

NOTICE OF PUBLIC HEARING BY THE  
BELMONT ZONING BOARD OF APPEALS

ON APPLICATION FOR 1 VARIANCE

Notice is hereby given that the Belmont Zoning Board of Appeals will hold a public hearing on Monday, December 3, 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 Christine Arthur and Eugene Klein III for One Variance under Section 1.5 of the Zoning By-Law to Construct a Second Family Addition at 201 Lexington Street located in a General Residence (GR) Zoning District. Variance- 1.-The existing rear setback is 20.1' and the proposed is 10.2'.

ZONING BOARD OF APPEALS



Town of Belmont  
Zoning Board of Appeals

**APPLICATION FOR A VARIANCE**

Date: 10/30/2018

Zoning Board of Appeals  
Homer Municipal Building  
19 Moore Street  
Belmont, MA 02478

To Whom It May Concern:

Pursuant to the provisions of the Massachusetts General Laws, Chapter 40A, Section 10, as amended, I/we, the undersigned, being the owner(s) of a certain parcel of land (with the buildings thereon) situated on 201 LEXINGTON Street/Road, petition your Board to vary the terms of the Zoning By-Laws of the Town insofar as the same applies to the proposed erection of a 2ND UNIT, in accordance with the plan attached hereto, on the ground that (submit a written statement addressing each of these criteria):

1. Owing to circumstances relating to soil conditions, shape or topography of such land or 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, financial or otherwise, to the petitioner;
2. Desirable relief may be granted without substantial detriment to the public good, (i.e., surrounding neighborhood), and;
3. Without nullifying or substantially derogating from the intent and purpose of this By-Law.

The petitioner(s) seek permission to construct: (brief description and violation)

• CONSTRUCT A SECOND UNIT  
• VARIANCE FOR REAR SETBACK ON A  
CORNER LOT IN THE GR DISTRICT

Signature of Petitioner

Christie Arthur

Print Name

CHRISTINE ARTHUR

Address

201 LEXINGTON ST

BELMONT MA 02478

Daytime Telephone Number

617 458 9301



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

October 29, 2018

Christine Arthur & Eugene Klein III  
201 Lexington Street  
Belmont, MA 02478

RE: Denial to Construct a Second Family Addition.

Dear Ms. Arthur and Mr. Klein:

The Office of Community Development is in receipt of your building permit application for the construction of a Second Family Addition at 201 Lexington Street located in a General Residence (GR) Zoning District.

Your application has been denied because it does not comply with the Town of Belmont Zoning By-Law. More specifically Section 4.2 of the By-Laws require a minimum rear setback of 20.0' (Variance) and §3.3 of the By-Law allows a 2 family dwelling in a GR zoning district by a Special permit from the Planning Board (Special Permit).

- a. The existing rear setback of the structure is 20.1' and the proposed is 10.2'.  
Variance, (Zoning)
- b. The existing is a single dwelling and the proposed is a two (2) dwelling unit.  
Special Permit (Planning).

You may alter your plans to conform to the Zoning By-Law and resubmit for a building permit or you may request One (1) Variance from the Zoning Board of Appeals and and One (1) Special Permit from the Planning Board. 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 in order to begin this process.

Sincerely,

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

10/30/18

**Statement for the Application for a Variance for 201 Lexington Street addition of a Second Dwelling Unit.**

We live in a 2 ½ story, 1870's home located on Lexington St in the GR district. We are proposing creating an attached townhouse to our home. The townhouse would front Laurel Street with a side-yard to our neighbor to the west. The existing home would have a new garage off of Laurel St to replace the garage off of Laurel St that must be demolished for this addition.

The idea of our town house addition is a "renovated barn," as if the barn was built when the house was built and recently renovated. The barn's massing is separate from the existing house, except at the ground floor, to give it a barn like feel.

The zoning code has changed over time. At one time adding a dwelling unit was allowed only if it was attached. In another more recent zoning allowance the lot could be broken into either two single family lots (4,000+ sf each), or a single family and a duplex (4,000+ sf + 5,000+ sf) by special permit. At the same time of this provision, if one owned a 4,000 sf lot in the same GR district, it was unbuildable.

In 2009, the variance we are seeking allowing the back setback on a corner lot to be equal to a side setback was a Special Permit issue: (from the 2009 zoning code)

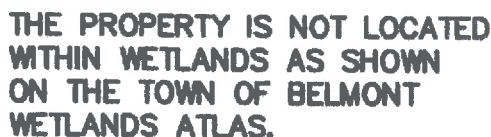
*4) The Board of Appeals may grant a Special Permit reducing the rear setback requirement of corner lots and other unusually configured lots to not less than the side requirement, taking into consideration the configuration of the lot, and the effect upon the neighboring property.*

The present zoning code reads:

*7. In the SR Districts, the Board of Appeals may grant a Special Permit reducing the rear setback requirement of corner lots and other unusually configured lots to not less than the side requirement, taking into consideration the configuration of the lot, and the effect upon the neighboring property.*

**Having a different requirement for the GR districts as it relates to this particular clause is a hardship for this particular lot.** If the lot was broken into two separate lots, then the 10'-0" side setback with our neighbor to the west is allowed. We are creating the same situation with relation to front/ back and side with the barn townhouse as with a single family or duplex structure in relation to our neighbors to the west.

