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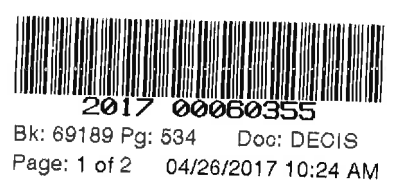
17-07

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**TOWN OF BELMONT
ZONING BOARD OF APPEALS**

2017 APR -3 PM 1:44

Case No. 17-07
Applicant: John and Saskia Kovac
and owner
Property: 132 School Street
Date of Public Hearing: March 6, 2017
Members Sitting: Eric Smith, Chair
Nicholas A. Iannuzzi, Jr.
Faustino Lichauco
Philip Ruggiero, Associate Member
Andrew Plunkett, Associate Member
Members Voting: Eric Smith, Chair
Nicholas Iannuzzi
Faustino Lichauco
Philip Ruggiero
Andrew Plunkett



Introduction

52900 - 492

This matter came before the Board of Appeals (the "Board") of the Town of Belmont (the "Town") Acting as Variance and Special Permit Granting Authority under the Zoning By-Law of the Town Belmont, Massachusetts (the "By-Law") and Chapter 40A of the Massachusetts General Law (the "Zoning Act"). The applicant, John & Saskia Kovac ("Applicant"), seeks one (1) Special Permit under Section 1.5 of the Belmont Zoning-By- to construct a Third Story Addition. 1.- Maximum allowed number of stories is 2.5, the basement foundation walls are 64% exposed and by definition considered a basement, which is a story. Therefore, the existing structure is a 3 ½ story and the proposed is a 3 story addition at 132 School Street (the "Property") located in a Single Residence C (SRC) Zoning District.

Proposal

The Applicant proposes to construct a 5 foot addition to the Property. The basement foundation walls are 64% exposed and by definition considered a basement, which is a story. The proposal is set forth on plans, including elevations dated February 1 2017, a plot plan dated February 2, 2017 and a Zoning Compliance Checklist dated January 31, 2017. The Applicant presented the proposal at the duly noticed public hearing of the Board on March 6, 2017. The Applicant described the proposal. The Applicant provided a petition of the neighbors dated January 19, 2017 and updated on February 2, 2017 in support of the application. The Resident at 138 School Street and 20 Oak Street spoke in support of the project. No one spoke in opposition.

JOHN + SASKIA KOVAC
132 SCHOOL ST.
BELMONT, MA 02478

Case No. 17-07
Property: 132 School Street

Decision

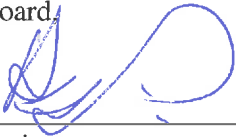
The By-Law provides that the Board may issue a Special Permit to reconstruct, extend, alter, or change a nonconforming structure “only if it determines that such reconstruction, extension, alternation, or change does not increase the nonconforming nature of said structure or create a new nonconformity and shall not be substantially more detrimental than the existing nonconforming structure to the neighborhood and that it shall be in keeping with the character of the neighborhood in which it is located.” By-Law § 1.5.3.

The Board deliberated on March 6, 2017. The Board found that the proposed addition does not increase the nonconforming nature of the structure or create a new nonconformity. The proposed addition will be consistent in style with the existing house. In the circumstances, the Board concluded that the proposed addition is not substantially more detrimental than the existing non-conforming structure to the neighborhood and that the proposed addition is in keeping with the character of the neighborhood in which it is located.

Accordingly, **upon motion duly made and seconded, the Board voted 5-0 to grant the requested Special Permit** for the proposed addition as requested and shown on the plans submitted to the Board.

For the Board,

Date: April 3, 2017

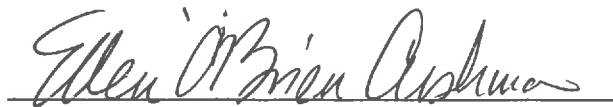


Ara Yogurtian
Assistant Director
Office of Community Development

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 April 3, 2017, and further I certify that no appeal has been filed with regard to the granting of said one (1) Special Permit with zero (0) conditions.

April 24, 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.