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BELMONT, MA

CASE NO. 18-29

2018 AUG 28 AM 10:28

NOTICE OF PUBLIC HEARING BY THE
BELMONT ZONING BOARD OF APPEALS

ON APPLICATION FOR A SPECIAL PERMIT

Notice is hereby given that the Belmont Zoning Board of Appeals will hold a public hearing on Monday September 10, 2018 at 7:00 PM in the Art Gallery, 3rd floor, Homer Municipal Building, 19 Moore St., to consider the application of Tingting Liu at 33 Chestnut Street, located in a General Residence (GR) Zoning District for A Special Permit under Section 1.5 of the Zoning Bylaw to construct a Deck. Special Permit –1. Section 1.5.4 A of the Zoning By-Law allows extensions or alteration to non-conforming structures in the GR zoning district by a Special Permit from the Zoning Board of Appeals.

ZONING BOARD OF APPEALS



**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

June 21, 2018

Tingting Liu
33 Chestnut Street
Belmont, MA 02478

RE: Denial to Construct a Deck


Dear Ms. Liu,

The Office of Community Development is in receipt of your building permit application for the construction of a deck at the rear of your home located in a General Residence (GR) Zoning District.

Your application has been denied since it does not comply with the Zoning By-Law. More specifically, your building is considered nonconforming because your lot size and frontage do not comply with the current requirements (allowed: lot size – 7,000 s.f., frontage – 70'; existing and proposed: lot size – 5,495 s.f, frontage – 55'). As a result, Section 1.5.4 A of the By-Law allows extensions or alterations to preexisting, non-confirming structures in the GR Zoning District only by Special Permit.

You may alter your plans to conform to the Zoning By-Law and resubmit for a building permit or you may request a Special Permit 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.

Sincerely,



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



Town of Belmont
Planning Board

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APPLICATION FOR A SPECIAL PERMIT

Date: Dec 1st, 2017

Planning Board
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-Law 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 33 chestnut 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 build
a deck on second floor.

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

Signature of Petitioner

Print Name

Tingting Lin

Address

33 chestnut St.

Belmont, MA 02478

Daytime Telephone Number

617-833-8298

Request for Special Permit

Re: Construction of a deck at the back yard

Submitted by Tingting Liu, owner of 33 Chestnut St, Belmont, MA

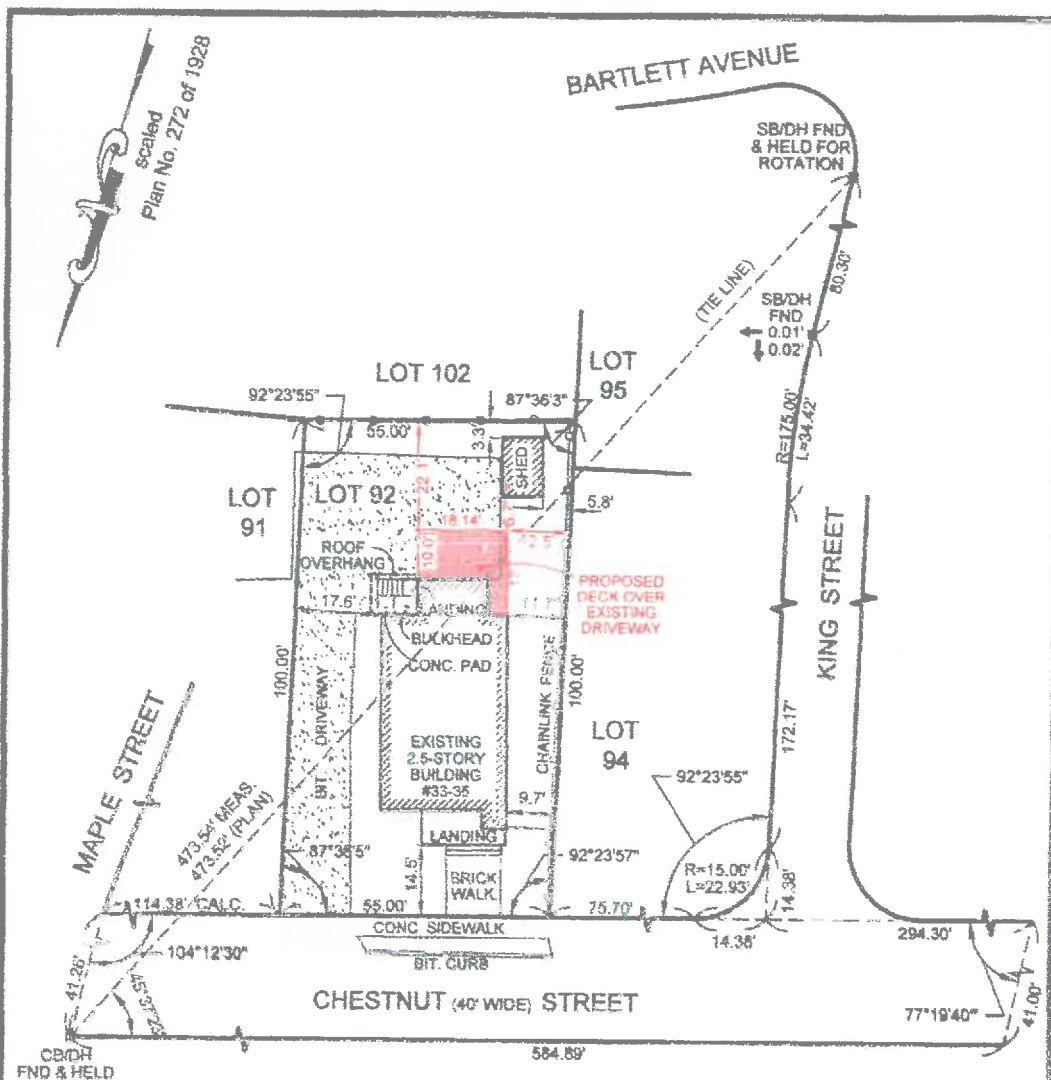
I proposed to build a deck on the second floor at the back yard of our home. The current allowed lot size is 7,000 sqft, Lot frontage is 70'; our existing and proposed lot size is 5,495 sqft, Lot frontage is 55'.

