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TOWN CLERK  
BELMONT, MA

2018 AUG 28 AM 10: 27

CASE NO. 18-30

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, 3<sup>rd</sup> floor, Homer Municipal Building, 19 Moore St., to consider the application of Thomas J. Kenny at 36 Bellevue Road, located in a General Residence (GR) Zoning District for A Special Permit under Section 1.5 of the Zoning Bylaw to construct a One Story Addition. 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

RECEIVED  
TOWN CLERK  
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Town of Belmont  
Zoning Board of Appeals

2018 AUG 28 AM 10:27

## APPLICATION FOR A SPECIAL PERMIT

Date: 6/15/18

Zoning Board of Appeals  
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-Laws 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 36 BELLEVUE 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 CONSTRUCT A ONE STORY ADDITION

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

Signature of Petitioner Barbara E Kenny  
Print Name Barbara E Kenny  
Address 36 Bellevue Rd.  
Belmont, MA  
Daytime Telephone Number 617-484-2500



**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**

May 25, 2018

Thomas J. Kenny  
36 Bellevue Road  
Belmont, MA 02478

RE: Denial to Construct a One Story Addition

Dear Mr. Kenny:

The Office of Community Development is in receipt of your building permit application to Construct a One (1) Story addition at 36 Bellevue Road located in a General Residence (GR) Zoning District.

Your application has been denied because it does not comply with the Zoning By-Law. More specifically, 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.

1. The proposed changes to the structure are allowed by a Special Permit.

You may alter your plans to conform to the current Town of Belmont Zoning By-Law and resubmit a building permit application, or you may request one (1) Special Permit from the Zoning Board of Appeals. If you choose this option, please contact the Office of Community Development to schedule an appointment with Ara Yogurtian, Assistant Director, at (617) 993-2650 in order to begin the process.

Sincerely,

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

## **Request for Special Permit Re: Side yard setback**

Submitted by  
Tom & Barbara Kenny

Owners of  
36 Bellevue Road, Belmont MA 02478

We propose to add a small single story addition complying with Belmont's zoning criteria. The new addition only covers a portion of the lower story on the south east corner of the house farthest from both Bellevue Road and Raleigh Road and only covers 77 square feet and a new stair and landing. The new floor space will allow for a 1<sup>st</sup> floor laundry, expanded kitchen and new 3'-0" access point with a wider more accessible stair for entrance. It is our belief that the proposed addition is in keeping with the character of the neighborhood and not detrimental to the community.

We have lived in our single family home since 1972 and have been residents of Belmont for fifty five years. As we age into our home, new challenges have developed, and we feel that with the help of our local architect, Miller design, we designed a solution that both allows for better accessibility with a first floor laundry and expanded entrance. This addition also allows us to modernize our kitchen and relocate the refrigerator away from the side entrance.

The original building permit application was declined because the minimum required front setback in GR is 17.9', an area of the house that we are not performing any work. Under section 1.5.4.A any changes to a non-conforming structure require a special permit. When the house was built in 1922 the north side was constructed 12.5 feet from the property line. Our proposed addition complies with all current zoning criteria other than that the house is an existing non-conforming structure. We are asking the Zoning Board of Appeals to grant us a special permit allowing us to build this small addition to the first floor of our home as it is clearly not detrimental to the neighborhood.

# Adjacent Property Owner's Consent Form

Location of Property Where Work Is Being Performed

36 Bellevue Road

Owner Name of Property Where Work Is Being Performed

Barbara and Thomas Kenny

I hereby give my permission for the above applicant to construct an addition to the first floor a above-located address, as outlined in the attached architectutal and plot plans. All plans will b approved and permitted by the Town of Belmont.

Date	Name	Address	Signature
6/11/18	Melissa Carlson	30 Bellevue Rd Belmont	M. Carlson
6/12/18	John M. Dene	52 Raleigh Rd Belmont	John M. Dene
6/13/18	Melissa Vaughn	29 Bellevue Rd., Belmont	M. Vaughn
6/16/18	Katy Neylon-Azad	39 Raleigh Rd. Belmont	K. Azad
6/16/18	Joseph J. Dow	35 RALEIGH RD BELMONT	Joseph J. Dow
6/17/18	Tom JACKMAN	53 Raleigh Rd. Belmont	Tom Jackman
6/17/18	DK Brezinsky	49 Raleigh Rd, Belmont	DK Brezinsky
6/17/18	Michael Graf	24 Bellevue Rd. Belmont	Michael Graf

# 36 Bellevue Road



Nothwest Corner of house (New addition location)

# 30 Bellevue Road



Neighbor(Adjacent)



