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TOWN CLERK
BELMONT, MA

CASE NO. 18-37

2018 SEP -4 PM 2:07

NOTICE OF PUBLIC HEARING BY THE
BELMONT ZONING BOARD OF APPEALS

ON APPLICATION FOR 1 SPECIAL PERMIT

Notice is hereby given that the Belmont Zoning Board of Appeals will hold a public hearing on Monday October 1, 2018 at 7:00 PM in the Art Gallery, 3rd floor, Homer Municipal Building, 19 Moore St., to consider the application of Erik and Taina Rhodin at 70B Thomas Street, located in a General Residence (GR) Zoning District for One Special Permit under Section 1.5 of the Zoning Bylaw to construct a Dormer. Minimum required side setback is 10.0'. Special Permit -1. The existing and proposed side setback on the South side is 2.9'.

ZONING BOARD OF APPEALS

2018 SEP -4 PM 2:53



Town of Belmont
Zoning Board of Appeals

APPLICATION FOR A SPECIAL PERMIT

Date: August 27 2018

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 70 B THOMAS ST. 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 the construction of a dormer within side yard setback.

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

Signature of Petitioner

Erik Rhodin

Print Name

ERIK RHODIN

Address

70 B THOMAS ST.
BELMONT, MA.

Daytime Telephone Number

617 283 1425



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

August 20, 2018

Erik and Taina Rhodin
70 B Thomas Street
Belmont, MA 02478

RE: Denial to Construct a Dormer

Dear Mr. and Mrs. Rhodin,


The Office of Community Development is in receipt of your building permit application for your proposal to construct a Dormer at 70 B Thomas Street located in a General Residence (GR) Zoning District.

Your application has been denied because it does not comply with the current Town of Belmont Zoning By-Law. More specifically, Section 4.2.2 of the Zoning By-Law Dimensional Regulations requires a minimum side setback of 10.0'.

1. The existing and proposed side setback on the South side is 2.9'.

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

August 27, 2018

Zoning Boards of Appeals

Homer Municipal Building

19 Moore Street

Belmont, MA 02478

RE: 70B THOMAS STREET

PROPOSED SECOND FLOOR DORMER EXTENSION VIA A VARIANCE TO THE SIDE YARD SETBACK

To Whom It May Concern:

We, the owners of 70 B Thomas St. Belmont, Ma have lived in this house since 1982. The house was built in 1830, a long time before the current zoning was established. We understand that the house was the residence of a blacksmith who lived on the large estate prior to property lines being fully established per todays layout. The side set back in our GR district is 10 feet. Our house is located at 3.2 feet from the south side of the property line. We are asking for 7 feet variance to the south side set back to complete a new shed dormer for our son's bedroom. He has the smallest bedroom in the house, and only half of the room is full height at 7'-2" high to the ceiling, and a floor area at 6'-6" wide by 10' long at the 7'-2" ceiling height, while the other half of the room has a sloping ceiling producing standing room only in one half of the bedroom. Our son is 6'-2" tall. Per the CMR 780 the minimum height to habitable rooms is 7'-3" and the minimum floor dimensions for a bedroom are set at 70 sq. ft. We wish to provide a continuous flat ceiling at 7'-3" in his room by extending the dormer for the full length of the room, to the existing exterior walls.

Per the Belmont Zoning By-Law we seek a variance to the side yard setback for the following reasons:

Section 7.6.2 (1): Owing to the circumstances relating to shape of such land and structures and especially affecting such land or structures but not affecting generally the zoning district in which it is located, a literal enforcement of the provisions of this By-Law would involve substantial hardship to the petitioner.

As stated above, this house was built prior to zoning setbacks being established, however the house is still set back from the nearest neighbor to the south by over 70 feet. Our hardship is the need for a larger bedroom for our son, one that meets the minimum standards per the Mass Building Code.

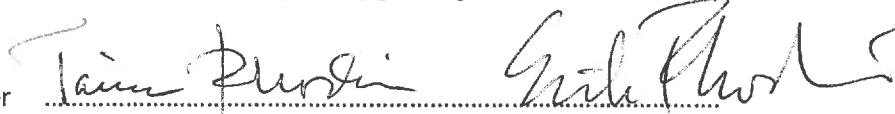
Section 7.6.2 (2): The desired relief may be granted without substantial detriment to the public good.

Because the proposed dormer on the South side of the house is substantially far away from the nearest neighbor it does not pose a detriment to the public good.

