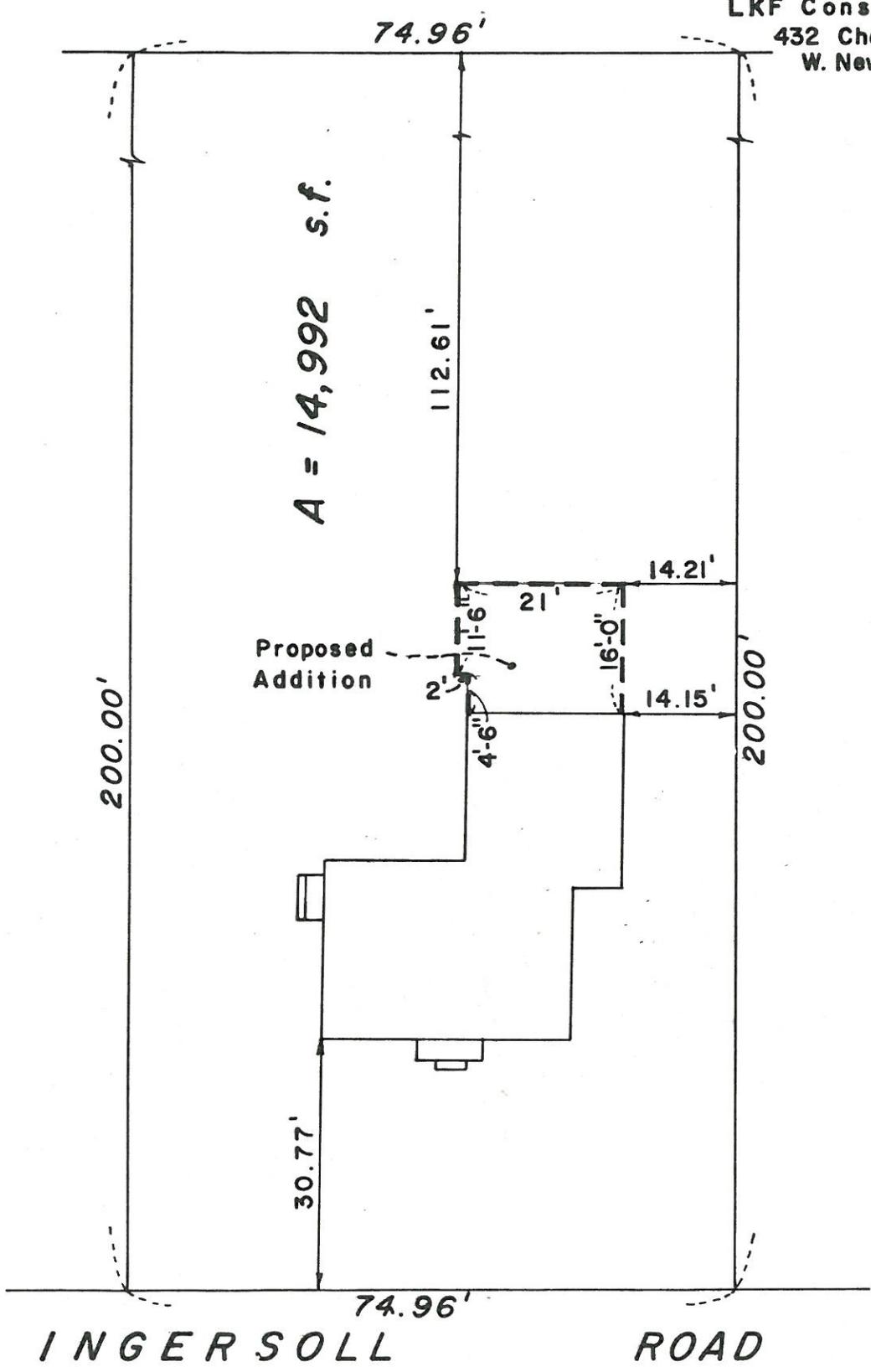

John A. Donovan, Jr.

