

2019 APR 11 AM 11: 26

# NOTICE OF PUBLIC HEARING BY THE PLANNING BOARD

#### ON APPLICATION FOR A SPECIAL PERMIT

Notice is hereby given that the Belmont Planning Board will hold a public hearing on TUESDAY, MAY 7, 2019, at 7:00 PM in the Board of Selectmen's Meeting Room, Town Hall, 455 Concord Ave., to consider the application of YAEL GETZ-SCHOEN for a TWO SPECIAL PERMITS under Section 1.5.4 of the Zoning By-Laws to ALTER A NONCONFORMING STRUCTURE (required: front setback – 22.5', rear setback – 27'; existing and proposed: front setback – 20.6', existing rear setback: 17.7' proposed rear setback – 26.6') IN ORDER TO CONSTRUCT A SECOND STORY AND A 2.5 STORY ADDITION at 70 HOITT ROAD located in a Single Residence C Zoning District.

Planning Board



#### 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

March 5, 2018

Yael Getz-Schoen 70 Hoitt Road Belmont, MA 02478

RE: Denial to Construct a Second Story and a Two and a Half Story Addition.

Dear Mrs. Schoen:

The Office of Community Development is in receipt of your building permit application for the construction of a second story and a two and a half story additions at 70 Hoitt Road located in a Single Residence C (SRC) Zoning District.

Your application has been denied because it does not comply with the Zoning By-Law. More specifically Section 4.2 of the By-Law allows Maximum lot coverage of 25%, requires a Minimum front setback of 22.5' and a Minimum rear setback of 27.0'.

- a. The existing lot coverage is 20.8% and the proposed is 27.4%. Variance.
- b. The existing and proposed front setbacks are 20.6'. Special Permit.
- c. The existing rear setback is 17.7' and proposed is 26.6'. Special Permit.

You may alter your plans to conform to the Zoning By-Law and resubmit for a building permit or you may request One (1) variance and Two (2) Special Permits from the Zoning Board of Appeals. If you choose this option, please call the Office of Community Development at (617)-993-2650 to schedule an appointment with Ara Yogurtian, Assistant Director in order to begin this process.

Sincerely.

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



# Town of Belmont Zoning Board of Appeals

#### APPLICATION FOR A SPECIAL PERMIT

| ( (   |                          |
|---|--------------------------|
| Zoning Board of Appeals Homer Municipal Building 19 Moore Street Belmont, MA 02478    |                          |
| To Whom It May Concern:   | E N                      |
| 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 there | on)                      |
| situated on 70 Hoith Street/Road, hereby apply to your Bo                             | oard                     |
| 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            | 16_                      |
| on the ground that the same will be in harmony with the general purpose and inte      | ent of                   |
| said Zoning By-Law.   |                          |
| Signature of Petitioner  Print Name  Address  YAEL GETT SCH  Address  70 HOITT RD     | <u></u><br>- <u>CE</u> N |
| Daytime Telephone Number 617 669 2965   |                          |

December 6, 2005

To: Belmont planning board

January 16 2019

#### Re: 70 Hoitt rd Belmont- request for special permits for home expansion

#### Dear Planning Board members,

We bought our house in the end of 2008 and have been happily living in it since. At that time we had two young kids (a 4 year old and a 1 year old baby), now we have three, ages 14, 11 and 6. We were attracted to the property because of its great location and because of the size of the house and options it presented for us, as a young family planning to expand. We love Belmont, our neighborhood and our beautiful street. We like the walkability of the neighborhood, the proximity to the town center and the easy access to the schools, as well as the convenient access to route 2, Cambridge and Boston.

Ten years have passed since we bought our house, our family needs have grown, with more space required for each child, and therefore the house as is has become too small for us to live in comfortably. We've been looking to buy a new larger house in Belmont for a very long time, but between our needs, our financial situation and the very hot real estate market, we are not successful at finding another property that will fit. We've made several offers in the last few years, unsuccessfuly, and are discouraged by the competition on a small supply of houses in Belmont, both with developers and foreign investors who have the ability to offer full cash purchases and waive contingencies (inspections as well as mortgage contingencies) and beat local residents to the sale properties.

In our house currently we have 3 small bedrooms upstairs, and one small bathroom which all five of us use. Two of the kids share one bedroom, with one tiny closet, which is not enough for their clothes. Our kids reached the ages when they each need their own bedroom, as well as sufficient space to store all their music instruments, desks, computers, school material, books, art projects and clothes. Downstairs, there are 2 rooms- one is used for Yael's home office (she works full time from home) and the other is a small play room. In order to make our house fit our family we mostly need another large bedroom (master) and 2 bathrooms upstairs. The current house doesn't have a garage, and we would like to have at least a one car garage.

The existing house which was constructed in the 50's is not well built. It has various settlement cracks in the foundation and in the floors above. We've consulted with 2 structural engineers who advised on ways to strengthen the existing foundations and deal with the cracks. If we are to address these problems, we would like at the same time to be able to enlarge the house.

The original house is located on the lot in an angle relative to the street, making additions on the lot more difficult. The lot itself is small, smaller than perscribed by the zone minimum for residence C zone and smaller then many of the other lots in the neighborhood. We've considered tearing the house down and building a new house on the lot that will fully conform with the zoning requirments, but were told by the planning department that the house we proposed will be hard to approve on this lot. We abandoned that route and decided to continue with a smaller addition.

We've previously applied for a varaince for an addition that passed the minimum lot coverage by 2.5% and were directed to change it. We've reworked the design to a smaller addition, that will still satisfy our needs, and that conforms with all the zoning regulations. The proposed drawings are for an addition

of a one car garage on the first floor, and a master suite above it. The proposed new construction piece of the addition conforms with all setbacks, and to do so, is positioned angled to the existing house. Turning the second floor into a full second floor, there are 2 corners of the existing house that are slighlty outside of the setbacks and we're asking for a relief to build on top of them. The proposed house will be a 2.5 story building as limited by the zone.

We're asking the board for relief in:

- 1. Allowing addition of more then 30% of existing SF. The existing house is very small, 30% of it will not be enough to accommodate our needs. The proposed house area is 2639SF including the one car garage.
- 2. Allowing the addition of the full second story to go on top of the existing first floor exterior walls, even in the 2 corners that protrude into the setbacks. (because of the original angled positioning of the house).

The design we've suggested tries to retain the spirit of the existing neighborhood, and to enlarge the house but keep it within the allowed limitations as much as possible. We like the density of our street and we feel the small addition, resulting in a 2639SF is consistent with the neighborhood. While the angle of the existing house added complexity to the design, the proposed house matches the rest of the houses on the street and resembles the original. We've shown it to many of our neighbors and they were all very excited and fully supportive of this proposal.

In the last few years several houses on our street have expanded. All were ranch houses with garages, so their expansions were easier to achieve, but still needed a special permit/variance for area that is over the limit and building outside of the setbacks. Our condition is similar to others, but we have a more difficult starting point because of a smaller lot and a rotated house on the lot.

