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18-27



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TOWN OF BELMONT
ZONING BOARD OF APPEALS **2018 AUG -9 PM 12: 26**

CASE NO. 18-27

APPLICANTS: Stephen A. Evans & Elizabeth A. Albert

PROPERTY: 100 Van Ness Road **BK 40469 PG 394**

DATE OF PUBLIC HEARING: July 9, 2018

MEMBERS SITTING: Nicholas A. Iannuzzi, Jr., Chairman
James Zarkadas
Faustino Lichauco
Andrew Plunkett
Blake Currier (Associate Member)
Casey Williams (Associate Member)

MEMBERS VOTING: Nicholas A. Iannuzzi, Jr., Chairman
James Zarkadas
Faustino Lichauco
Andrew Plunkett
Casey Williams (Associate Member)

Introduction

This matter came before the Board of Appeals ("Board") of the Town of Belmont ("Town") acting as 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 request one (1) Special Permit under section 1.5 of the By-Law to construct a one story addition at 100 Van Ness Road located in a Single residence C (SRC) zoning district, in which the minimum allowed rear setback is 30.0'.

The Board held a duly noticed hearing on July 9, 2018. The Applicant Stephen Evans proposed the plan at the hearing and submitted architectural drawings, a plot plan and a zoning checklist.

Proposal

The Applicants propose extending the kitchen by 3.5' into the backyard to create an additional area for a breakfast nook. By creating this area, the expansion will encroach into the required minimum 30.0' rear setback by 1.3' making the new setback 28.7'. The proposed addition complies with all other dimensional requirements of the By-Law.

No one spoke in opposition or in favor of the proposed addition.

Conclusion

§4.2.2 A-7 of the By-Law allows the reduction of rear setback requirements for corner lots to no less than a side setback by a Special Permit granted by the Zoning Board of Appeals.

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The requested decrease in the rear setback is de minimis. The proposed one story addition is in keeping with the character of the neighborhood and is not more detrimental to the neighborhood than the existing.

Accordingly, **upon motion duly made and seconded, the Board voted 5-0 to Grant the requested Special Permit.**

For the Board:

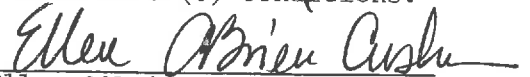
Dated: August 8, 2018



Ara Yogurtian
Assistant Director
Office of Community Development

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 August 9, 2018, and further I certify that no appeal has been filed with regard to the granting of said Special Permit with Zero (0) conditions.

August 31, 2018



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.