In our opinion, older homes have value. We would like to keep our existing home and add this addition. We don't want to do this by making a giant lump of a house but by clearly articulating two distinct building types that are often together in New England on one lot, the main house and the barn. We feel that this addition will add to our neighborhood, through the barn's design and by keeping the existing older home, which we feel has architectural value and a grand presence on Lexington St.



	REQ.	EXISTING	PROP.
FRONT S/B (LEXINGTON):	20'	30.7'	—
FRONT S/B (LAUREL):	16.6'	35.1'	16.9'
SIDE SETBACK:	10'	7.7'	20.6'
REAR S/B (LEXINGTON):	20'	30.9'	10.2'
MAXIMUM LOT COVERAGE:	30%	22.9%	29.9%
MINIMUM OPEN SPACE:	40%	65.8%	66.7%
LOT FRONTAGE:		80.00'	

CLIFFORD  
F.  
ROBER  
NO. 33129  
PROFESSIONAL  
LAND SURVEYOR  
COMMONWEALTH OF MASSACHUSETTS

DATE \_\_\_\_\_

ASSESSORS MAP 15 - PARCEL 219

DWG. NO. 5415PP3.DWG

## ZONING:

### GENERAL RESIDENCE "GR"

MINIMUM LOT AREA 5000 SF  
MINIMUM LOT FRONTAGE 50 feet  
MAXIMUM LOT COVERAGE 30%  
MINIMUM OPEN SPACE 40%  
GR MINIMUM SETBACK  
DIMENSIONS in FEET  
Dwelling front: 20 side: 10  
rear:  $20' \times L > 100'$  max bldg ht: 35

stories: 2.5

1) In the GR District, a minimum lot area of 7,000 square feet and a minimum lot frontage of 70 feet shall exist for a two-family dwelling.

2) In the GR District, the Planning Board may grant a Special Permit to modify the minimum lot area per dwelling unit and/or the minimum lot frontage requirements, pursuant to Sections 6D and 7.4 of the Zoning By-Law, provided that the lot size and frontage of the lot on which the two-family dwelling will be constructed has a minimum lot size of 5,000 square feet and a minimum lot frontage of 50 feet.

5. Notwithstanding the front setback requirement listed in Section 4.2.2, the front setback for the GR District shall not exceed the average of the front setbacks of the buildings on the lots contiguous thereto on either side. A vacant lot, a lot occupied by a building set back more than the required minimum, or an intersecting street shall be counted as though occupied by a building set back at that minimum.

6. On lots having depth of less than 100 feet, dwelling setback from the rear lot line shall equal ... not less than 20% of lot depth in General Residence Districts; but in no event shall the rear setback equal less than... 16 feet in General Residence Districts.

7. In the SR Districts, the Board of Appeals may grant a Special Permit reducing the rear setback requirement of corner lots and other unusually configured lots to not less than the side requirement, taking into consideration the configuration of the lot, and the effect upon the neighboring property.

8. In the GR Districts, on lots having depth of greater than 100 feet, dwelling setback from the rear lot line shall equal 20% of the lot depth.

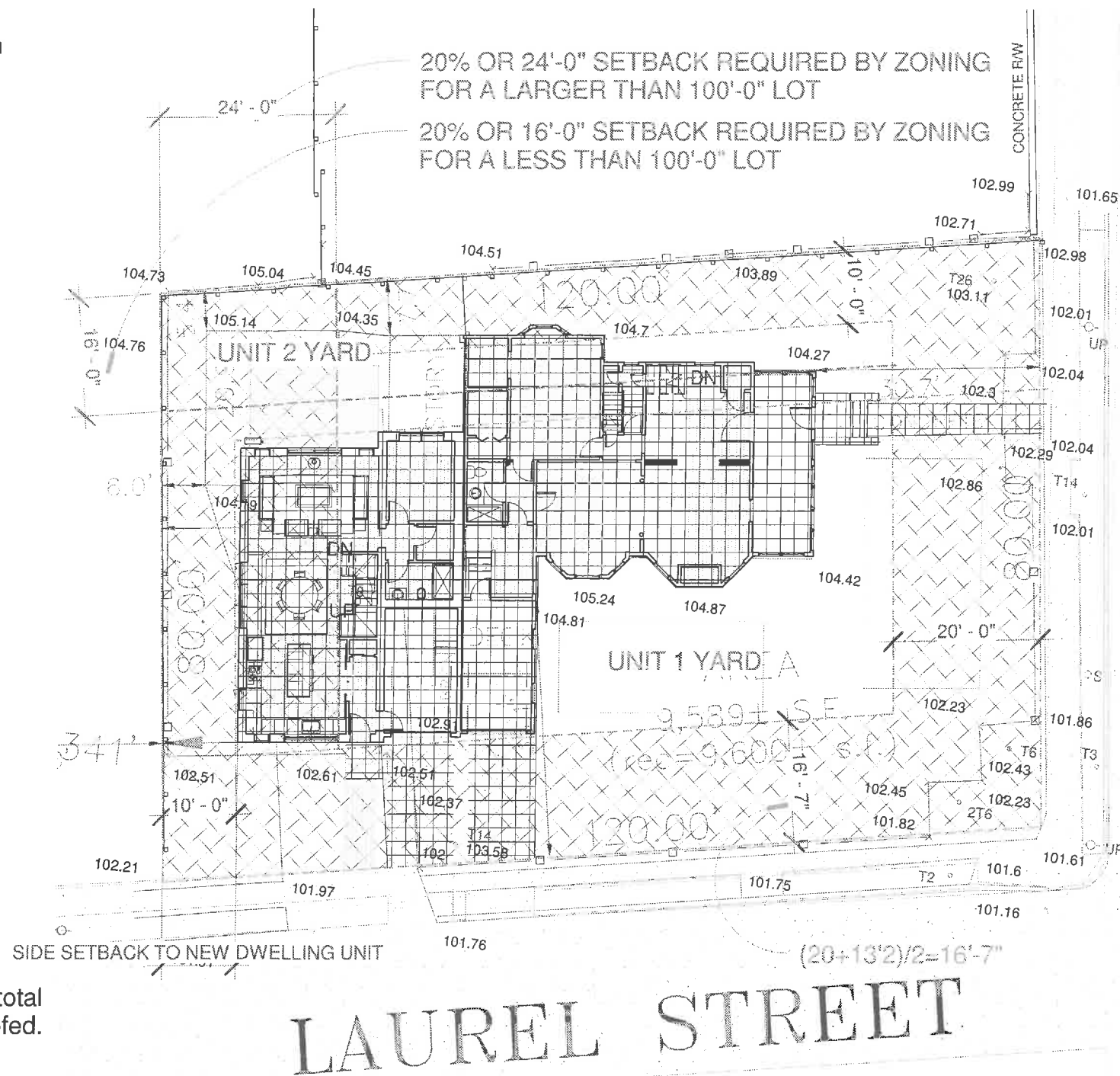
#### 1 1ST FLOOR LOT COVERAGE 1" = 20'-0"