DECISION
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MAY 11 1985
MAY 13 1985

PLOT PLAN
PROPOSED ADDITION
4 INGERSOLL ROAD
WELLESLEY, MA

SCALE: 1 Inch = 20 Feet DATE: MAY 26, 1985

Prepared By:
LKF Consultants Inc.
432 Cherry Street
W. Newton, MA



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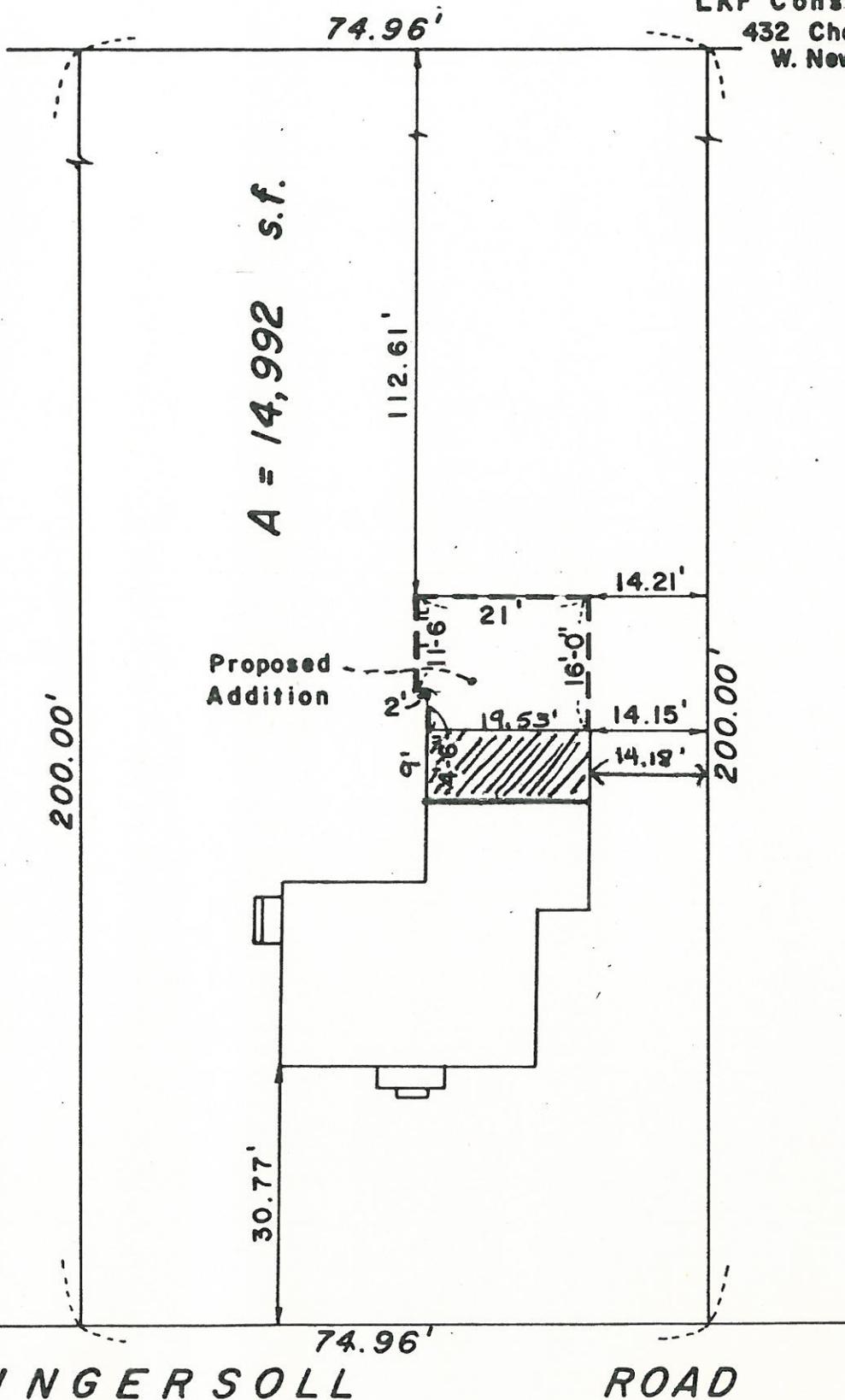


Louis F. Bruno

PLOT PLAN
PROPOSED ADDITION
4 INGERSOLL ROAD
WELLESLEY, MA

SCALE: 1 Inch = 20 Feet DATE: MAY 26, 1985

Prepared By:
LKF Consultants Inc.
432 Cherry Street
W. Newton, MA



Louis F. Bruno