



Town of Belmont
Planning Board

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APPLICATION FOR A SPECIAL PERMIT

Date: 8/25/2016

Planning Board
Homer Municipal Building
19 Moore Street
Belmont, MA 02478

To Whom It May Concern:

Pursuant to the provisions of Massachusetts General Laws, Chapter 40A, Section 9, as amended, and the Zoning By-Law of the Town of Belmont, I/we the undersigned, being the owner(s) of a certain parcel of land (with the buildings thereon) situated on 60-62 Channing Street/Road, hereby apply to your Board for a **SPECIAL PERMIT** for the erection or alteration on said premises or the use thereof under the applicable Section of the Zoning By-Law of said Town for building a second floor deck.

on the ground that the same will be in harmony with the general purpose and intent of said Zoning By-Law.

Signature of Petitioner

A. Stoljar

Print Name

Alexander Stoljarov

Address

60-62 Channing Rd

Belmont, MA 02478

Daytime Telephone Number

214-929-8374

Narrative Statement

Date: August 22, 2016

Re: Proposed second floor deck at 60-62 Channing Road.

We are proposing to build a second floor deck (12' x 11'-3"). We have two small children, one is 3 years old and the other is 4 months old. This deck will allow our family to access the outdoors from the comfort and safety of our home. Currently we have no balcony or any other outdoor space directly accessible from the home. It is known that daily exposure to fresh outdoor air and sunlight is beneficial for healthy development, especially for children. Currently, the only way to get to the outdoors is to leave the home. This presents challenges, especially in the case when one caretaker is at home with both kids. In this scenario, which is quite common since both parents are working full time and the children oftentimes have a nanny, the safety concerns of going down a flight of stairs with two children simultaneously presents a safety hazard that prohibits this practice. Therefore, our children have no safe access to the outside from the home and hence suffer the health risk of not getting enough sunlight exposure.

The second floor deck we are proposing to build will enable the convenient and safe access to the outdoors for our children to access fresh air and sunlight. The deck will face the backyard and will be directly accessible from the home. The proposed footprint of the deck is well within the footprint of the current home. It fills in a gap between two side walls and does not extend beyond those sidewalls. The application to build this deck was denied because it did not comply with the current Town of Belmont Zoning By-Law. Specifically, Section 4.2.2 of the Zoning By-Law allows a minimum 10.0' setback; the proposed setbacks are 8.7'. It is important to note, however, that the existing house structure is already set back by 8.7' and the deck would not reach beyond the existing setback.

The building of this deck will not have any negative impact on the abutters or the neighborhood for two main reasons. First, the existing deck will not be set any closer to the property line than the existing house structure. As stated above, the deck fills in an area in between two existing side walls. Second, a second floor deck is a very common element found on 2-family homes in the Town of Belmont. Indeed, one can find numerous examples of such decks within close proximity to our home.

Alexander Stolyarov & Jelena Rybkina