



Town of Belmont
Zoning Board of Appeals

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BELMONT, MA

2023 MAR 13 AM 11:04

APPLICATION FOR A SPECIAL PERMIT

Date: 1/11/23

Zoning Board of Appeals
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-Laws 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 39 Bartlett Ave 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 _____

a proposed two story rear addition
and a proposed alteration to roof
line of front enclosed porch

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

Signature of Petitioner

Kristen Loureiro

Print Name

Kristen Loureiro

Address

39 Bartlett Ave

Belmont, MA 02478

Daytime Telephone Number

617 470 9928



**OFFICE OF COMMUNITY DEVELOPMENT
TOWN OF BELMONT**

**19 Moore Street
Homer Municipal Building
Belmont, Massachusetts 02478-0900**

Telephone: (617) 993-2650 Fax: (617) 993-2651

Building Division
(617) 993-2664
Engineering Division
(617) 993-2665
Planning Division
(617) 993-2666

February 24, 2023

Jeffrey Pitts
39 Bartlett Ave.
Belmont, MA 02478

RE: Denial to Construct a Two-Story Rear Addition

Dear Mr. Pitts

The Office of Community Development is in receipt of your building permit application for your proposal to construct a two-story rear addition at 39 Bartlett Ave. located in a General Residence (GR) Zoning District.

Your application has been denied because it does not comply with the current Town of Belmont Zoning By-Law. More specifically, §1.5.4A of the By-Law allows any alterations or expansions in the General Residence district by a Special Permit granted by the Board of Appeals; §4.2 of the zoning By-Law requires a minimum side setback of 10.00', a minimum front setback of 12.85', and allows a maximum lot coverage of 30.0%.

1. The proposed alterations are allowed by a Special Permit granted by the Board of Appeals.
2. The existing side setback to the dwelling is 7.3' and the proposed to the addition is 7.4'.
3. The existing side setback to the dwelling is 7.0' and the proposed to the addition is 7.0'.
4. The existing and proposed front setback to the dwelling is 10.3'.
5. The existing lot coverage is 35.3% and the proposed is 36.8%.

You may alter your plans to conform to the current Town of Belmont Zoning By-Law and resubmit a building permit application, or you may request three (5) Special Permits from the Zoning Board of Appeals. If you choose this option, please contact the Office of Community Development to schedule an appointment with Gabriel Distler, staff Planner, at (617) 993-2650 in order to begin the process.

Sincerely,

Glenn R. Clancy, P.E.
Inspector of Buildings

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FEB 24 10 AM 10:38

Belmont Special Permit Application Statement 39 Bartlett Ave

Kristen Loureiro and Jeff Pitts of 39 Bartlett Ave seek five special permits to alter an existing non-conforming structure in the GR district. The proposed alterations maintain existing non-conforming left, right and front setbacks and increase the non-conforming lot coverage by 46 sf from 35.3% to 36.8%.

The existing single family home is 1,504 sf. The proposed scope includes a front alteration (reconstructing the one story enclosed porch, with no new SF) and a rear addition (expanding the second floor above the existing first floor, creating 160 new SF).

The proposed front alteration involves reconstructing the existing one story enclosed porch so that the floor and ceiling are level with the main house, while keeping the same footprint (10.3' existing and proposed front setback, 12.85' required). This translates to raising the finish floor by 5" and raising the soffit by 10" to create a more cohesive interior space. The 5" change in floor height triggers the need to rotate the front entry stairs and add a landing because the current stairs do not meet building code. The existing and proposed exterior stairs and landing have a 6.3' front setback which is allowed by right per section 4.3.3. The new stairs and landing configuration would add 25 sf of new lot coverage.

The proposed rear alteration involves adding 160 sf of second floor living space above what is currently the kitchen and rear porch area, with a 16" overhang across the back. This second floor expansion would allow the Pitts family to add a third bedroom so that their son and daughter could each have their own room. The addition would align with the left and right side walls of the existing house, maintaining existing side setbacks at 7.3 and 7.4' respectively (10.0' required). The second floor overhang would add 21 sf of new lot coverage.

These modest alterations to this 1,504 sf single family home would minimally impact the overall scale of the structure which would still be among the smaller structures in the neighborhood. Therefore, the proposed alteration **does not pose any substantial detriment** to the neighborhood and **does not nullify or substantially derogate** the intent of the by-law.