**30% Lot Coverage** - Percentage of total lot area covered by structures or roofed.

9,589 SF X.3= 2,876.7 sf  
**2,867.63 SF AS DESIGNED**

**40% Open Space** - An open area on a lot, unbuilt on, containing landscape materials, pedestrian walks, patios, recreational facilities, but excluding driveways and parking spaces.

OPEN SPACE: 9,589 sf X.4= 3,835.6 sf  
or greater:  
**5,829 SF AS DESIGNED**



PROJECT SUMMARY:  
NEW DWELLING UNIT TO  
LOOK LIKE A "BARN" TO  
THE EXISTING HOME AND  
BE CLOSE TO NET ZERO  
ENERGY.



CA DESIGN STUDIO LLC

ARCHITECTURE  
PLANNING DESIGN

CHRISTINEARTHUR@GMAIL.COM

OWNER

**ARTHUR-KLEIN**  
201 LEXINGTON ST  
BELMONT MA  
02478

DATE: 10/30/18

ZBA SET

TITLE

GENERAL  
INFORMATION

DWG NO

**A0**



CA DESIGN STUDIO LLC

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PLANNING DESIGN

CHRISTINEARTHUR@GMAIL.COM

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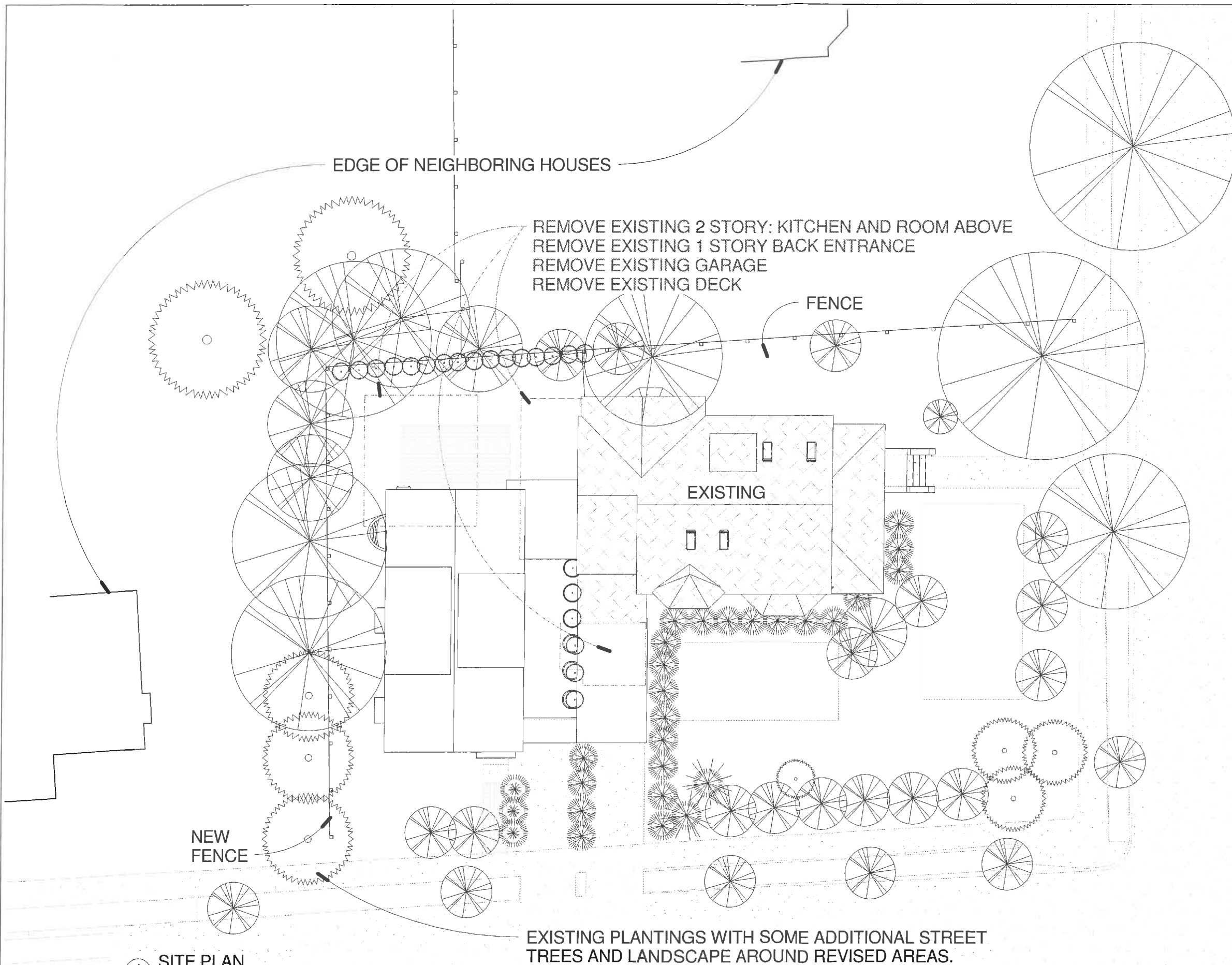
ZBA SET