# 26 Bellevue Road



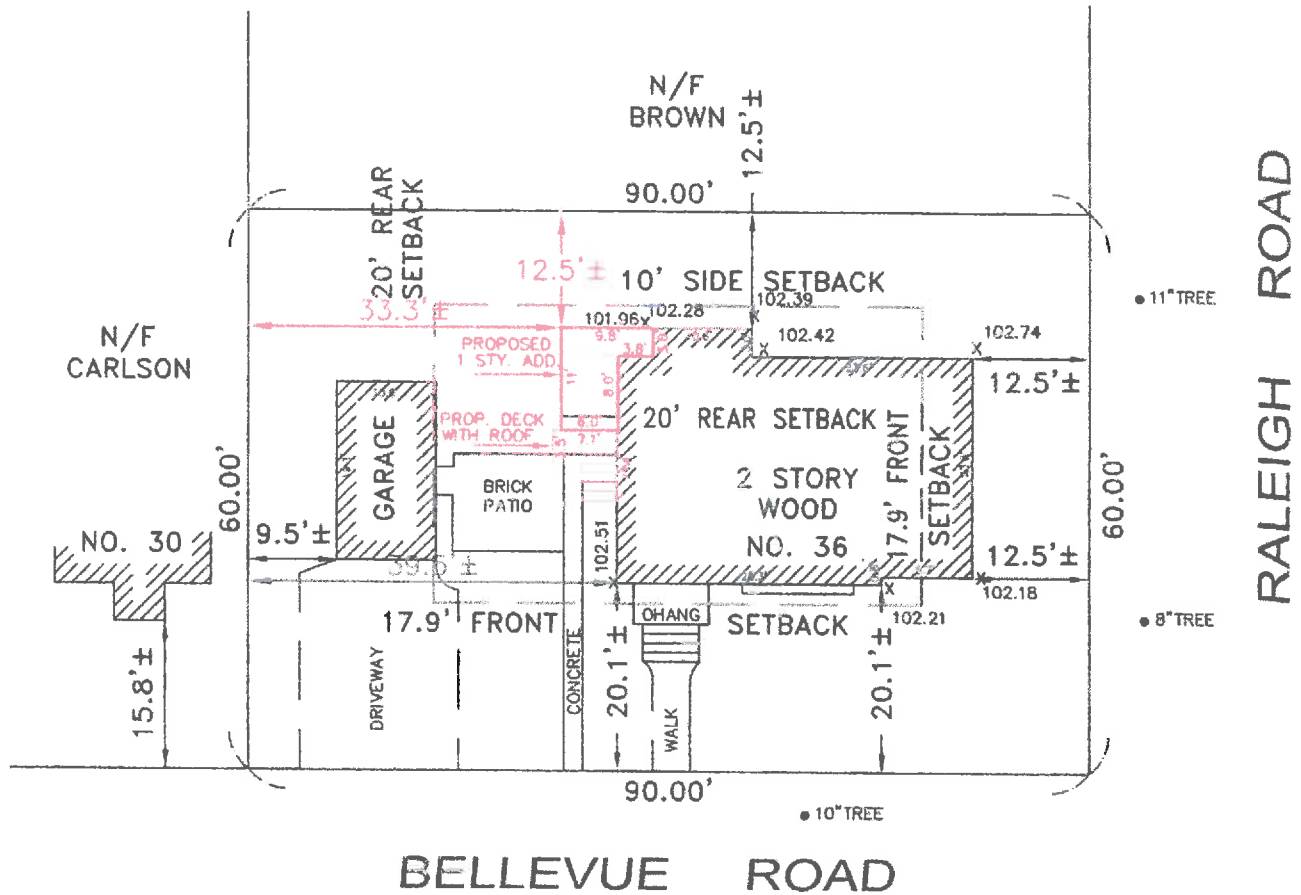
Neighbor (1 house away)



# 38 Raleigh Road



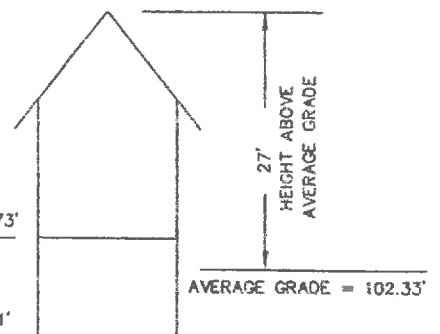
Neighbor (Across Street)



LOT = 5,400 S.F.±  
 BUILDING = 951 S.F.±  
 GARAGE = 203  
 DRIVEWAY + WALKS = 505 S.F.±  
 EXISTING BLDG. COV. = 21.4%  
 PROPOSED NET ADDITION = 102 S.F.±  
 PROP. BLDG. COV. = 23.3%  
 EXISTING OPEN SPACE = 69.3%  
 PROP. OPEN SPACE = 67.4%

TOP OF CEILING = 104.73'

BASEMENT FLOOR = 98.11'



#### NOTES

1. SEE DEED RECORDED IN MIDDLESEX COUNTY REGISTRY OF DEEDS IN DEED BOOK 52498, PAGE 443.
2. SEE PLAN RECORDED IN MIDDLESEX COUNTY REGISTRY OF DEEDS IN PLAN BOOK 280, PLAN 43.
3. SUBJECT PARCEL IS LOCATED IN ZONE GR.
4. SUBJECT PARCEL IS LOCATED IN FLOOD ZONE X AS SHOWN ON PANEL 25017C0418E WITH AN EFFECTIVE DATE OF JUNE 4, 2010.
5. THREE PUBLIC SHADE TREES ARE LOCATED WITHIN THE LIMITS OF THE PROPERTY FRONTAGE OF THE SUBJECT PROPERTY.