Zoning Compliance Check List

Properties Located within the GR Zoning Districts
(To be Completed by a Registered Land Surveyor)

Property Address: 39 BARTLETT AVE

Surveyor Signature and Stamp: _____

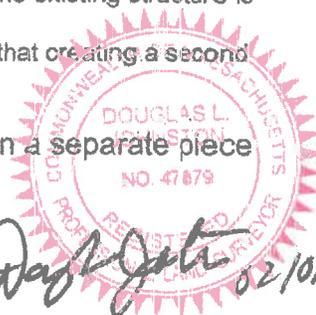
Date: 02/01/23

Per §4.2 of the Zoning By-Law							
		REQUIRED		EXISTING		PROPOSED	
Lot Area (sq. ft.)		5,000 S.F.		2899 S.F.		2899 S.F.	
Lot Frontage (feet)		50'		32.85'		32.85'	
Lot Area/Unit (sq. ft./d.u.)		3,500 S.F.		2899 S.F.		2899 S.F.	
Lot Coverage (% of lot)		30%		35.3%		36.8%	
Open Space (% of lot)		50%		47.5%		45.5%	
Setbacks: (feet)	➤ Front ^(a)	12.85'		10.3'		6.3'*	
	➤ 2nd Front Door (25%)						
	➤ Side/Side	10'	10'	7.0'	7.3'	7.0'	7.4'
	➤ Rear	17.94'		31.5'		30'	
Building Height:	➤ Feet	33'		29.8'		29.8'	
	➤ Stories	2 1/2		2 1/2		2 1/2	
1/2 Story (feet) (Per §1.4)	➤ Perimeter (50%)						
	➤ Area (60%)						
	➤ Length (75%)						
Per §6D of the Zoning By-Law							
HVAC:		Prohibited in Front Yard and Side and Rear Setbacks					
Front Doors:		Both Must Face Street ^(b)					
		STANDARD		PROPOSED			
Curb Cut (One per 70' Frontage) ^(c)		/		/			

* Front porch & steps allowed under Zoning Bylaw Sec. 4.3.3

- (a) Front setback is equal to the average front setbacks of the abutting properties on either side.
- (b) The second unit's front door may be allowed to face the side yard only if the existing structure is historically or architecturally significant.
- (c) A second curb cut may be allowed where the Applicant can demonstrate that creating a second curb cut is harmonious with the surrounding neighborhood.

SUBMIT CALCULATIONS for all of the requirements listed above on a separate piece of paper(s) to verify how they were calculated



Douglas L. Houston 02/01/23

DLJ Geomatics
276 North Street
Weymouth, MA 02191
landsurv23@gmail.com
781-812-0457

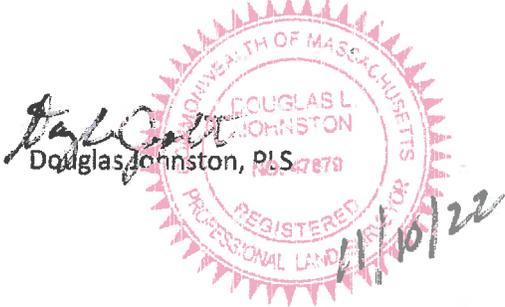
39 Bartlett Avenue
Belmont, MA 02478

There are five segments of foundation wall. They are 7.20' tall.

SEGMENT	LENGTH	TOTAL FACE	BELOW GRADE
A	18.2'	131.04 S.F.	91.18 S.F.
B	26.1'	187.92 S.F.	129.72 S.F.
C	12.0'	86.40 S.F.	50.52 S.F.
D	14.0'	100.80 S.F.	53.76 S.F.
E	38.1'	274.32 S.F.	156.97 S.F.
TOTALS		780.48 S.F.	482.15 S.F.