Thank you for considering our request and looking forward to discussing it more in detail with the board.

Best wishes,

Yael Getz Schoen and Gaddy Getz 70 Hoitt rd Belmont MA 02478 RECEIVED TOWN CLERK BELMONT, MA

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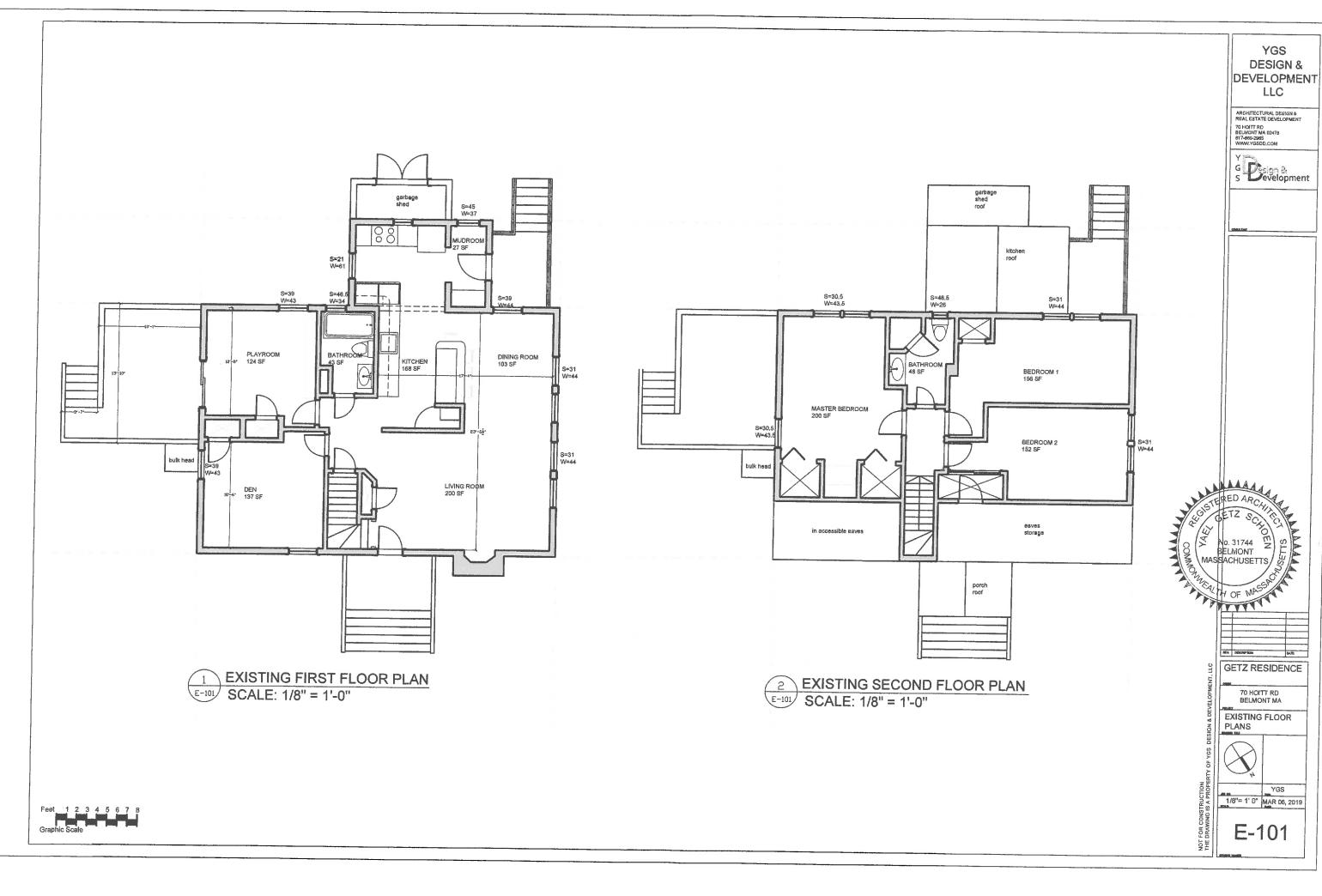
70 HOITT RD. BELMONT MA
EXPANSION AND RENOVATION
SPECIAL PERMIT APPLICATION MARCH 2019

**DESIGN &** DEVELOPMENT LLC GETZ RESIDENCE MAR 06, 2019

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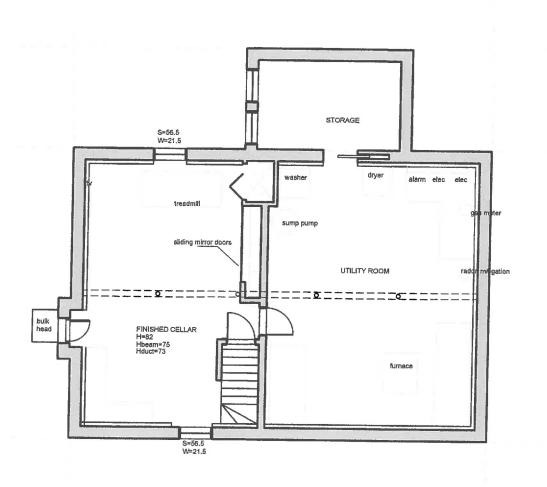
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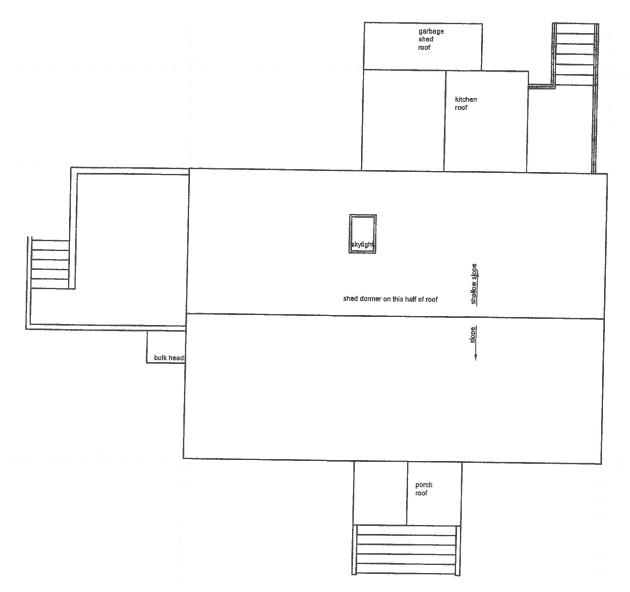
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EXISTING CELLAR FLOOR PLAN

SCALE: 1/8" = 1'-0"



EXISTING ROOF PLAN
SCALE: 1/8" = 1'-0"

YGS DESIGN & DEVELOPMENT LLC

ARCHITECTURAL DESIGN & REAL ESTATE DEVELOPMENT 70 HOITT RD BELIMONT MA 02478 617-669-2065 WWW.YGSDD.COM

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YGS 1/8"= 1' 0" MAR 06, 2019