TITLE

**SITE PLAN/  
ROOF PLAN**

DWG NO

**A1**



1 SITE PLAN  
1/16" = 1'-0"





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BELMONT MA  
02478

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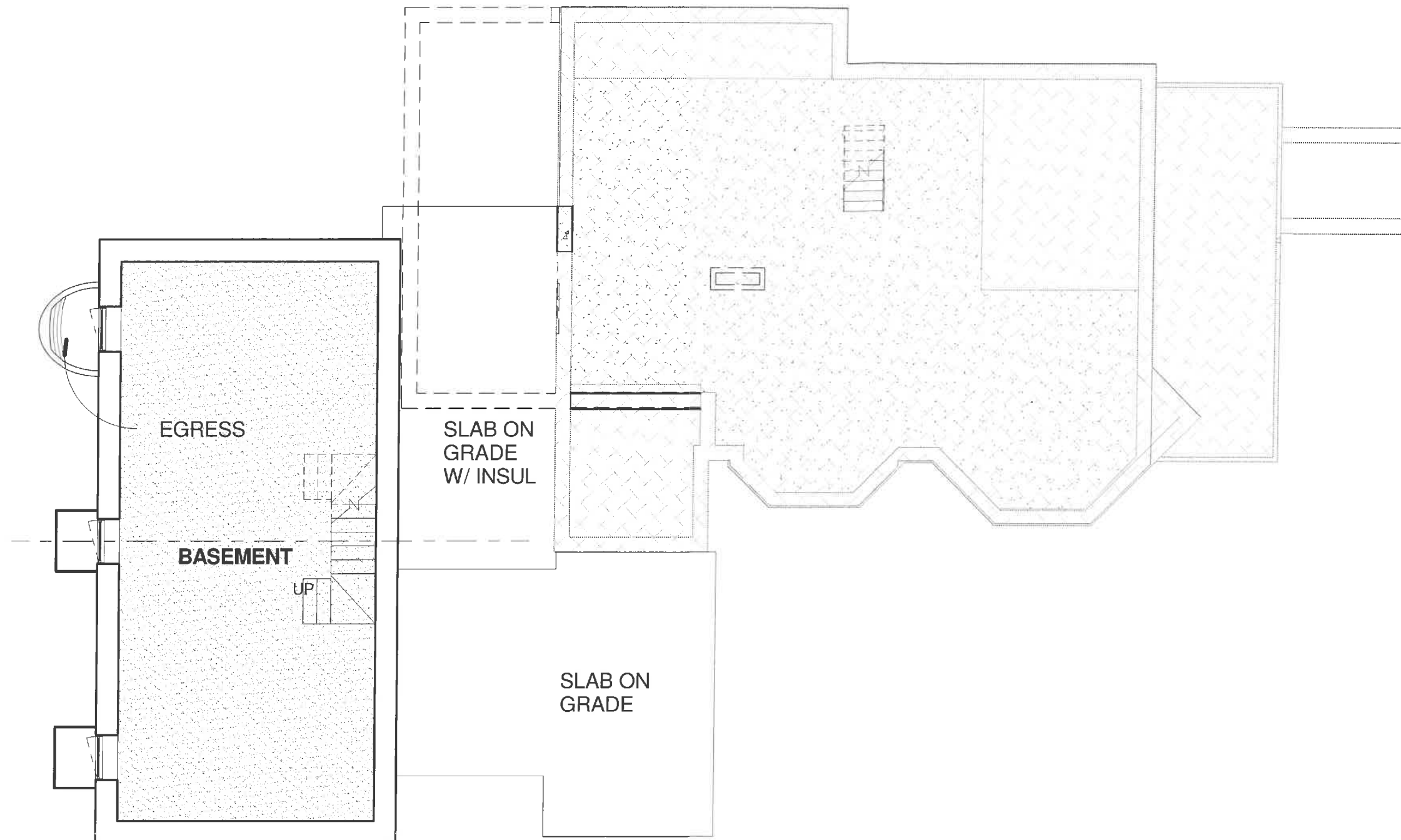
ZBA SET