$$482.15/780.48=.6178$$

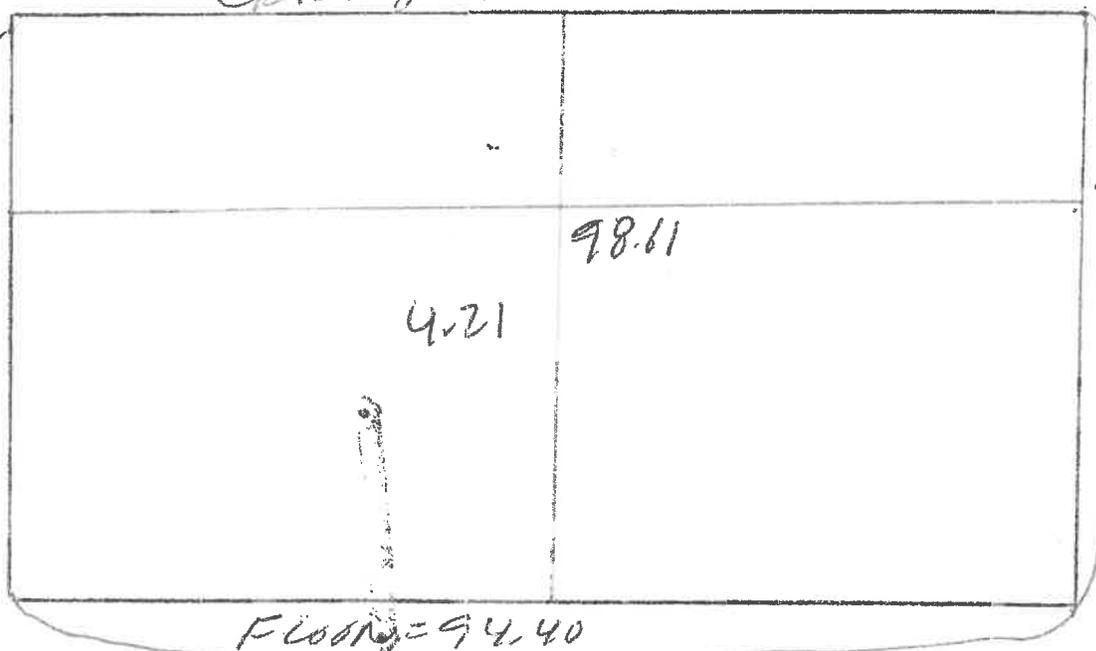
The foundation walls are 61.78% below grade.



SEG "C"

12.0
x 7.20
86.40
TOTAL
FACE
OF
WALL

CEILING = 102.60



2.0
4.21
0.52
BELOW
GRADE

0.52 = 58.42
6.40

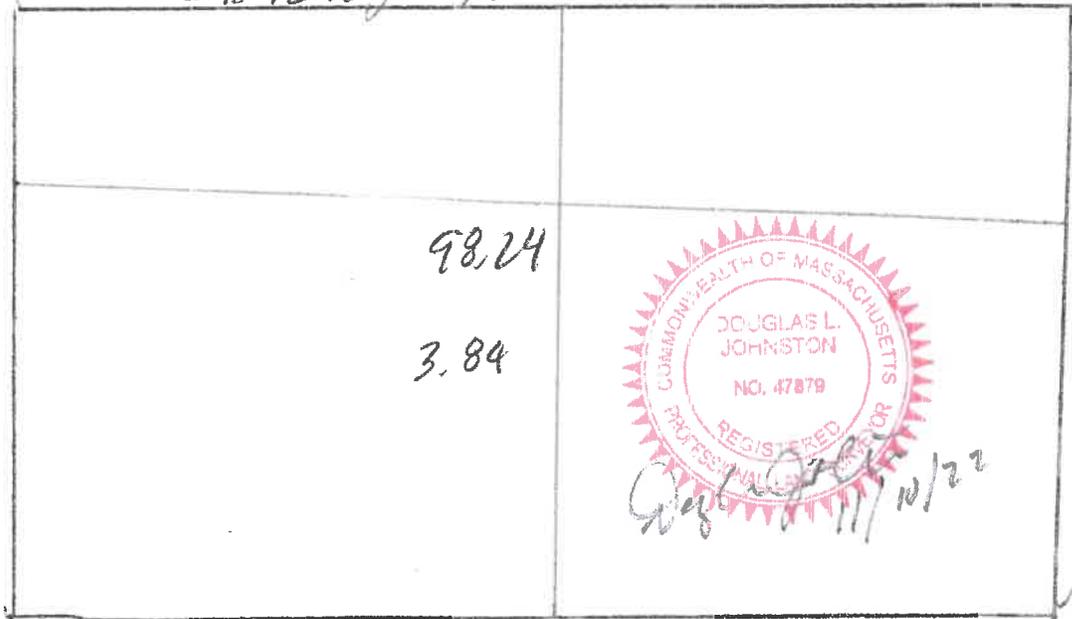
58.42%
BELOW GRADE

FLOOR = 94.40
12.0

SEG "D"