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70 HOITT RD BELMONT MA

EXISTING BASEMENT FLOOR PLAN

Feet 1 2 3 4 5 6 7 Graphic Scale

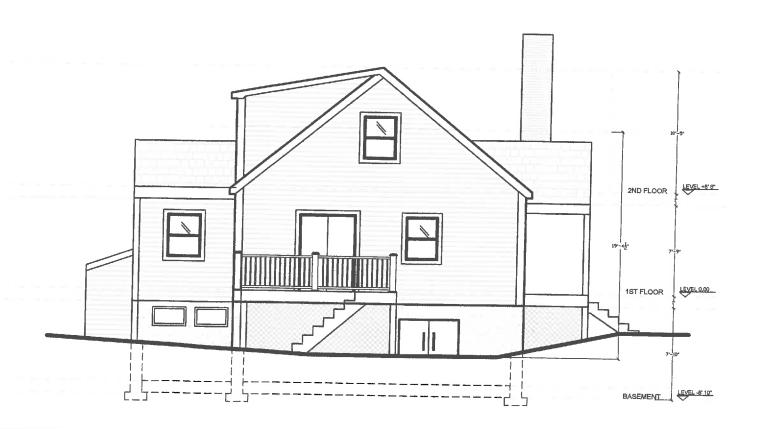


IST FLOOR
BEG. 200

BASEMENT BEG. 201

EXISTING NORTH EAST ELEVATION

SCALE: 1/8" = 1'-0"



EXISTING SOUTH WEST ELEVATION

SCALE: 1/8" = 1'-0"

Feet 1 2 3 4 5 6 7 8
Graphic Scale

YGS DESIGN & DEVELOPMENT LLC

ARCHITECTURAL DESIGN & REAL ESTATE DEVELOPMENT 70 HOITT RD BELMONT INA 02476 617-689-2955 WWW.YGSDD.COM

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No. 31744 EN SEBLIMONT MASSACHUSETTS

GETZ RESIDENCE

70 HOITT RD BELMONT MA EXISTING ELEVATIONS 2

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1/8"= 1' 0" MAR 06, 2019

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#### YGS DESIGN & DEVELOPMENT LLC

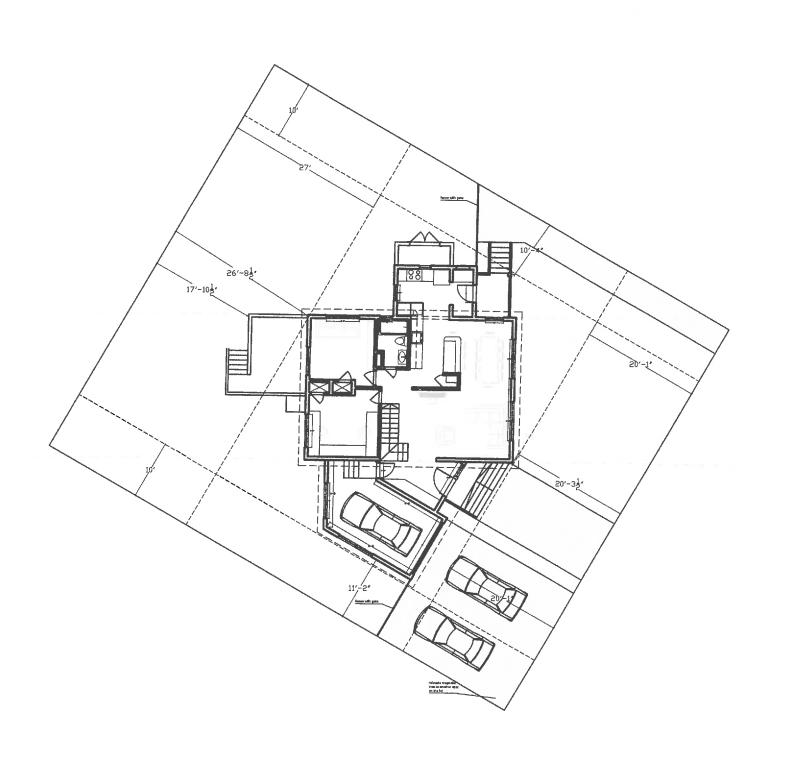
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REAL ESTATE DEVELOPMENT
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BELMONT MA 02478
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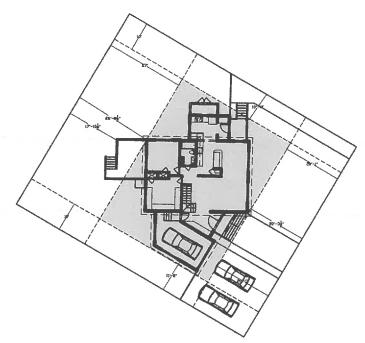
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PROPOSED SITE PLAN

SCALE: 1/16" = 1'-0"



#### PROPOSED ZONING DIAGRAM PROPOSED ZONING A-100 SCALE: 1/16" = 1'-0"

|                     | ZONING | ACTUAL                                 | PROPOSED  |
|---------------------|--------|--|---|
| ZONE                | SRC    | SRC                                    | SRC   |
| MIN LOT SIZE        | 9,000  | 6750 SF                                | 6750 SF   |
| LOT COVERAGE        | 25%    | 20,8 %                                 | 25%   |
| OPEN SPACE          | 50%    | 71%                                    | 59%   |
| FRONT SETBACK       | 20.1   | 20' 3.5"                               | 20' 3.5"  |
| SIDE SETBACK        | 10'    | 10' 4" 19' 8"                          | 10' 4" 11' 2"   |
| REAR SETBACK        | 27'    | 26' 8.5" to house<br>17' 10.5" to deck | 26' 8.5" to house<br>17' 10.5" to deck                      |
| MAX BUILDING HEIGHT | 30'    | 19' 4.5"                               | 27' 4.5"  |
| STORIES             | 2 1/2  | 1 1/2                                  | 2 1/2   |
| UILT AREA           |        | 1700 SF                                | gross-<br>2542 SF (with gerage)<br>2296 SF (without gerage) |

|                   | EXISTING GROSS<br>FLOOR AREA | PROPOSED GROSS<br>FLOOR AREA                      |  |  |
|-------------------|------------------------------|---|--|--|
| CELLAR AREA       | 998 SF<br>not counted to GFA | 998 SF<br>not counted to GFA                      |  |  |
| FIRST FLOOR AREA  | 1007 SF                      | 1332 (with garage)<br>1086 (without garage)       |  |  |
| SECOND FLOOR AREA | 693 SF                       | 1210 SF   |  |  |
| ATTIC ABOVE 6'    | 0 SF                         | 324 SF<br>not counted to GFA                      |  |  |
| TOTAL             | 1700 SF                      | 2542 SF (with garage)<br>2296 SF (without garage) |  |  |