I would like to note that I have spoken with and acquired signature of support from our neighbors and have endeavored to create a design which has minimal to no impact to them. In fact, we feel that a new deck will be a great improvement on the current structure. It is our belief that the proposed addition is in keeping with the character of the neighborhood and not detrimental to the community.

I have lived in my home for five years. Two years ago, I got married and had a baby girl. My neighbor Jack has a deck on the second floor right cross our back yard. He always invited us for lunch on his porch, while we are having lunch, I put my baby next to me and let her enjoy the sunshine. She seemed really like it which made me have an idea to build a deck along with my baby's growth and have more comfortable space for potted plants.

The original building permit application was declined because the minimum required open space in General Residence district is 40%. When the house was built in 1927, the existing open space is 39.2% which is already below the requirement. I proposed to build the deck is only slight extend the open space to 38.5%.

I looked at other options for my deck but feel that this solution most accurately meets our goals for our use of the backyard with minimal to no impact on the neighborhood. I am asking the planning Board of Appeals to grant us a special permit and allowing me to build this small addition to my home.



NOTES:

- * Assessors Ref.: Map 15, Lot 92
- * Master Deed Ref.: Book 46993, Page 404
- * Unit #33 Deed: Book 61686, Page 88
- * Unit #35 Deed: Book 66757, Page 378
- * Plan Ref.: Plan No. 272 of 1928
Plan No. 680 of 1928
Plan No. 441 of 1952
Plan Book 319, Plan 6
Plan Book 364, Plan 17
- * Zone: General Residence
- * Lot area = 5,495 Sq.Ft.
- * Max. Lot Coverage = 30 %
- * Existing Lot Coverage = 1,429 Sq.Ft. (26.0%)
- * Proposed Lot Coverage = 1,594 Sq.Ft. (29.0 %)
- * Min. Open Space = 40%
- * Existing Open Space = 2,156 Sq.Ft. (39.2%)
- * Proposed Open Space = 2,113 Sq.Ft. (38.5 %)

Plot Plan

33 Chestnut Street
Belmont, MA 02478

Owner: Tingting Liu
House No. 33-35
Lot No. 92
App. No. n/a
Date September 26, 2017
Scale 1 inch = 30 feet



10 Andrew Square, Suite 201B
South Boston, MA 02127
Tel. 857-544-3061
www.land-mapping.com

Neil J. Murphy
Professional Land Surveyor

Zoning Compliance Check List

(Registered Land Surveyor)