Section 7.6.2 (3): Without nullifying or substantially derogating from the intent or purposes of this By-Law.

The intent of this By-Law is not substantially derogated by granting a variance to the side yard setback.

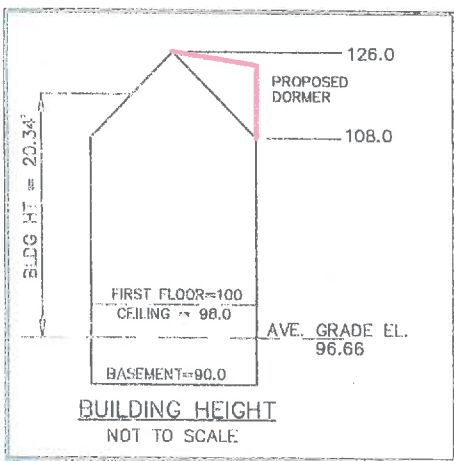
Signature of Petitioner



Erik and Taina Rhodin

ErikRhodin@gmail.com

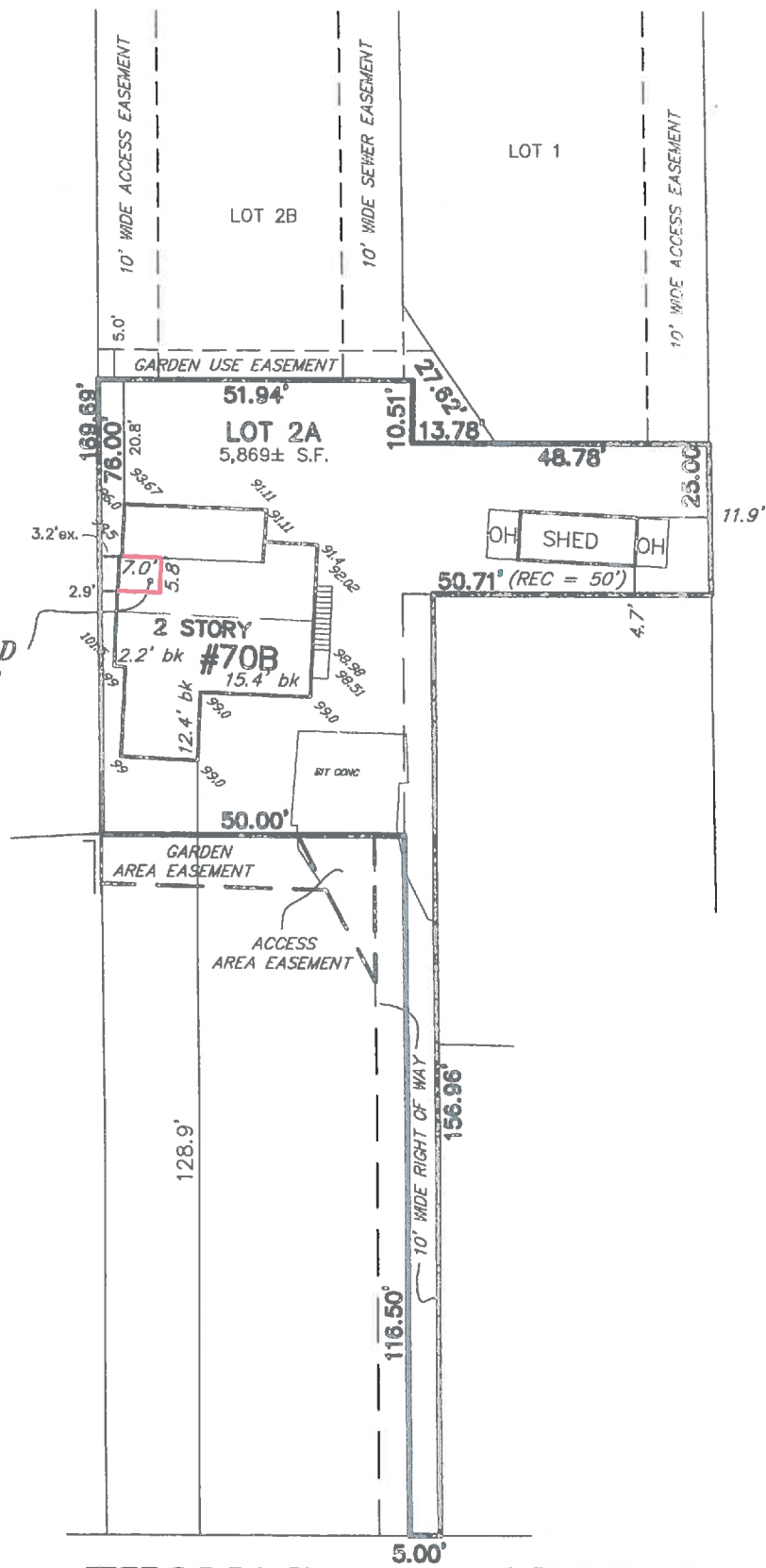
TainaRhodin@gmail.com



95.99% OF BASEMENT UNDERGROUND
THEREFOR BASEMENT IS NOT A STORY



PROPOSED
DORMER



THOMAS STREET (PUBLIC - 40' WIDE)

THE PROPERTY IS NOT LOCATED
WITHIN WETLANDS AS SHOWN
ON THE TOWN OF BELMONT
WETLANDS ATLAS.

ZONING DISTRICT: GR (GENERAL RESIDENCE)

	REQ.	EXISTING	PROP.
FRONT SETBACK:	20'	128.9'	-
SIDE SETBACK:	10'	2.2'	2.9'
REAR SETBACK:	20'	20.8'	-
MAXIMUM LOT COVERAGE:	30%	23.3%	-
MINIMUM OPEN SPACE:	40%	62.4%	-
LOT FRONTAGE:	50.00'	-	-

OWNER: ERIK & TANIA RHODIN
65143/318
ASSESSORS MAP 30 - PARCEL 58b

TOTAL LOT AREA: 5,869± S.F.



PROPOSED PLOT PLAN
#70B THOMAS STREET

IN
BELMONT, MA
(MIDDLESEX COUNTY)

SCALE: 1" = 30' DATE: 7/20/2018



