

17-05

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**TOWN OF BELMONT
ZONING BOARD OF APPEALS**

CASE NO. 17-05

APPLICANT: SAMUEL AND SARAH FELTON

PROPERTY: 81 Statler Road
66130-262

DATE OF PUBLIC HEARING: January 6th 2017

MEMBERS SITTING: Eric Smith, Chairman
Jim Zarkadas
Faustino Lichauco
Andrew Plunkett, Associate Member

MEMBERS VOTING: Eric Smith, Chairman
Jim Zarkadas
Faustino Lichauco
Andrew Plunkett, Associate Member



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Introduction

This matter came before the Board of Appeals ("Board") of the Town of Belmont ("Town") acting as Variance and Special Permit Granting Authority under the Zoning By-Law of the Town of Belmont, Massachusetts ("By-Law") and Chapter 40A of the Massachusetts General Law ("Zoning Act"). The Applicants SAMUEL AND SARAH FELTON ("Applicants") request ONE (1) VARIANCE AND ONE (1) SPECIAL PERMIT under Section 1.6 AND 1.5 of the Zoning By-Laws TO CONSTRUCT A THIRD-FLOOR ADDITION 1. Allowed maximum number of stories is 2.5, the existing structure is 2.5 stories and the proposed is 3.5 stories (Variance) 2. The minimum allowed side setback is 10.0', the existing and proposed side setbacks are 8.3' (Special Permit) at 81 STATLER ROAD located in a Single Residence C (SRC) Zoning District.

The Board held a duly noticed hearing on the application on January 6th 2017. The Applicants SAMUEL AND SARAH FELTON with their Architect Diane Miller proposed the plan at the hearing and submitted architectural plans and photos showing the third-floor addition and similar homes on Statler Road in the surrounding area. The applicant also submitted a petition with neighbor's signatures (16) showing support for the third-floor addition. One resident Mr. Harris of 15 Statler Road had questions regarding the ZBA process. Neighbors of the applicants Jean and Paul Ralston of 87 Statler Rd spoke in support and no one spoke in opposition to the Applicants' proposal.

Proposal

The applicants would like to alter the home so that they can have three bedrooms all on the same level, a typical scenario for a young family. The owner and architect considered other alternative solutions to add bedrooms to this home without building up. However, the lot coverage (22.6% existing, 25% allowed) prevented the feasibility of a one-story rear addition, leaving a second-floor addition as the only viable option. They also explored the possibility of a half story addition with donners instead of a full story addition, but the dimensional constraints of a half story designation

Samuel Felton - 81 Statler rd Belmont MA 02478

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made it not feasible to incorporate three bedrooms. This second-floor addition maintains the traditional character of the home and is very consistent with the character and scale of the homes in the neighborhood. There are 15 homes on this block of Statler Road and all but two of those homes are colonials, virtually identical in size and style to the proposed. The applicants also presented the hardship associated with this variance explaining the topography of the property. The property slopes down toward the rear yard, resulting in a 3.37' difference in elevation from the front to the back of the structure. The average grade along the front facade is 2.7' higher than the overall average grade, therefore the basement is actually 72% below grade as seen from the street.

The proposed addition represents the only viable option from a zoning perspective, and an excellent option as it's consistent with the style of the neighborhood. The proposed addition is in keeping with the character and style of the home and neighborhood and is not detrimental to the community.

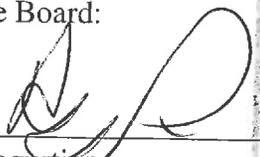
Conclusion

On January 6th 2017 the Board deliberated on the Applicant's SAMUEL AND SARAH FELTON ("Applicants") request for ONE (1) VARIANCE AND ONE (1) SPECIAL PERMIT under Section 1.6 AND 1.5 of the Zoning By-Laws TO CONSTRUCT A THIRD-FLOOR ADDITION 1. Allowed maximum number of stories is 2.5, the existing structure is 2.5 stories and the proposed is 3.5 stories (Variance) 2. The minimum allowed side setback is 10'0, the existing and proposed side setback is 8.3' (Special Permit) at 81 STATLER ROAD located in a Single Residence C (SRC) Zoning District

Accordingly, upon motion duly made by Jim Zarkadas and seconded by Faustino Lichauco, **the Board voted 4-0 to grant the Applicants' application for a Variance and a Special Permit.**

For the Board:

Dated: 2/8/2017

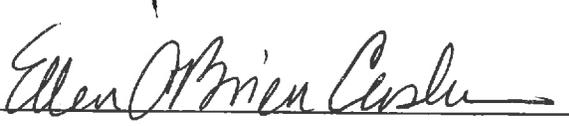


Ara Yogurtian
Assistant Director
Office of Community Development

CERTIFICATION

I, Ellen O'Brien Cushman, hereby certify that twenty (20) days have elapsed after the decision was filed in the office of the Belmont Town Clerk on February 8, 2017, and further I certify that no appeal has been filed with regard to the granting of said one (1) Special Permit and one (1) Variance with zero (0) conditions.

March 8, 2017



Ellen O'Brien Cushman, Town Clerk
Belmont, MA

Any appeal from this decision must be made pursuant to Ch.40A, S.17, MGL, and must be filed within 20 days after the filing of such notice in the office of the Town Clerk.