YGS **DESIGN &** DEVELOPMENT LLC

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G Design & Sevelopment

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70 HOITT RD BELMONT MA

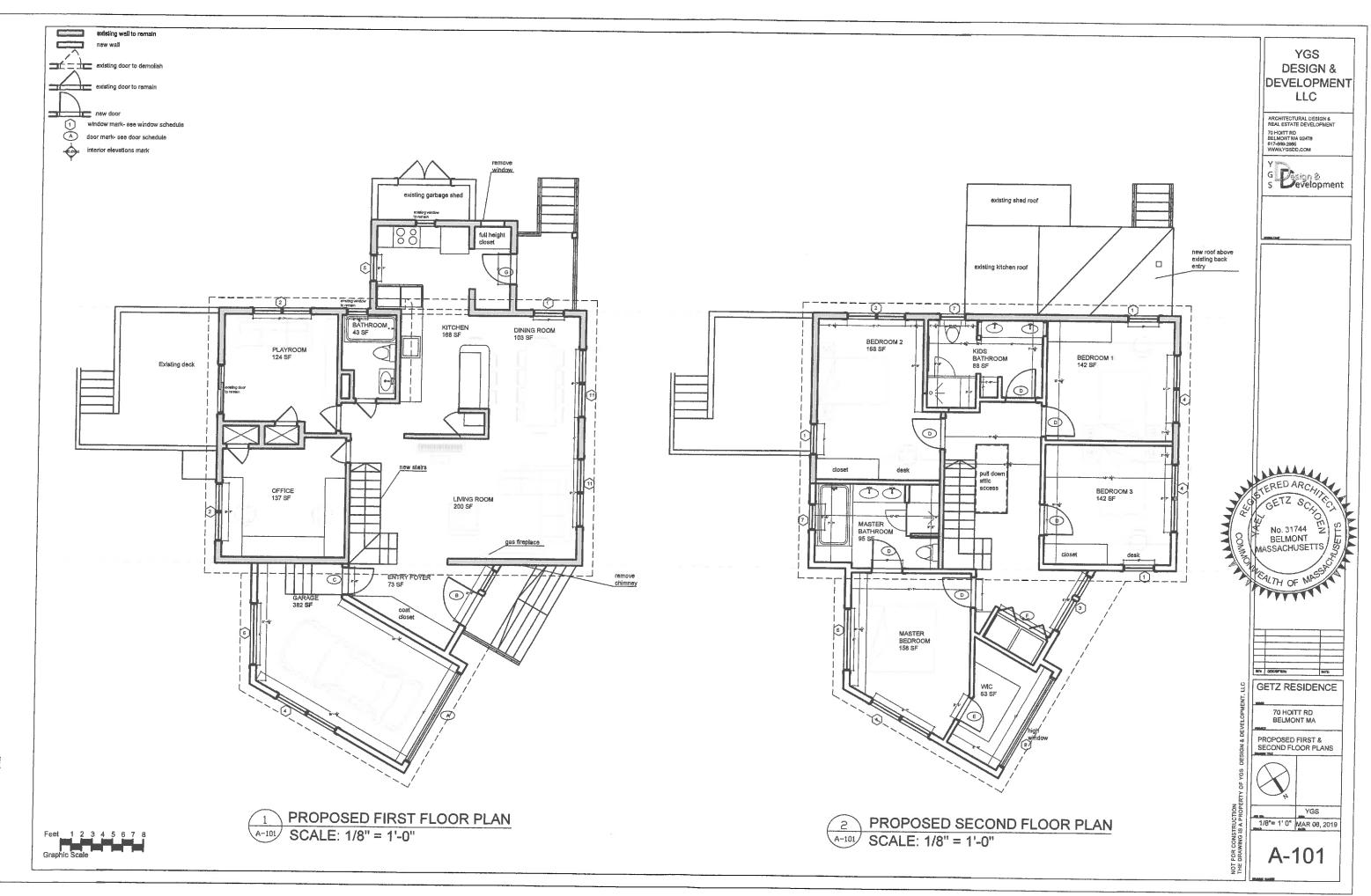