TITLE

**BASEMENT**

DWG NO

**A2**



1 BASEMENT  
1/8" = 1'-0"





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PLANNING DESIGN

CHRISTINEARTHUR@GMAIL.COM

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BELMONT MA  
02478

DATE: 10/30/18

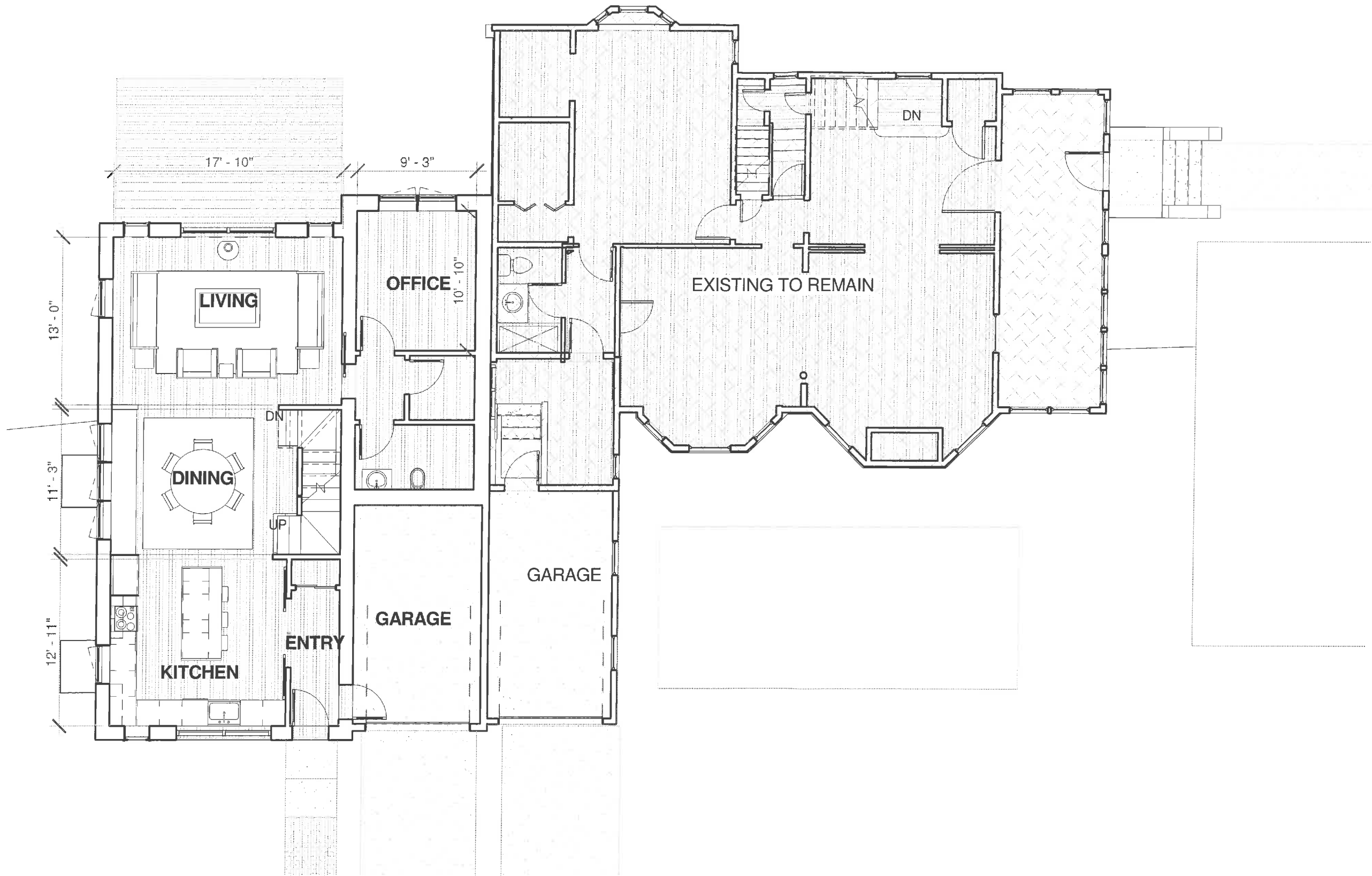
ZBA SET

TITLE

FIRST  
FLOOR  
PLAN

DWG NO

A3



1 1ST FLOOR  
1/8" = 1'-0"



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ARCHITECTURE  
PLANNING DESIGN

CHRISTINEARTHUR@GMAIL.COM

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**ARTHUR-KLEIN**  
201 LEXINGTON ST  
BELMONT MA  
02478