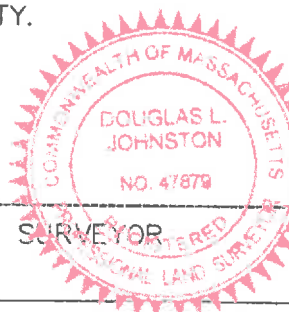


( IN FEET )  
 1 inch = 20 ft.

CERTIFIED PLOT PLAN  
 IN BELMONT, MA

SCALE: 1"=20' MAY 7, 2018

DLJ GEOMATICS  
 PROFESSIONAL LAND SURVEYING  
 276 NORTH STREET  
 WEYMOUTH, MA 02191  
 (781) 812-0457  
 36 BELLEVUE RD BELMONT.dwg



5/8/18

PROFESSIONAL LAND SURVEYOR DATE

# Zoning Compliance Check List

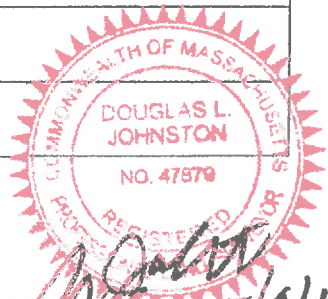
## (Registered Land Surveyor)

Property Address: 36 BELLEVUE ROAD Zone: GR

Surveyor Signature and Stamp: \_\_\_\_\_ Date: 5-8-18

	REQUIRED	EXISTING	PROPOSED
Lot Area	5,000 S.F.	5,000 S.F.	5,400 S.F.
Lot Frontage	50'	140'	140'
Floor Area Ratio	N/A	N/A	N/A
Lot Coverage	30%	21.4%	23.3%
Open Space	40%	69.3%	67.4%
Front Setback	17.9'	12.5'	12.5'
Side Setback	10.0'	12.5'	12.5'
Side Setback			
Rear Setback	20'	39.5'	33.3'
Building Height	33'	27'	27'
Stories	2 1/2	2	2
1/2 Story Calculation SEE NOTES			

### NOTES:

*D. Johnston*  
5/8/18



GENERAL NOTES:

1. COORDINATE AND BE RESPONSIBLE FOR THE PROTECTION OF PERSONS AND PROPERTY FOR THE DURATION OF CONSTRUCTION AS REQUIRED BY AGENCIES AND AUTHORITIES HAVING JURISDICTION.
2. DO NOT DAMAGE BUILDING ELEMENTS AND IMPROVEMENTS INDICATED TO REMAIN.
3. DO NOT INTERRUPT UTILITIES WITHOUT THE WRITTEN PERMISSION OF THE OWNER.
4. REMOVE SALVAGE AND DEBRIS FROM THE SITE AS IT ACCUMULATES. DO NOT STORE, SELL, BURN OR OTHERWISE DISPOSE OF THE DEBRIS ON THE SITE. KEEP ALL PAVEMENTS AND AREAS ADJACENT TO AND LEADING FROM THE SITE CLEAN AND FREE OF MUD, DIRT, AND DEBRIS AT ALL TIMES. ALL MATERIALS SHALL BE DISPOSED OF IN A LEGAL MANNER.
5. SORT DEBRIS FOR RECYCLING TO THE EXTENT POSSIBLE. REMOVE OR ARRANGE FOR THE TRANSPORT OF SORTED MATERIALS SCHEDULED TO BE RECYCLED TO APPROPRIATE OFF-SITE FACILITIES EQUIPPED FOR THE RECYCLING OF SPECIFIC MATERIALS. PROVIDE CONTAINERIZED DUMPSTERS FOR THE SORTING OF DEMO WASTES.
6. CEASE OPERATIONS IF PUBLIC SAFETY OR REMAINING STRUCTURES ARE ENDANGERED. PERFORM TEMPORARILY CORRECTIVE MEASURES UNTIL OPERATIONS CAN BE CONTINUED PROPERLY.
7. ALL INTERIOR DIMENSIONS ARE FROM FACE OF GWB TO FACE OF GWB UNLESS SPECIFICALLY NOTED OTHERWISE. DO NOT SCALE DRAWINGS.
8. CONTRACTOR TO COORDINATE THE LOCATION OF ELECTRICAL OUTLETS TO MEET CODE. CONTRACTOR TO UPGRADE ELECTRICAL PANEL AS NEEDED TO ACCOMMODATE NEW ADDITION.
9. PAINT AND/OR STAIN ALL EXTERIOR SIDING, DOORS, WINDOWS, AND TRIM AND INTERIOR SURFACES PER OWNERS DIRECTION.
10. ALL PLUMBING AND LIGHTING FIXTURES TO BE FURNISHED BY OWNER, INSTALLED BY CONTRACTOR.
11. CONTRACTOR TO INSTALL AND COORDINATE ALL HVAC EXTENSIONS AND RENOVATIONS INTO NEW SPACE AS REQUIRED.
12. ALL HVAC, PLUMBING, ELECTRICAL, AND FIRE PROTECTION TO BE DESIGN BUILD PROVIDE FIRE EXTINGUISHERS AS REQUIRED BY FIRE INSPECTOR.