PROPOSED SITE AND ZONING

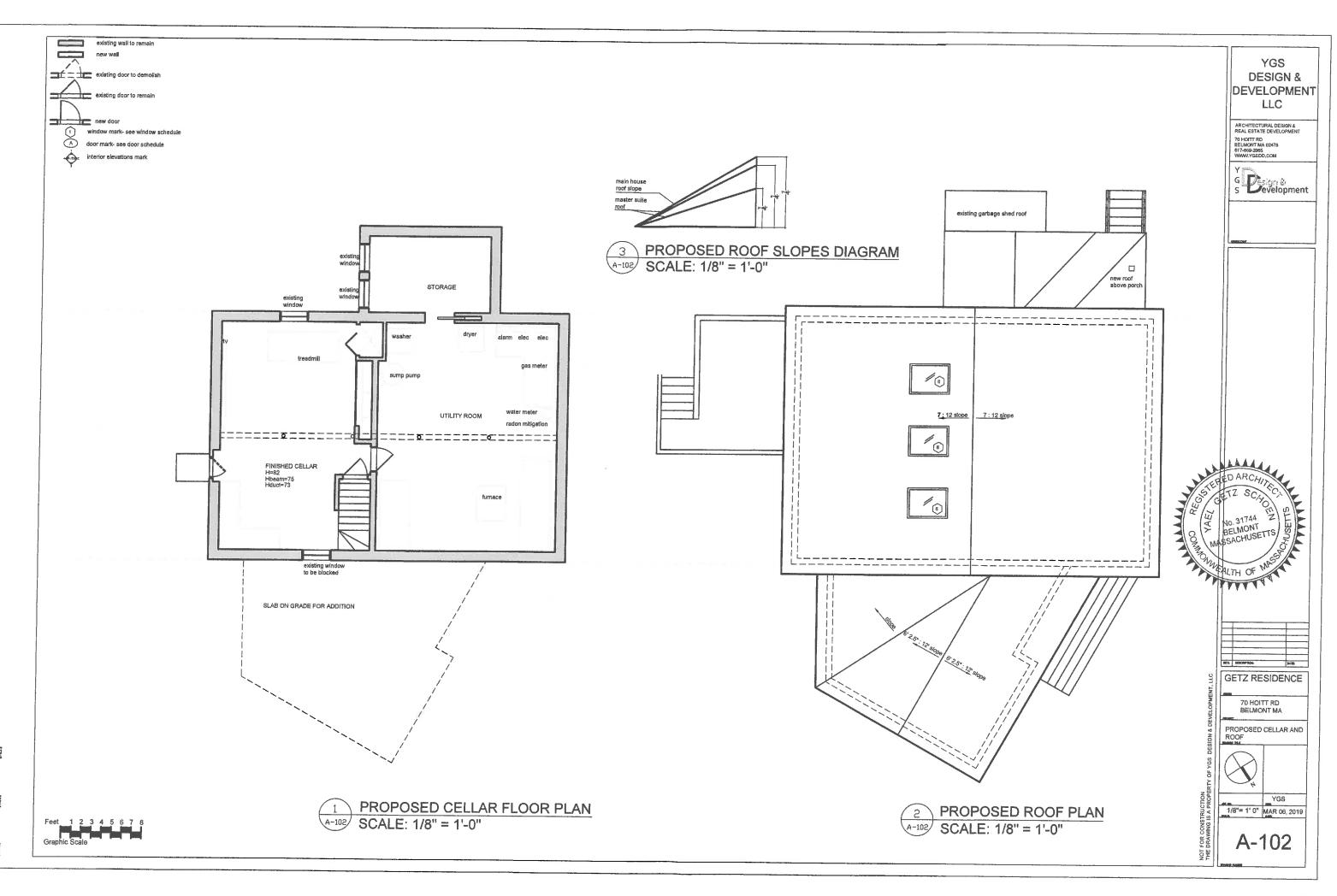
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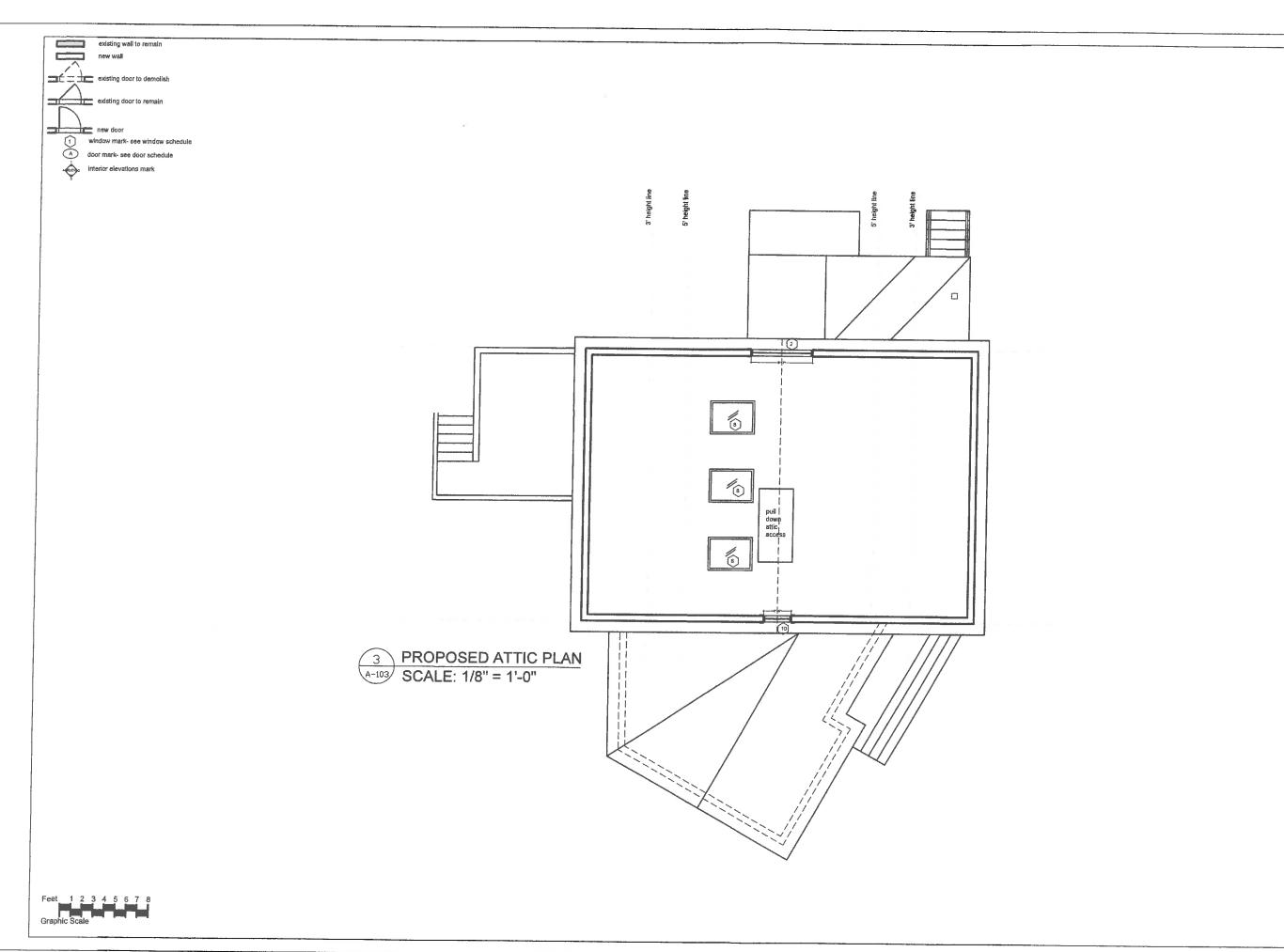
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GETZ RESIDENCE