DATE: 10/30/18

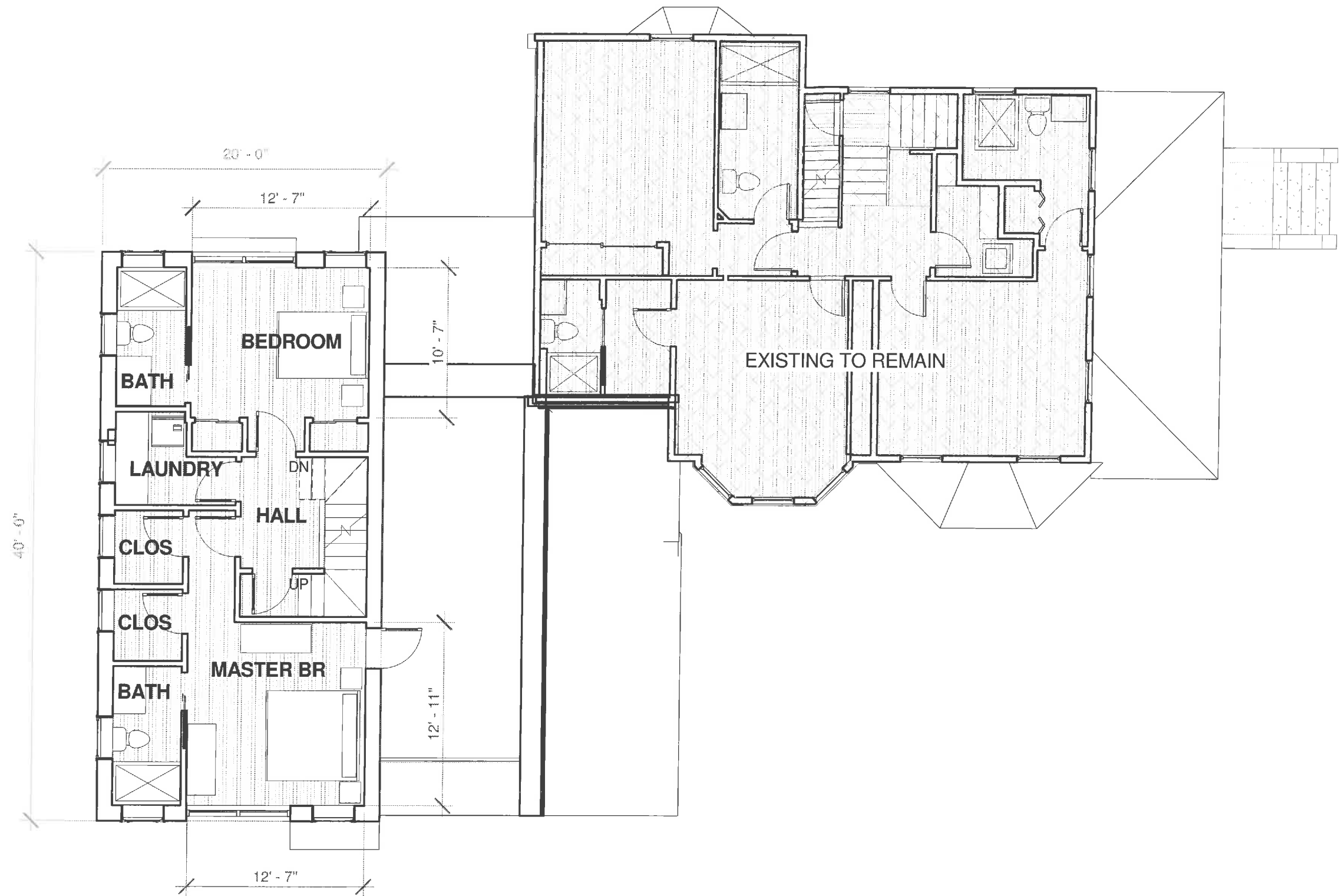
ZBA SET

TITLE

**SECOND  
FLOOR  
PLAN**

DWG NO

**A4**



1 2nd FLOOR  
1/8" = 1'-0"



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ARCHITECTURE  
PLANNING DESIGN