Property Address: 33 Chestnut St, Belmont, MA 02478

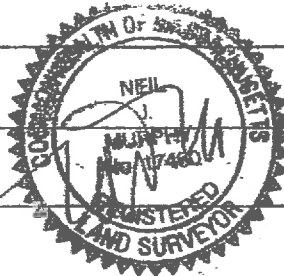
Zone: GR

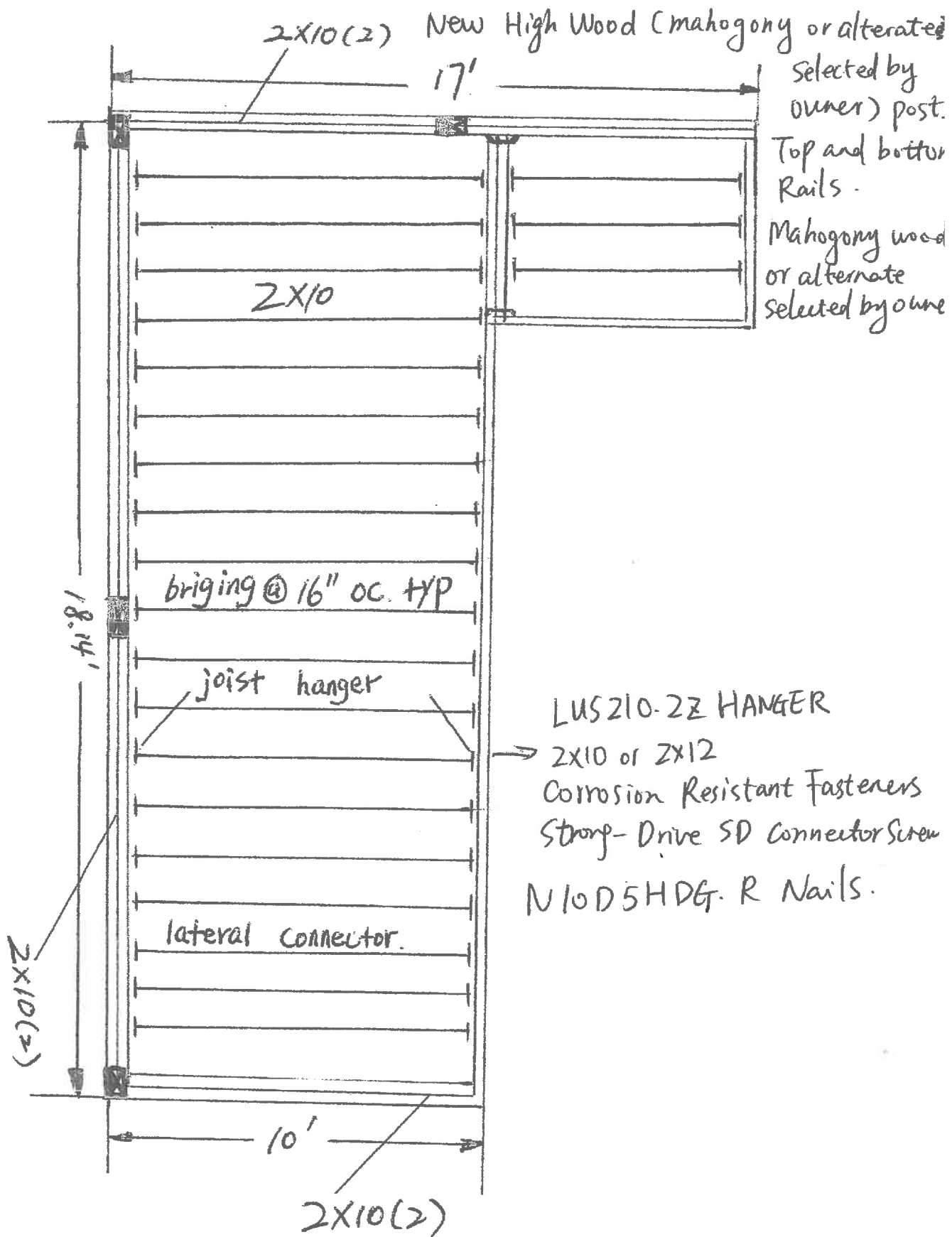
Surveyor Signature and Stamp: 

Date: 12/18/2017

	REQUIRED	EXISTING	PROPOSED
Lot Area	7,000 Sq.Ft.	5,495 Sq.Ft.	5,495 Sq.Ft.
Lot Frontage	70'	55'	55'
Floor Area Ratio	N / A	N / A	N / A
Lot Coverage	30 %	26 %	29 %
Open Space	40 %	39.2%	38.5 %
Front Setback	20'	17.7'	17.7'
Side Setback	10'	9.7'	9.7'
Side Setback	10'	17.6'	17.6'
Rear Setback	20' / 12'	32.1' / 3.3'	22.1' / 3.3'
Building Height	N / A	N / A	N / A
Stories	2.5	2.5	2.5
1/2 Story Calculation			