70 HOITT RD BELMONT MA

PROPOSED ATTIC AND CALCULATIONS

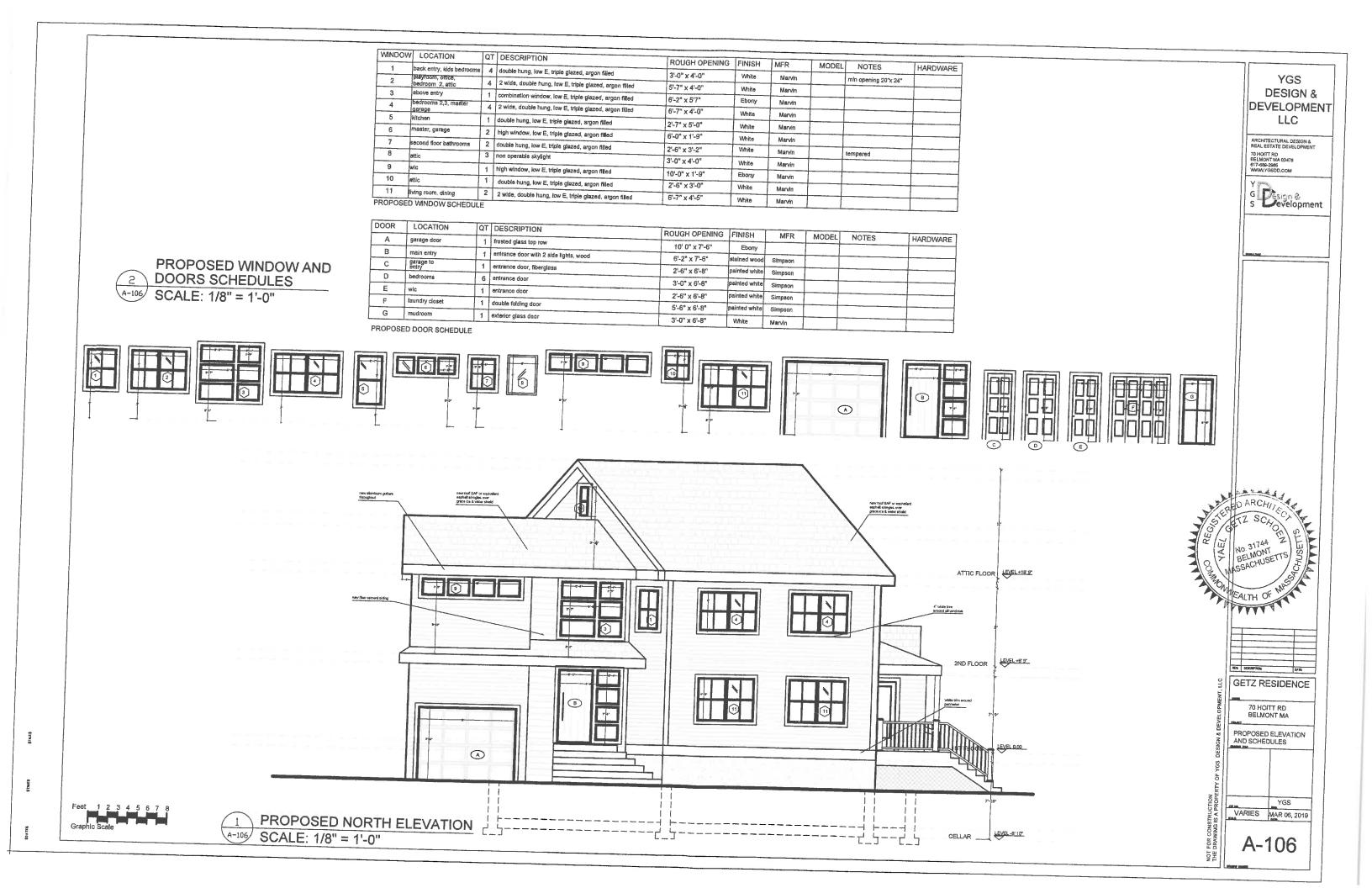


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GETZ RESIDENCE

70 HOITT RD

BELMONT MA

PROPOSED

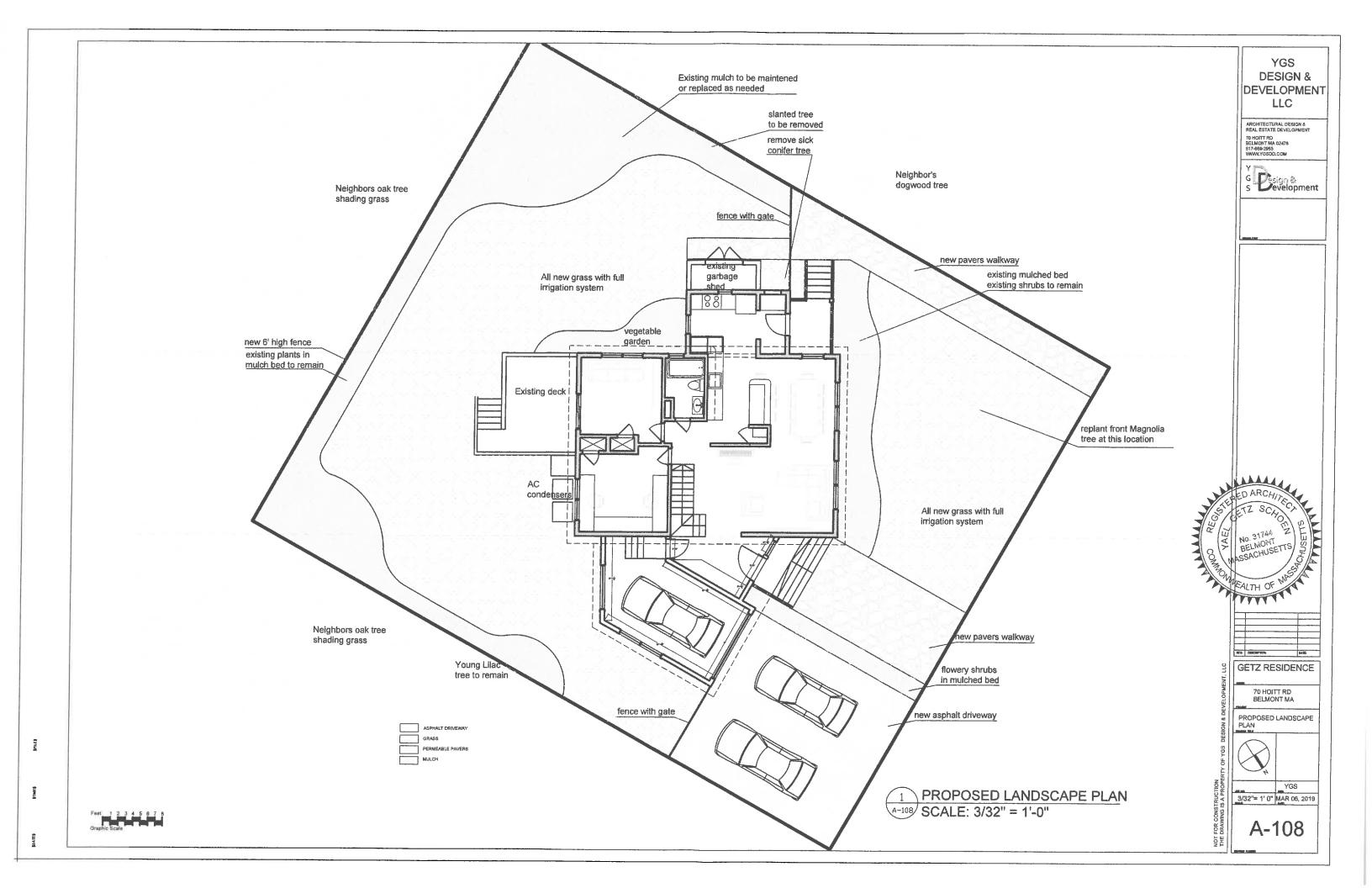
3D IMAGES

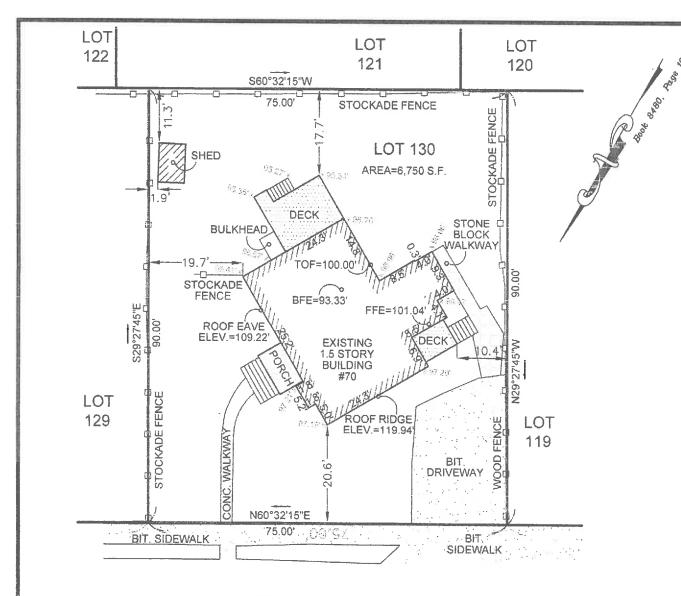
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HOITT (40' WIDE) ROAD

|          |          | Setbacks     |          | Lot      | Open     | Building |         |
|----------|----------|--------------|----------|----------|----------|----------|---------|
|          | Front    | Side         | Rear     | Coverage | Space    | Height   | Stories |
| Required | min. 25' | min. 10'     | min. 30' | max. 25% | min. 50% | max 36'  | max 2.5 |
| Existing | 20.6'    | 19.7'; 10.4' | 17.7'    | 20.8%    | 71.0%    | 17.81    | 1.5     |