CHRISTINEARTHUR@GMAIL.COM

OWNER

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BELMONT MA  
02478

DATE: 10/30/18

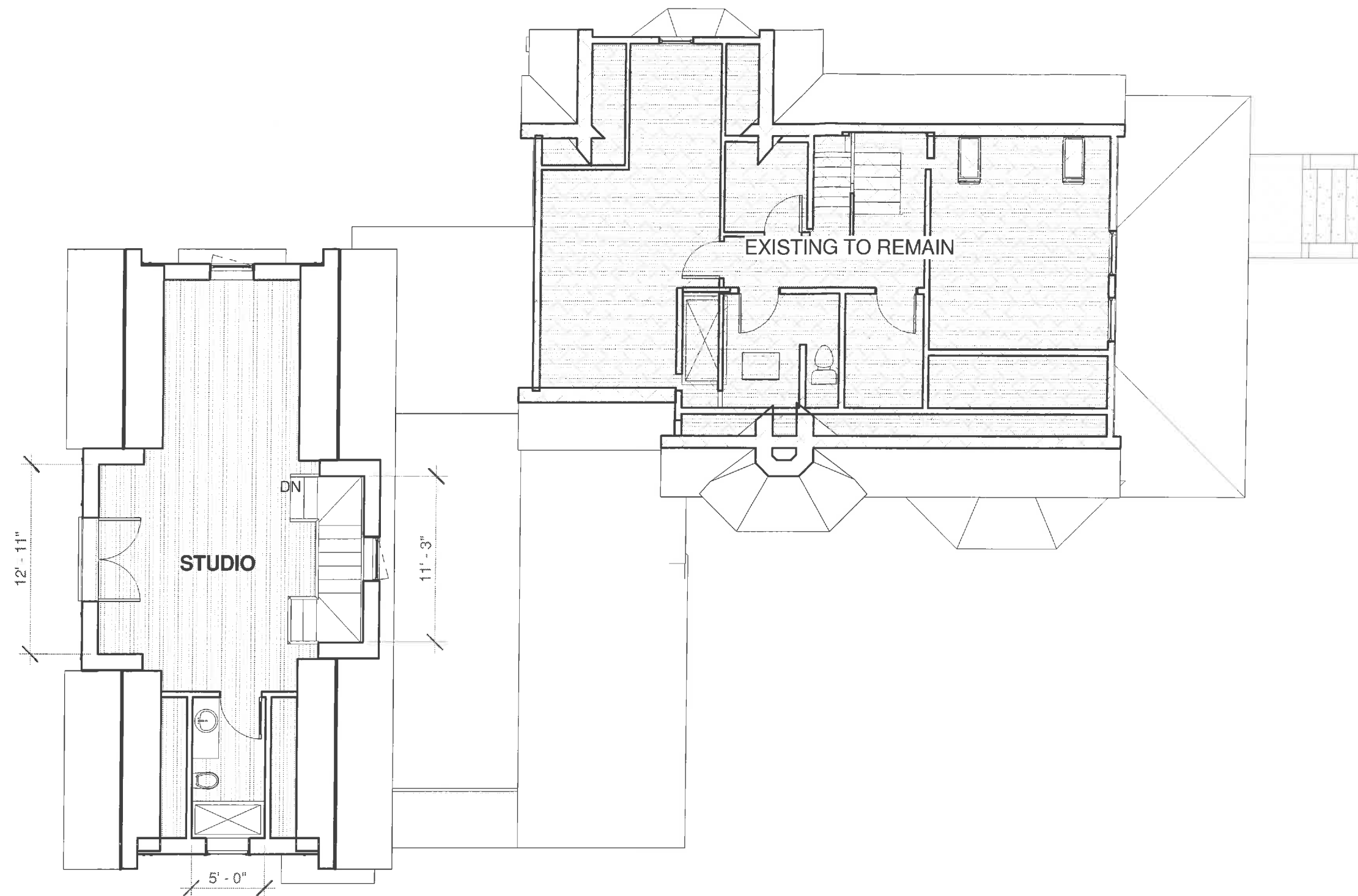
ZBA SET

TITLE

THIRD  
FLOOR  
PLAN

DWG NO

**A5**



① 3rd FLOOR  
1/8" = 1'-0"



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ARCHITECTURE  
PLANNING DESIGN