ROBER SURVEY

1072 MASSACHUSETTS AVENUE
ARLINGTON, MA 02476
(781) 648-5533

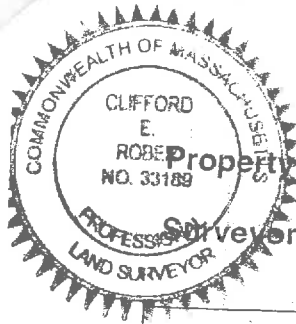
DWG. NO. 1660PP7B.DWG

CLIFFORD E. ROBER, PLS

DATE

Zoning Compliance Check List

Properties Located within the GR Zoning Districts
(To be Completed by a Registered Land Surveyor)



Property Address: 70 B Thomas Street

Surveyor Signature and Stamp: [Signature]

Date: 7/20/18

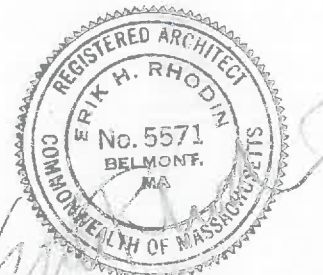
Per §4.2 of the Zoning By-Laws

	REQUIRED	EXISTING	PROPOSED
Lot Area (sq. ft.)	5,000	5,869	
Lot Frontage (feet)	50'	5'	
Lot Area/Unit (sq. ft./d.u.)	3,500	5,869	
Lot Coverage (% of lot)	30%	23.3%	
Open Space (% of lot)	40%	62.4%	
Setbacks: (feet)	➤ Front	20'	128.9'
	➤ Side/Side	10' 10'	2.2' 15.4' 2.9'
	➤ Rear	20'	20.8'
Building Height:	➤ Feet	33	20.34'
	➤ Stories	2 1/2	2
1/2 Story (feet) (Per §1.4)	➤ Perimeter		2 1/2
	➤ Area		
	➤ Length		

Per §6D of the Zoning By-Laws

	REQUIRED	EXISTING	PROPOSED
Front Doors:	➤ Face Street		
	➤ Setback		
Curb Cut			
HVAC:	➤ Front Yard		
	➤ Side/Rear Setbacks		