4.0
x 7.20
100.80
TOTAL
FACE
OF
WALL

CEILING = 101.60



1.0
3.84
3.76
BELOW
GRADE

3.76 = 53.33
7.08

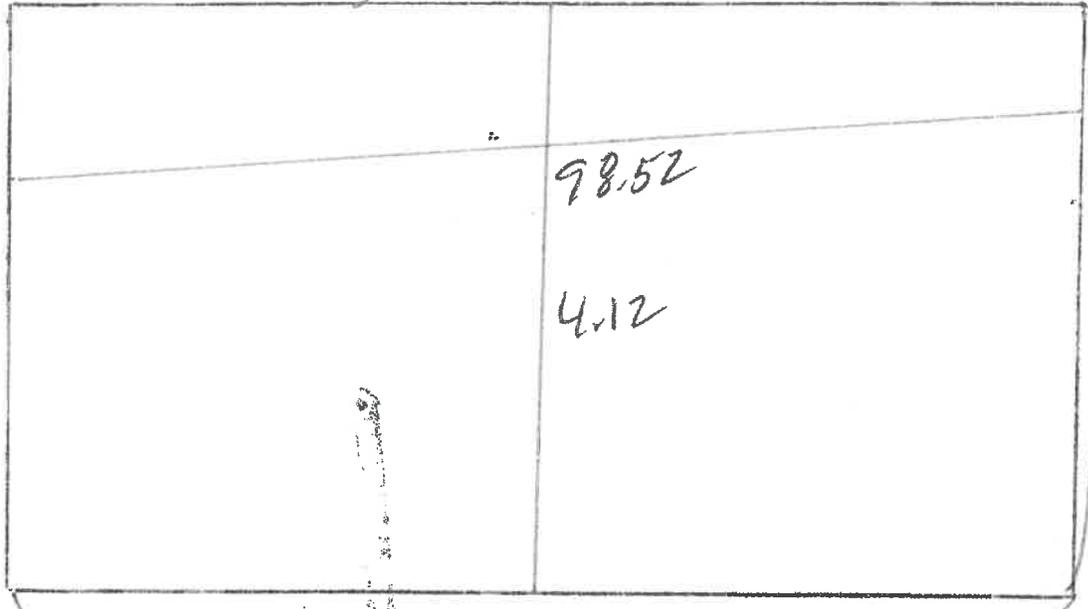
53.33%
BELOW GRADE

FLOOR = 94.40
14.0



SEG "E"

CEILING = 101.60



~~18.10~~
18.10
7.20
74.92 27.87

TOTAL
FACE
AREA

8.10
4.12
56.97

Below
Grade

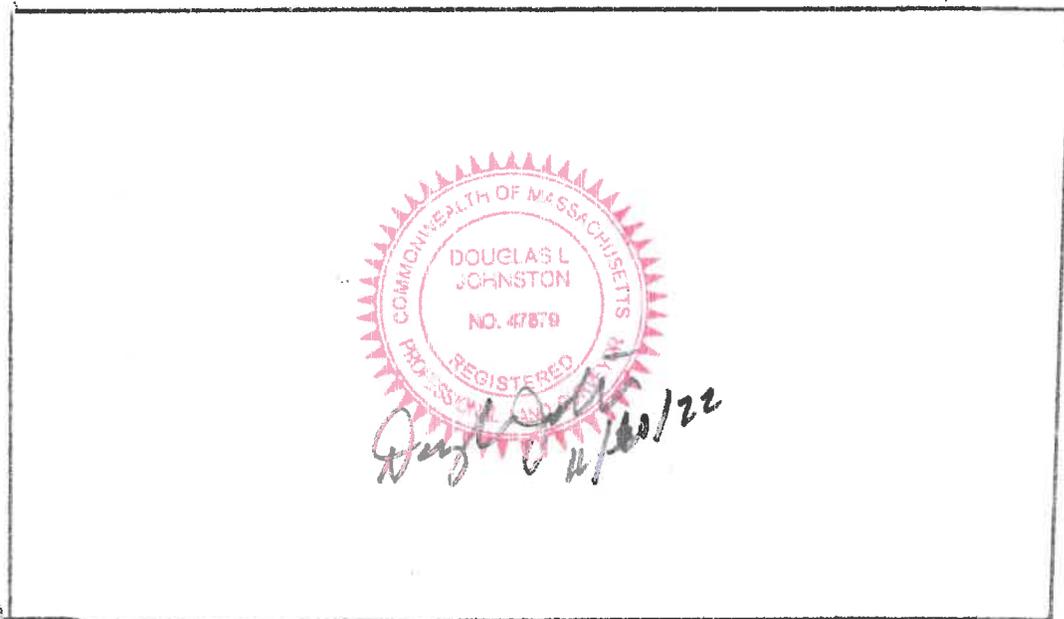
56.97 = 57.22
74.32

FLOOR = 94.40

38.1

7.22%

BELOW grade



Douglas L. Johnston
4/20/22