

19-22

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**TOWN OF BELMONT
ZONING BOARD OF APPEALS**

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CASE NO. 19-22
APPLICANT: Jun Luo
PROPERTY: 101 Alexander Ave.

69353-44

DATES OF PUBLIC HEARING: 17 June 2019

MEMBERS SITTING: Nicholas Iannuzzi (Chair)
Jim Zarkadas
Andrew Plunkett
Casey Williams (Associate)



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MEMBERS VOTING: Nicholas Iannuzzi (Chair)
Jim Zarkadas
Andrew Plunkett
Casey Williams (Associate)

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 Applicant sought to enclose an existing open porch and construct front yard parking on an existing residential building located in a Single Residence C (SRC) zoning district. In connection with this, the Applicant sought the following special permits:

- (1) A Special Permit under §1.5 to allow a 14.3 ft. to enclosed the porch, which is less than the required front setback of 22.45 ft. and less than the existing front setback of the structure of 21.2 ft.; and
- (2) A Special permit under §1.5 to allow front yard parking.

The Board held a duly noticed public hearing on June 17, 2019. The Applicant presented a proposal at the hearing and submitted sketches showing the proposed enclosed porch alteration, a plot plan showing the proposed enclosed porch and front yard parking, and signatures of abutters who support the project.

Proposal

Jun Luo, the Applicant, came before the Board and noted that he would like to enclose and existing open porch and was seeking a special permit to reduce the front setback. He was seeking a special permit to be allowed to construct a front yard parking. The applicant proposes to construct an enclosed front porch within the same footprint of an existing open front porch and proposed to construct front yard parking adjacent to the existing driveway. The Applicant noted that the existing driveway width does not allow all of the car doors to be opened when parked adjacent to the structure.

Mary Barton and Alex Corbett spoke in opposition to the front yard parking and considered the proposed to be detrimental to the neighborhood.

Yong Yao Xu, 98 Alexander Avenue, spoke in support of the front yard parking and noted that there were already other front yard parking on Alexander Avenue.

Board member, Mr. Plunkett noted that the choke point was the width of the driveway as his car was too wide to get back to the larger portion of his driveway. All abutters spoke in support of the enclosed front porch.

The Board observed that the proposed front porch is not substantially more detrimental to the neighborhood, however the proposed front yard parking is detrimental to the neighborhood.

The existing driveway extends from the street to the backyard and the Board did not find that the driveway width adjacent to the structure justifies the granting of a Special permit for a front yard parking in this case.

Conclusion

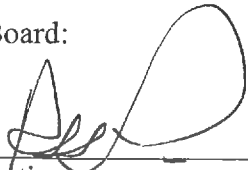
On June 17, 2019, the Board deliberated on the Applicant's request for two Special Permits under Section 1.5 of the Zoning By-Law to enclose an existing open porch and to construct a front yard parking on an existing residential building located at 101 Alexander Avenue in a SRC zoning district.

Accordingly,

1. **Upon motion duly made by Casey Williams and seconded by Jim Zarkadas, the Board voted 4-0 to grant the requested Special Permit to enclose the front porch, and**
2. **Upon motion duly make by Jim Zarkadas and seconded by Nicholas Iannuzzi, the Board voted 4-0 to deny the requested Special Permit for a front yard parking.**

For the Board:

Dated: July 17, 2019



Ara Yogurtian
Assistant Director
Office of Community Development

CERTIFICATION

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 July 18, 2019, and further I certify that no appeal has been filed with regard to the granting of said one (1) Special Permit with zero (0) conditions (to enclose the front porch), and as shown on the plans submitted to the Board. The request for a second Special Permit for front yard parking was denied.

August 8, 2019



Ellen O'Brien Cushman, Town Clerk
Belmont, MA