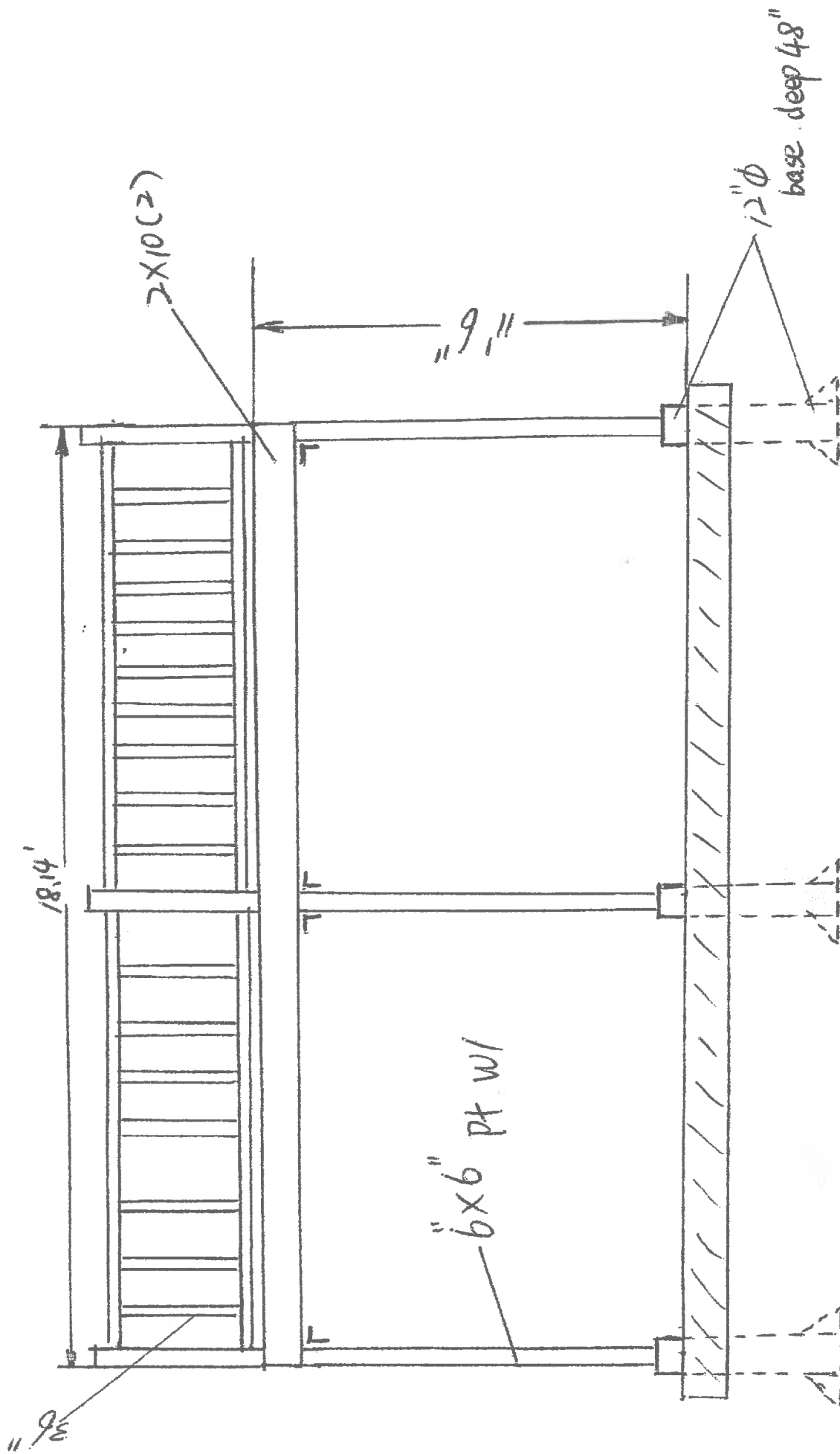
NOTES:





33 Chestnut St. Belmont, MA 02478

A2



33 chestnut st. belmont. MA 02478.

A1

33 Chestnut St. Request For Special Permit.

Construction of a deck at back yard.

Neighborhood Signature who do not object to The proposed object.

Name	Signature	Address
Hagop Gebezhian	Hagop Gebezhian	165 Maple St. Belmont MA 02453.
JOHN Dechino	John Dechino	37 Chestnut St 02478
Patrick Danaher	P. Danaher	13-15 Chestnut St. 02474
Colleen Rooney	Colleen Rooney	13-15 Chestnut St 02478
Andrie Burroso	Andrie Burroso	38 Chestnut St 02478
Daniel Burroso	Daniel Burroso	38 Chestnut St 02478
Tessa Burroso	Tessa Burroso	38 Chestnut St 02478
Mare Tapper	Mare Tapper	40 Chestnut St 02478
Jill Tapper	Jill Tapper	40 Chestnut St 02478
Katarzyna Nowak-Funk	Katarzyna Nowak-Funk	30 Chestnut 02478



The front view of 33 chestnut st.



The side view of 33 chestnut st.