CHRISTINEARTHUR@GMAIL.COM

OWNER

**ARTHUR-KLEIN**  
201 LEXINGTON ST  
BELMONT MA  
02478

DATE: 10/30/18

ZBA SET

TITLE

**ELEVATIONS  
and  
SECTION**

DWG NO

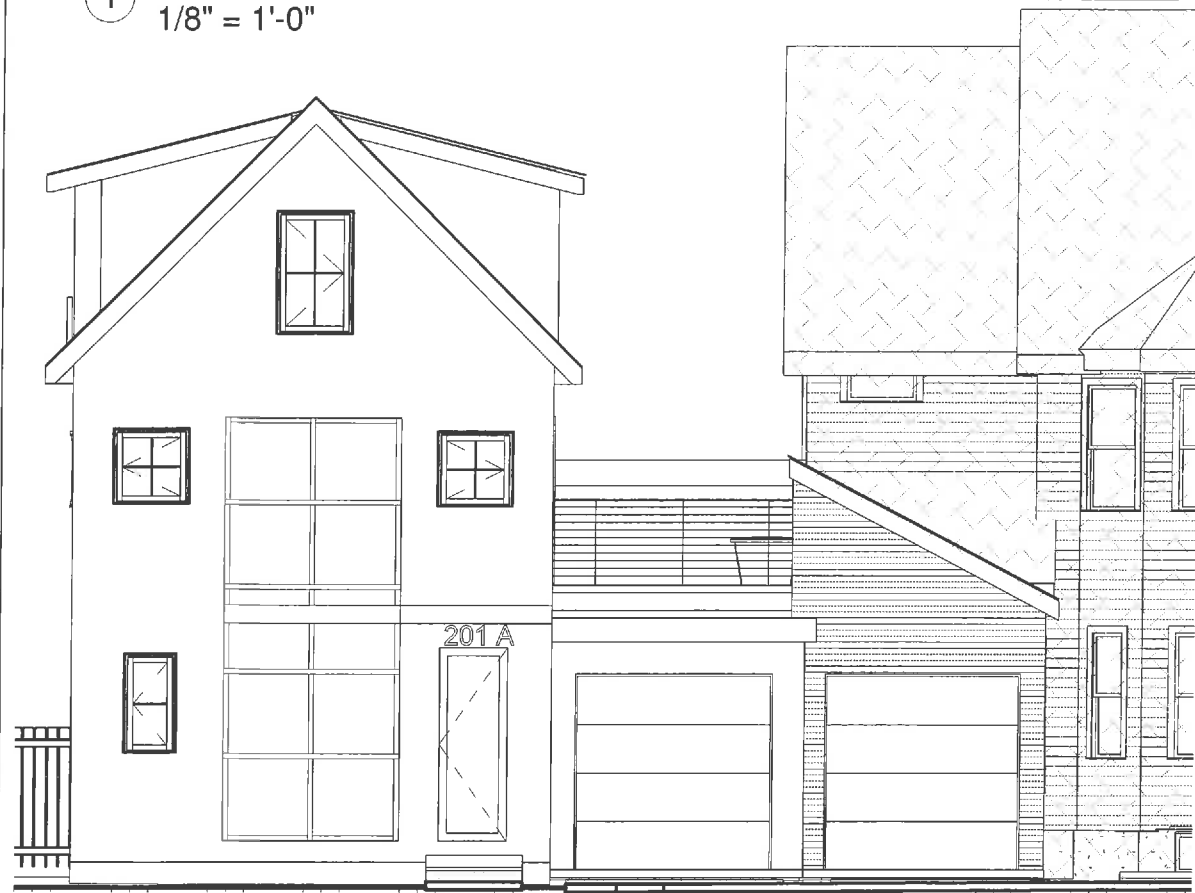
**A6**



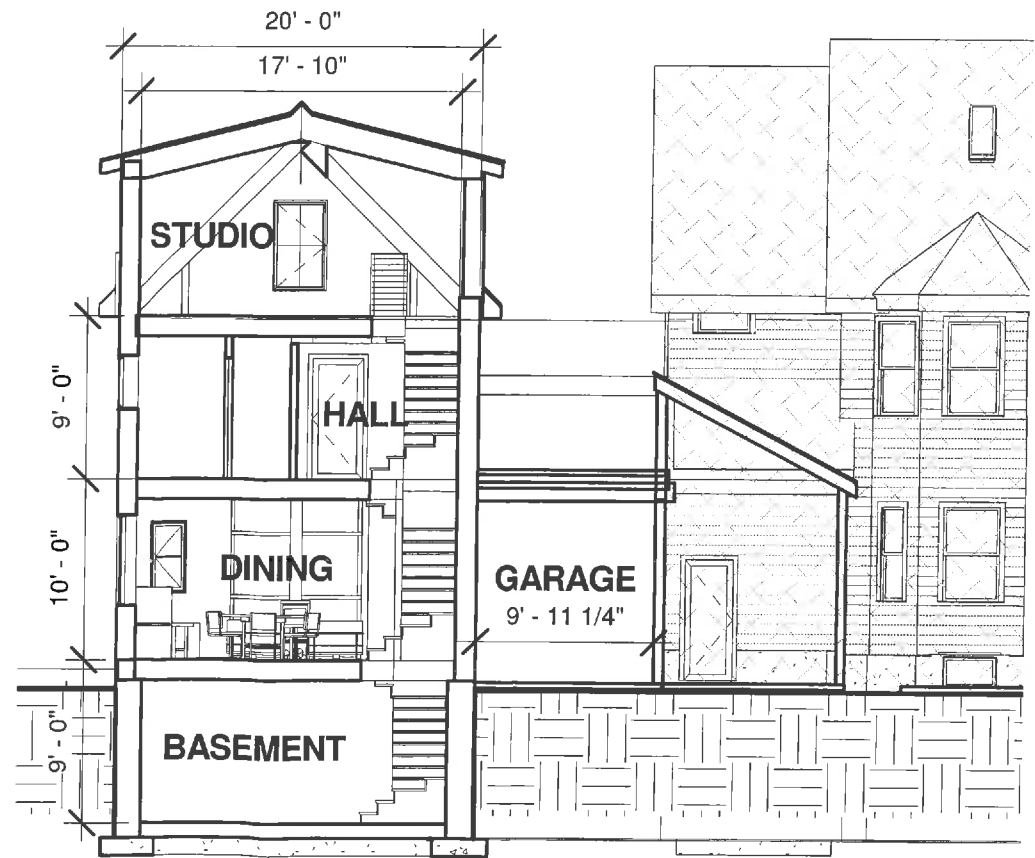
1 NORTH ELEVATION  
1/8" = 1'-0"



2 WEST ELEVATION  
1/8" = 1'-0"



3 SOUTH ELEVATION  
1/8" = 1'-0"



4 WEST EAST SECTION  
3/32" = 1'-0"

SUPER  
INSULATED  
ENVELOPE:  
R20 BASEMENT  
WALLS;  
R40 WALLS;  
R60 ROOF  
TRIPLE GLAZED  
WINDOWS  
HEAT PUMP  
HEAT RECOVERY  
VENTILATION  
SOLAR PV  
LED LIGHTING  
INDUCTION  
COOKTOP  
CONVECTION  
OVEN  
ENERGY STAR  
APPLIANCES





① LAUREL NNE  
12" = 1'-0"



② LAUREL AND LEXINGTON NW\_1  
12" = 1'-0"



③ LAUREL AND LEXINGTON NE  
12" = 1'-0"



④ AXON  
12" = 1'-0"



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ARCHITECTURE  
PLANNING DESIGN

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**ARTHUR-KLEIN**  
201 LEXINGTON ST  
BELMONT MA  
02478

DATE: 10/30/18

ZBA SET

TITLE

VIGNETTES

DWG NO

**A7**

TOTAL: 132'-2"

⑥ 2nd Floor half story calcs  
1" = 20'-0"

5 3rd Floor half story calcs  
1" = 20'-0"

2 HALF STORY CALC SECTION 2  
1/8" = 1'-0"

① HALF STOR CALCS SECTION THRU E  
1/8" = 1'-0"

3 HALF STORY CALCS SECTION 3  
3/16" = 1'-0"

④ WE SECTION ADDITION  
1" = 10'-0"

SIDE A: 40x.75=30'-0" ALLOWABLE= 15'-0"ACTUAL  
SIDE B: 40x.75=30'-0" ALLOWABLE= 13'-5" ACTUAL  
SIDE C: 39'-6"X.6=23'-8" ALLOWABLE=19'-5" ACTUAL  
SIDE D: NA- NO DORMER

# A8