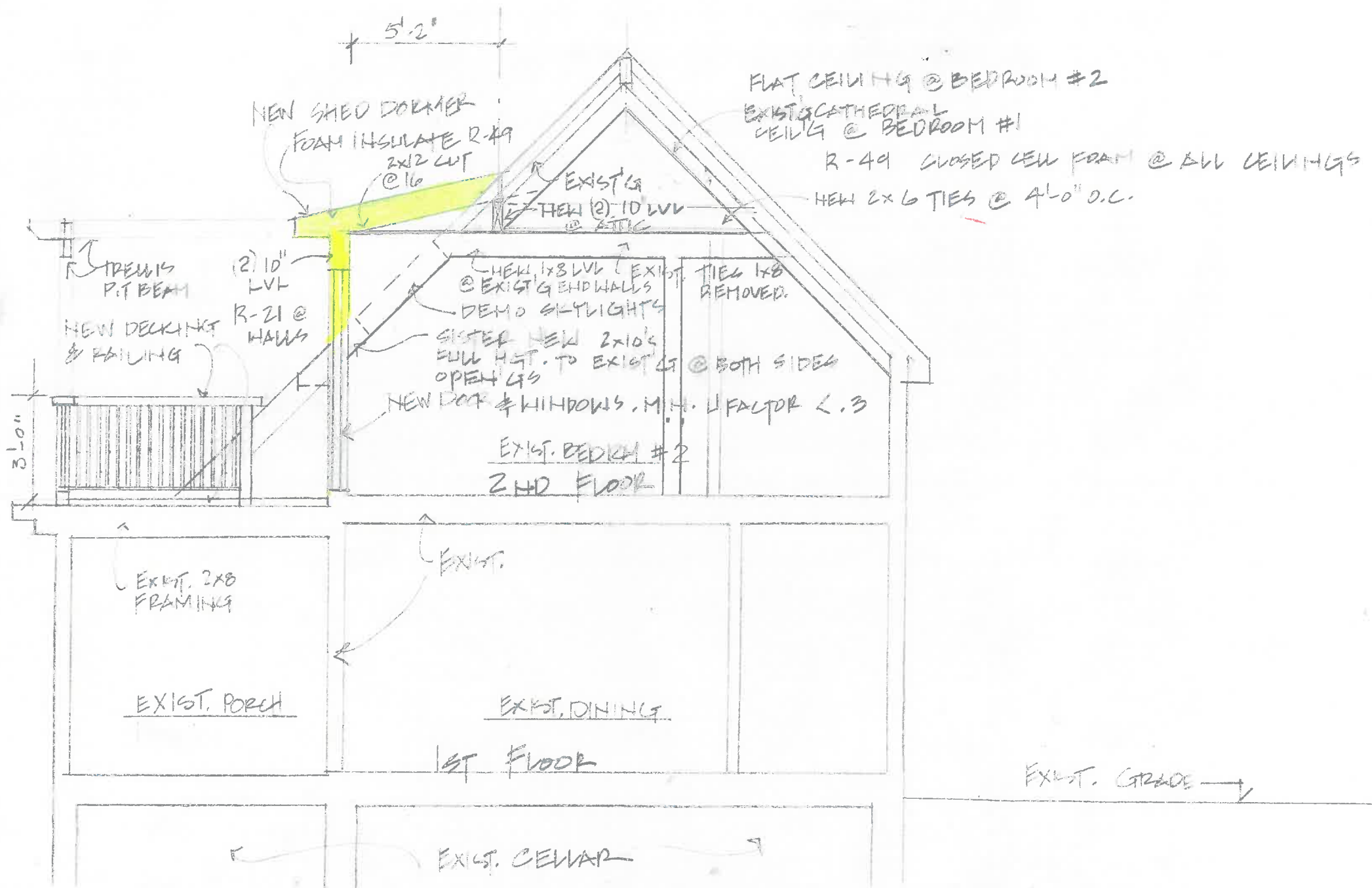
SUBMIT CALCULATIONS for all of the requirements listed above on a separate piece of paper(s) to verify how they were calculated



SHED CORNER ADDITION
@ SECOND FLOOR

RHODIN RESIDENCE
70B THOMAS ST. DE. MONT. MA. 02117

EXISTING 2 STORY FLOOR PLAN SCALE: 1/4" = 1'-0"



SHED DORMER ADDITION

RHODIN RESIDENCE

705 THOMAS ST. BELMONT, MA

02478

7-8-2018

SECTION A-A.
SCALE 1/4" = 1'-0"