GENERAL CONDITIONS

1. G. C. MUST BUILD EXACTLY WHAT IS SHOWN ON FRAMING PLANS. ANY PROPOSED DEPARTURES FROM WHAT IS INDICATED MUST BE REVIEWED WITH THE ARCHITECT PRIOR TO CONSTRUCTION. ALL UNAUTHORIZED CHANGES TO THE APPROVED DRAWINGS MUST BE REMOVED AND REPLACED AT THE CONTRACTOR'S EXPENSE.
2. DESIGN IS DERIVED FROM ASSUMED FIELD CONDITIONS. ANY DISCREPANCIES BETWEEN WHAT IS SHOWN ON OUR DOCUMENTS AND WHAT IS FOUND IN THE FIELD MAY CHANGE THE STRUCTURAL DESIGN, AND MUST IMMEDIATELY BE BROUGHT TO THE ARCHITECT'S ATTENTION PRIOR TO ANY CONSTRUCTION.
3. THE CONTRACTOR SHALL CAREFULLY VERIFY ALL DIMENSIONS AND CONDITIONS SHOWN ON DRAWINGS PRIOR TO COMMENCEMENT OF THE WORK, AND SHALL NOTIFY THE ARCHITECT IMMEDIATELY OF ANY DISCREPANCIES BETWEEN DOCUMENTS.
4. THE CONTRACTOR IS RESPONSIBLE FOR ALL MEANS AND METHODS OF TEMPORARY SHORING, BRACING, OR OTHERWISE PROTECTING ANY PORTION OF THE STRUCTURE, SITE AND UTILITIES FROM DAMAGE DURING CONSTRUCTION. THE ARCHITECT IS SPECIFYING THE FINISHED CONDITION ONLY, WITHOUT ASSUMING KNOWLEDGE NOR RESPONSIBILITY FOR HOW THE CONTRACTOR WILL ACHIEVE THIS RESULT.
5. FOR EXACT LOCATIONS OF FLOOR AND ROOF OPENINGS, POSTS, ETC., SEE ARCHITECTURAL DRAWINGS.

ZONING BOARD  
SUBMISSION  
JUNE 13, 2018

1ST FLOOR KITCHEN EXPANSION  
AND ASSOCIATED DECK

DRAWING LIST

- A1 COVER SHEET
- A2 FIRST FLOOR
- A3 EXISTING ELEVATIONS
- A4 NEW LAYOUT PLANS
- A5 NEW ELEVATIONS
- A6 SECTIONS

SYMBOL LEGEND

- WALL TO BE DEMOLISHED
- EXISTING WALL TO REMAIN
- NEW WALL
- 2 A12 SECTION
- 5 DOOR TAG
- B WINDOW TAG
- RECESSED CAN LIGHT AS SELECTED BY OWNER
- WALL MOUNTED SCONCES AS SELECTED BY OWNER
- CEILING MOUNTED LIGHT AS SELECTED BY OWNER

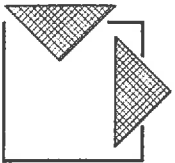
PROJECT INFORMATION: PER ZONING AMENDMENTS DATED 11/26/2012  
BELMONT ZONING DISTRICT GR:

FRONT YARD SETBACK: 17.9' (BELLEVUE UNCHANGED) - 21.1' CONFORMING  
FRONT YARD SETBACK: 19.9' RALEIGH ROAD UNCHANGED - 12.5' NON CONFORMING  
REAR YARD SETBACK: 20' (UNCHANGED) - CONFORMING  
SIDE YARD SETBACK: 10' (UNCHANGED) - 12.5' UNCHANGED CONFORMING  
FRONTAGE: 50'-0" (EXISTING 60'& 90' COMPLIES)  
LOT AREA: 5000SQFT (UNCHANGED) 5400SQFT EXISTING CONFORMING  
MAX HEIGHT: 33'2.5 STORIES (27'2.5 STORIES UNCHANGED CONFORMING)

ADDITION LOCATION



MILLER  
DESIGN LLC

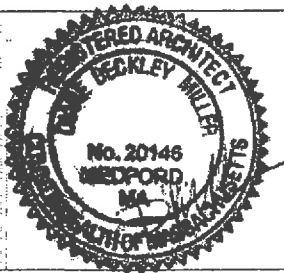


52 STATLER ROAD  
BELMONT, MA 02478  
TEL: 617.993.3157

Architect:  
Miller Design LLC  
52 Statler Road  
Belmont MA 02478  
617-993-3157

Date: Issued for:

03/22/18 SCHEMATIC DRAWINGS  
05/07/18 PLANNING DRAWINGS  
06/13/18 ZONING REV1

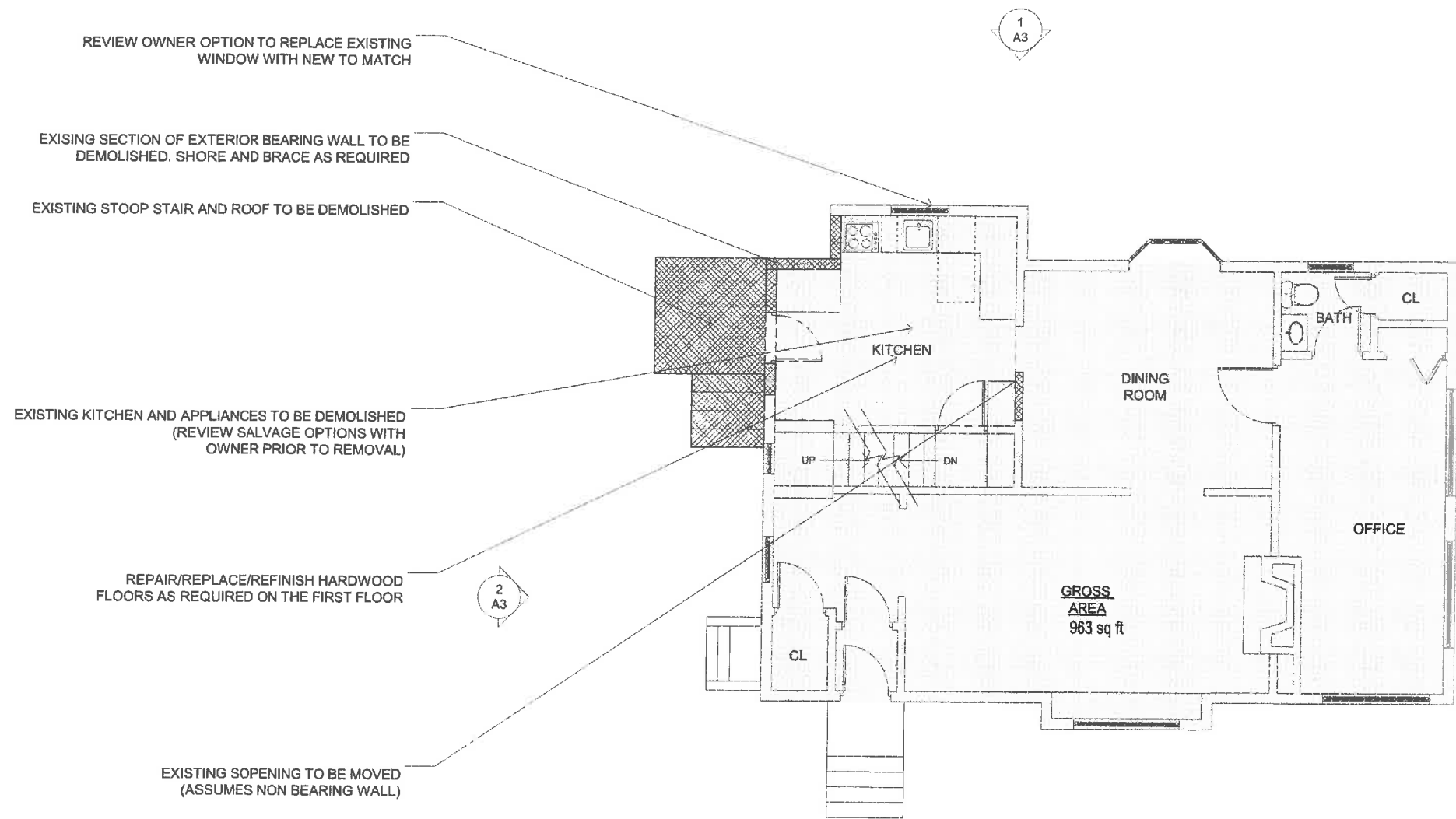


KENNY RESIDENCE  
36 BELLEVUE ROAD  
BELMONT, MA 02487

COVER SHEET

Sheet  
Number:

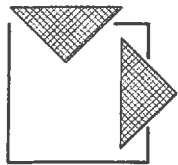
A1



1 FIRST FLOOR PLAN  
SCALE: 1/4" = 1'



MILLER  
DESIGN LLC



52 STATLER ROAD  
BELMONT, MA 02478  
TEL: 617.993.3157

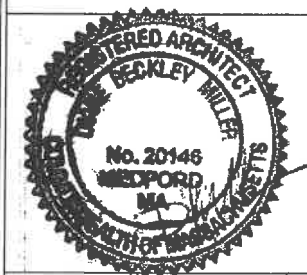
Architect:  
Miller Design LLC  
52 Statler Road  
Belmont MA 02478  
617-993-3157

Date: Issued for:

03/22/18 SCHEMATIC DRAWINGS

05/07/18 PLANNING DRAWINGS

06/13/18 ZONING REV1



KENNY RESIDENCE  
36 BELLEVUE ROAD  
BELMONT, MA 02487

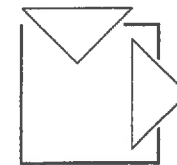
DEMOLITION PLANS

Sheet  
Number:

A2



MILLER  
DESIGN LLC



52 STATLER ROAD  
BELMONT, MA 02478  
TEL: 617.993.3157

Architect:  
Miller Design LLC  
52 Statler Road  
Belmont MA 02478  
617-993-3157

Date: Issued for:

03/22/18 SCHEMATIC DRAWINGS

05/07/18 PLANNING DRAWINGS

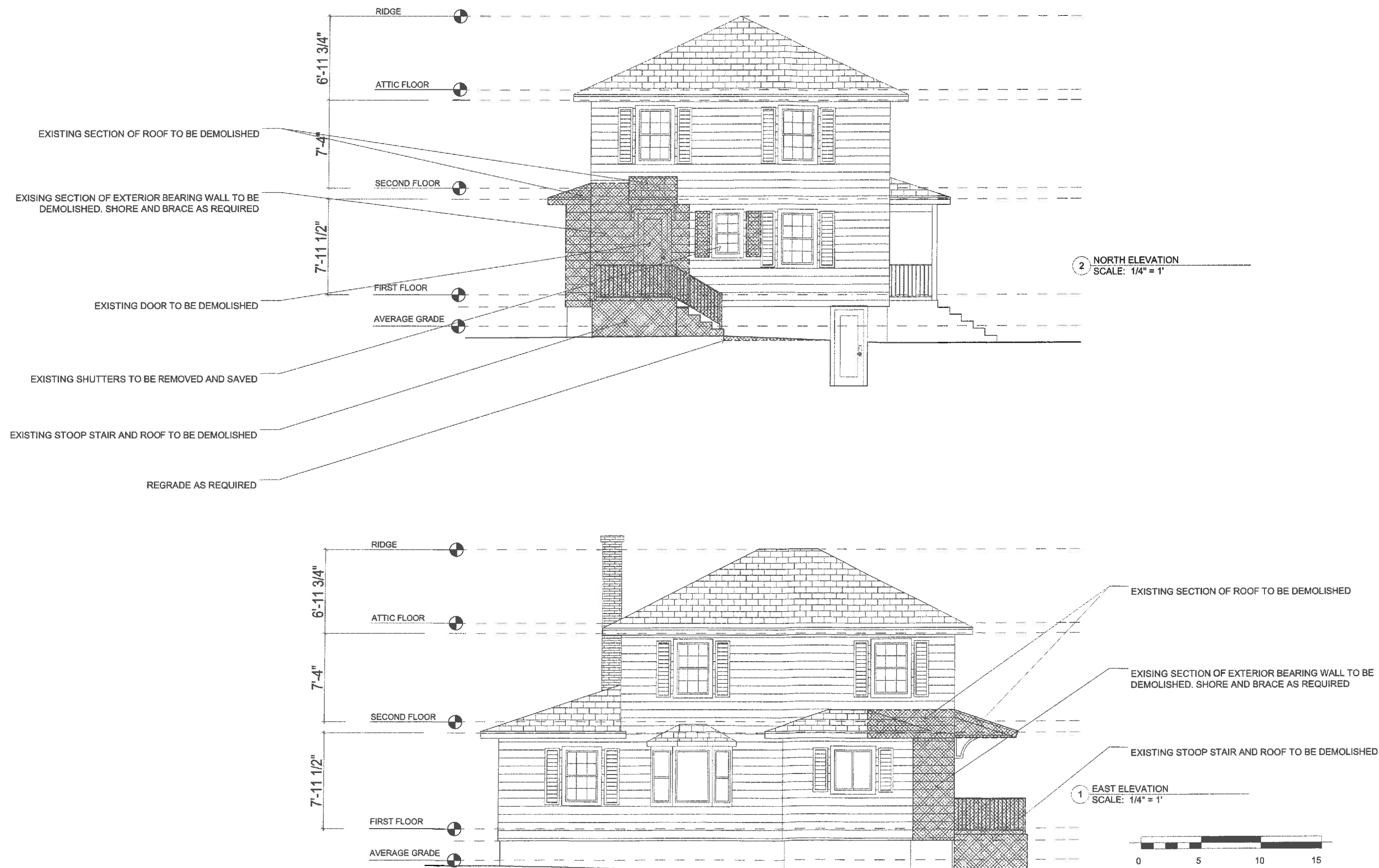
06/13/18 ZONING REV1

KENNY RESIDENCE  
36 BELLEVUE ROAD  
BELMONT, MA 02487

## ELEVATIONS

Sheet  
Number:

A3



NOTE:  
UNLESS OTHERWISE NOTED  
ALL RECESSED LIGHTS ARE  
TO BE LED TYPE ON DIMMER  
SWITCHES

NOTE 2:  
PAINT ALL INTERIOR AND  
EXTERIOR FINISHES AS  
REQUIRED & SELECTED BY  
OWNER

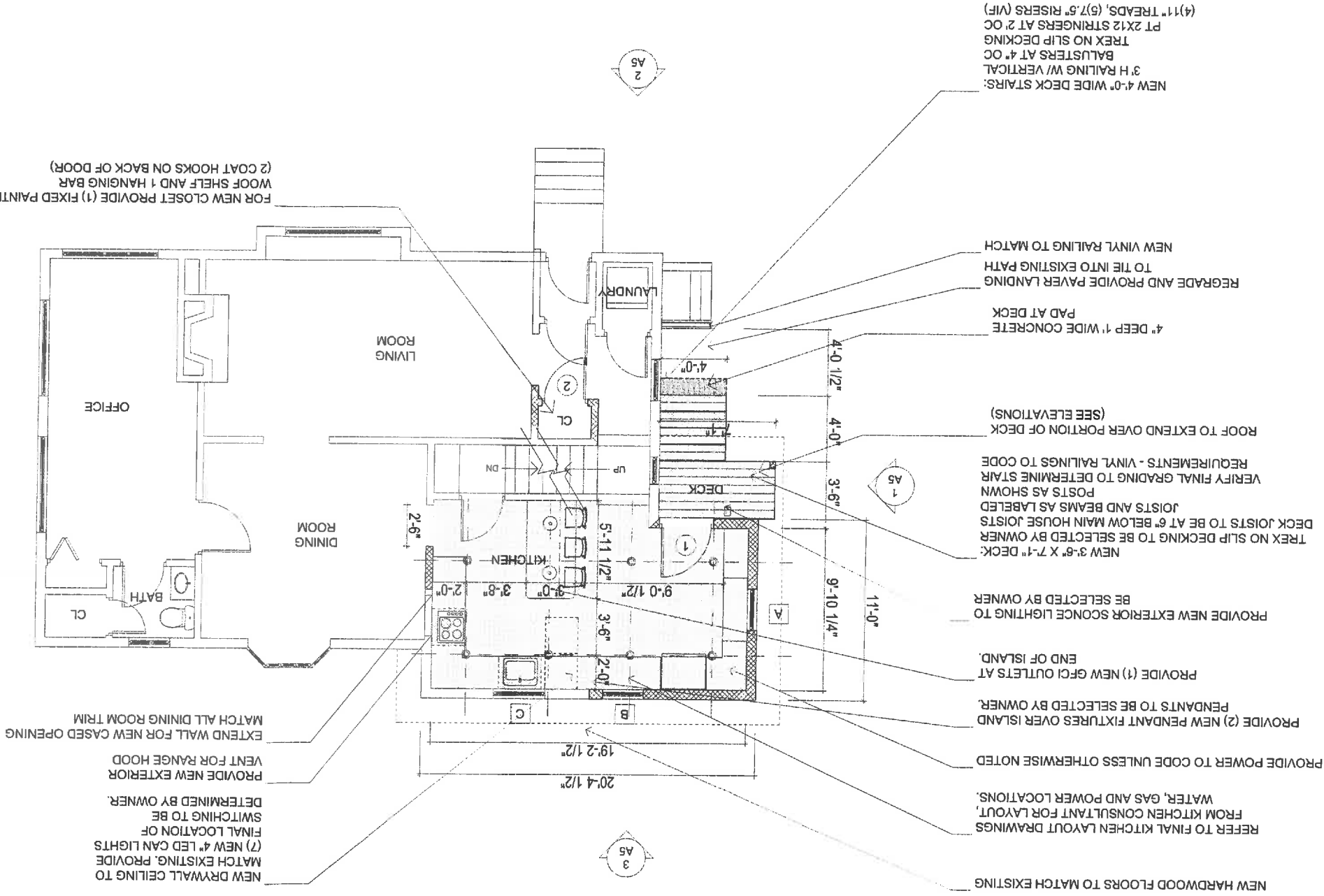
NOTE 3:  
ALL INTERIOR TRIM/BASE  
PROFILES TO BE SELECTED  
BY OWNER, AZEK OR SIM.  
EXTERIOR TRIM.

NOTE 4:  
PROVIDE NEW HARDWOOD  
FLOOR TME, FEATHER IN NEW  
BOARDS WHERE REQUIRED.  
SAND & REFINISH EXISTING.

NOTE 5:  
PATCH AND REPAIR ALL NEW  
POST LOCATIONS IN EXISTING  
WALLS.

KEY	SIZE	DESCRIPTION
A	2'-6" X 4'-4"	NEW DOUBLE HUNG WINDOW TME
B	2'-6" X 3'-4"	CASEMENT TO MATCH PROFILE OF WINDOW "C"
C	3'-2" X 3'-4"	POSSIBLE REPLACEMENT CASEMENT WINDOW

WINDOW SCHEDULE PELLA 360 OR EQUAL SERIES



1 SCALE: 1/4" = 1'-0"



## LAYOUT PLANS

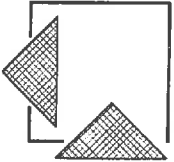
KENNY RESIDENCE  
36 BELLEVUE ROAD  
BELMONT, MA 02487



Date:	Issued for:
03/22/18	SCHEMATIC DRAWINGS
05/07/18	PLANNING DRAWINGS
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Architect:  
Miller Design LLC  
52 Statler Road  
Belmont MA 02478  
617-993-3157