#### NOTES:

\* Assessors Ref.: Map 37, Lot 130

\* Deed Ref.: Book 51639, Page 320

\* Plan Ref.: End of Book 7573

End of Book 8469

Book 8480, Page 103

End of Book 9895

End of Book 8955

Plan No. 21089-D

Plan No. 148 of 1935 Book 8418, Page 193

Book 8044, Page 422

- \* Zone: Single Residence C
- \* Property is outside of flood zone based on Flood Insurance Rate Map for the town of Belmont #25017C 0418E, effective date June 4, 2010.
- \* Locus lot is not within the wetlands or wetland buffer zone.
- \* No other public shade trees are located within the limits of the property frontage of the subject property.
- \* Distances shown were measured from building clapboard.

\* Elevations based on assumed datum.



Roof Ridge El. =119.94 Roof Midpoint El.=114.58' Roof Eave El.= 109.22' Existing Building Height = 17.8' First Floor El. (FFE)=101.04'

Top of Foundation(TOF)= 100.00' Average Grade El.= 96.8' Basement Floor El.(BFE) =93.33'

> BUILDING HEIGHT CALCULATION (NTS)

### Plot Plan 70 Hoitt Road Belmont, MA 02478

Owner: Yael Schoen Getz & Gad Getz

House No. 70

Lot No. 130

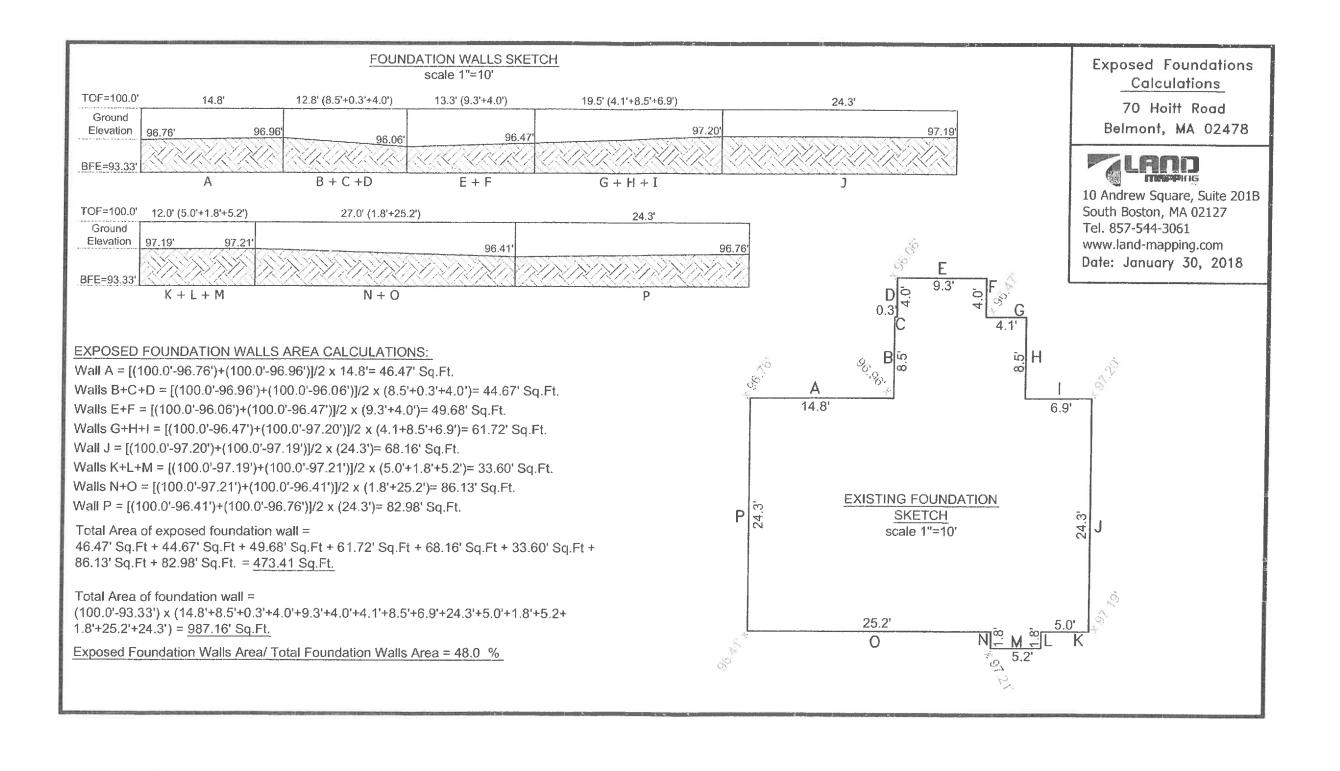
App. No. n/a

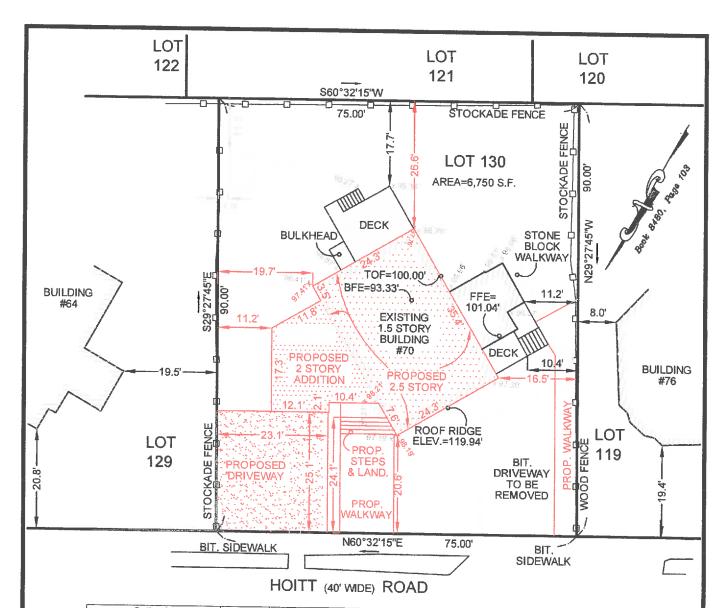
Date January 30, 2018 Scale 1 inch = 20 feet

Plan Prepared By:



10 Andrew Square, South Boston, MA 02127 Tel. 857-544-3061

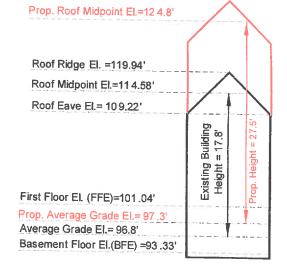




|          |           | Setbacks      |          | Lot      | Open     | Building |         |
|----------|-----------|---------------|----------|----------|----------|----------|---------|
|          | Front     | Side          | Rear     | Coverage | Space    | Height   | Stories |
| Required | min. 20.1 | min. 10'      | min. 27' | max. 25% | min. 50% | max 36'  | max 2.5 |
| Existing | 20.6'     | 19.7' ; 10.4' | 17.7'    | 20.8%    | 71.0%    | 17.8'    | 1.5     |
| Proposed | 20.61     | 11.1' ; 10.4' | 17.7'    | 25.0%    | 64.7%    | 27.5'    | 2.5     |

#### NOTES:

- \* Assessors Ref.: Map 37, Lot 130
- \* Deed Ref.: Book 51639, Page 320
- \* Plan Ref.: End of Book 7573
  - End of Book 8469
  - Book 8480, Page 103 End of Book 9895
  - End of Book 8955
  - Plan No. 21089-D
  - Plan No. 148 of 1935 Book 8 418, Page 193
  - Book 8044, Page 422
- \* Zone: Single Residence C
- \* Property is outside of flood zone based on Flood Insurance Rate Map for the town of Belmont #25017C 0418E, effective date June 4, 2010.
- \* Locus lot is not within the wetlands or wetland buffer zone.
- \* No other public shade trees are located within the limits of the property frontage of the subject property.
- \* Distances shown were measured from building clapboard.
- \* Elevations based on assumed datum.
- \* Existing lot coverage = 20.8 %
- \* Proposed lot coverage = 1,686 Sq.Ft. (25.0%)
- \* Existing open space = 71.0 %
- \* Proposed open space = 4,370 Sq.Ft. (64.7%)



BUILDING HEIGHT CALCULATION (NTS)

# Plot Plan 70 Hoitt Road Belmont, MA 02478

Owner: Yael Schoen Getz & Gad Getz

House No. 70 Lot No. 130

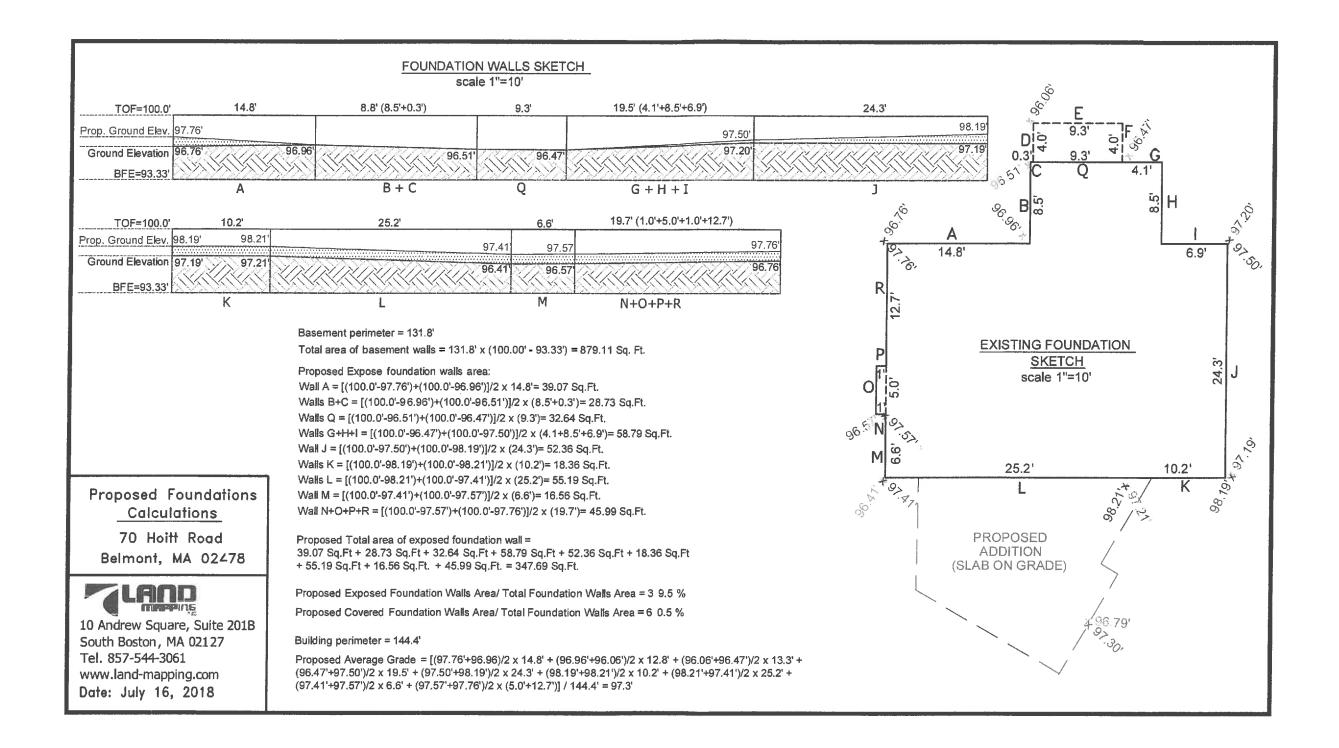
App. No. n/a
Date March 13, 2019
Scale 1 inch = 20 feet

Plan Prepared By:



10 Andrew Square, South Boston, MA 02127 Tel. 857-544-3061

Neil J. Murphy Lic.#17460 Professional Land Surveyor



## **Zoning Compliance Check List**

(Registered Land Surveyor)

| Property Address: 70 HOITT RD. | Zone: | SRC       |
|--------------------------------|-------|-----------|
| Surveyor Signature and Stamp:  | Date: | 7/18/2018 |

| Floor Area Ratio<br>Lot Coverage                      | 9,000 SQ.FT.<br>75'<br><br>max. 25 % | 6,750 SQ.FT. 75' 20.8 % | 6,750 SQ.FT.<br>75' |
|---|--------------------------------------|-------------------------|---------------------|
| Lot Frontage Floor Area Ratio Lot Coverage Open Space | W PR DE                              | ***                     |                     |
| Lot Coverage  |                                      |                         | ***                 |
|   | max. 25 %                            | 20.8 %                  |                     |
| Open Space  |                                      |                         | 25.0 %              |
|   | min. 50%                             | 71.0 %                  | 64.7%               |
| Front Setback   | 20.1'                                | - 20.6'                 | 20.6'               |
| Side Setback  | 10'                                  | 10.4'                   | 10.4'               |
| Side Setback  | 10'                                  | 19.7'                   | 11.2'               |
| Rear Setback  | 27'                                  | 17.7'                   | 17.7'               |
| Building Height                                       | 36'                                  | 17.8'                   | 27.5'               |
| Stories   | 2.5                                  | 1.5                     | 2.5                 |
| ½ Story<br>Calcul <b>ation</b>                        |                                      |                         |                     |

| NOTES: |  |
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