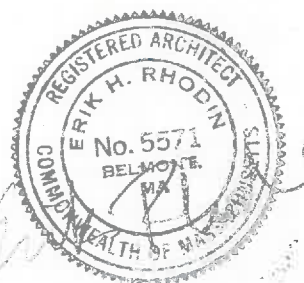
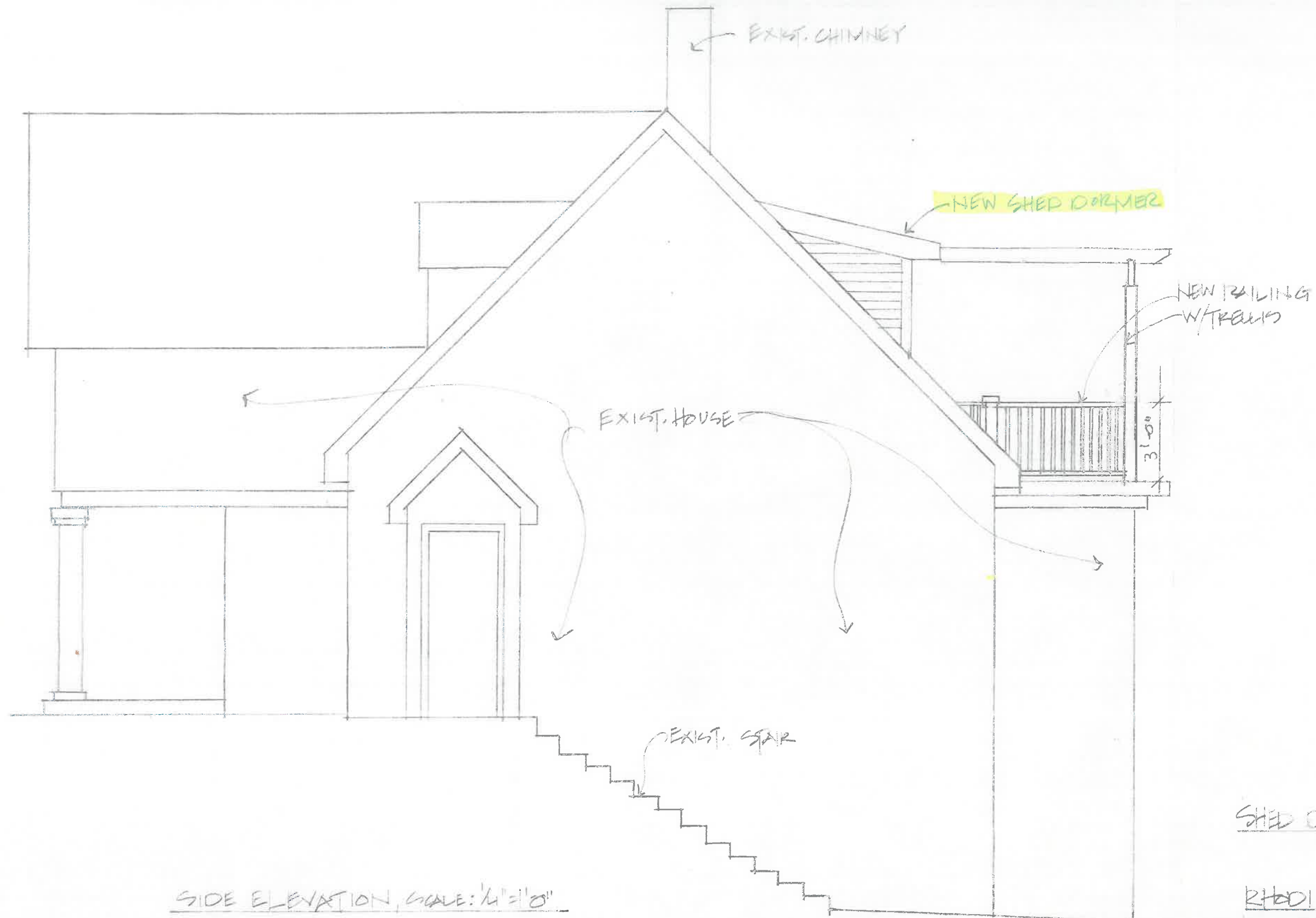
REAR ELEVATION, SCALE: 1/4" = 1'0"



SHED DORMER ADDITION

RHODIN RESIDENCE
703 THOMAS ST. BELMONT, MA 02478

7-2-2013



SHED DORMER ADDITION

RHODIN RESIDENCE
703 THOMAS ST. BELMONT, MA
02478
7-2-2018