52 STATLER ROAD  
BELMONT, MA 02478  
TEL: 617.993.3157



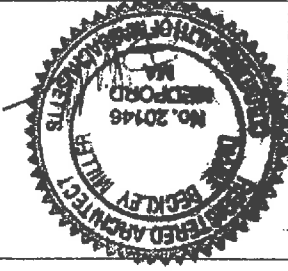
DESIGN LLC  
MILLER

A4

Sheet  
Number:

SECTION

KENNY RESIDENCE  
36 BELLEVUE ROAD  
BELMONT, MA 02487

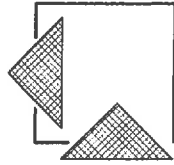


03/22/18	SCHEMATIC DRAWINGS
05/07/18	PLANNING DRAWINGS
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52 Statter Road  
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617-993-3157

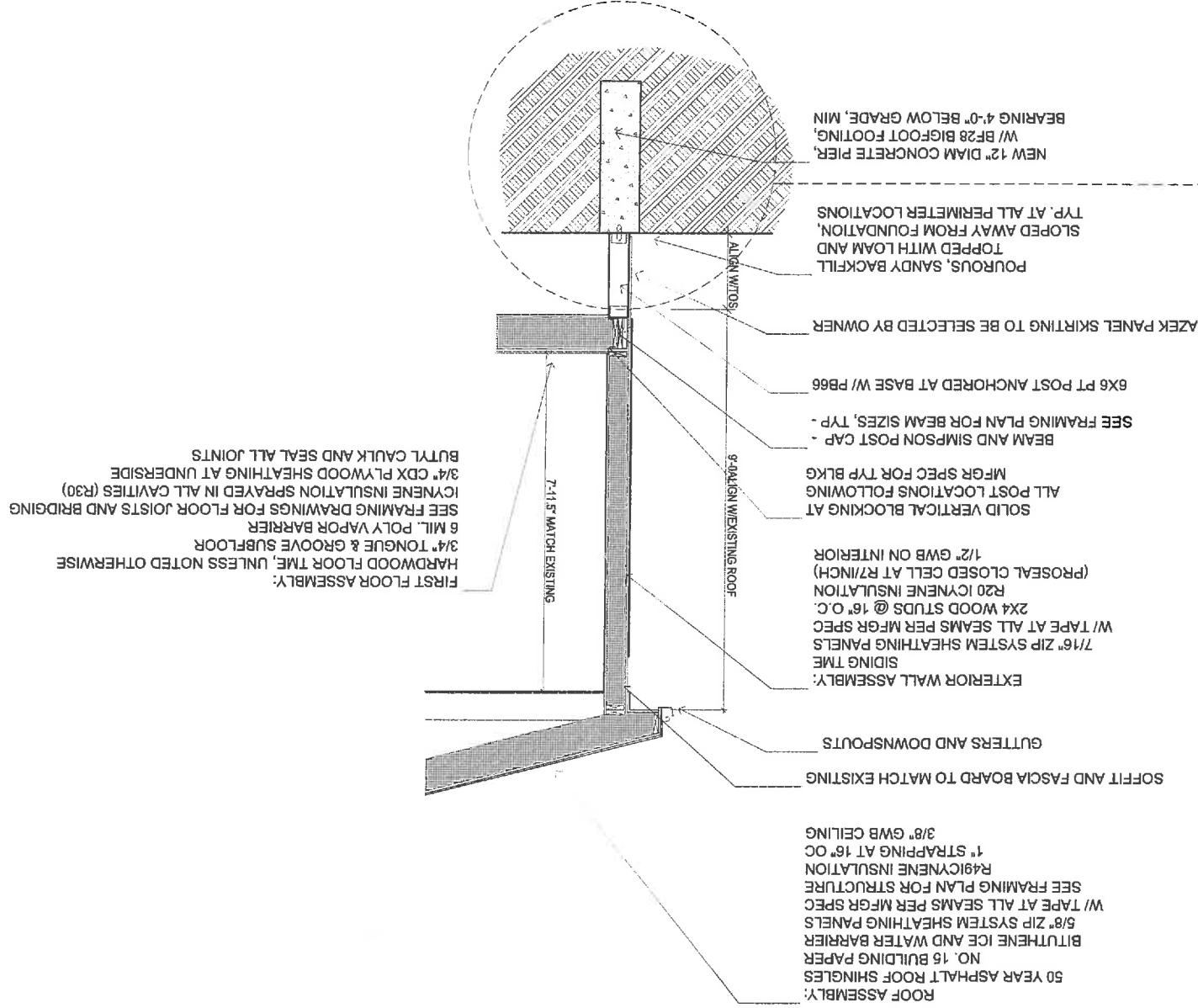
52 STATTER ROAD  
BELMONT, MA 02478  
TEL: 617.993.3157



Miller Design LLC  
DESIGN LLC



1 WALL SECTION  
1/4" = 1'-0"



2 FOOTING DETAIL  
SCALE: 1/2" = 1'

