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BELMONT, MA

CASE NO. 19-25

2019 JUN 28 AM 8:29

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 July 15, 2019 at 7:00 PM in the Art Gallery, 3rd floor, Homer Municipal Building, 19 Moore St., to consider the application of 56 Oxford Ave. Condominium Trust at 56 Oxford Ave. located in a General Residence (GR) Zoning District for One Special Permit under §1.5 of the Zoning Bylaw to Expand a driveway. Special Permit 1.- §4.2 of the Zoning By-Law requires a minimum open space of 40% in the GR district. The existing open space is 39.2% and the proposed is 27.5%.

ZONING BOARD OF APPEALS

Baghdady Law Offices

Attorneys At Law

Sami S. Baghdady, Esquire

Sami@BaghdadyLaw.com

Telephone: (781) 646-7050

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June 6, 2019

Nicholas Iannuzzi, Chair
Zoning Board of Appeals
Town of Belmont
Homer Municipal Building
19 Moore Street
Belmont, MA 02478

Re: Special Permit Application of 56 Oxford Street Condominium Trust

Dear Chair Iannuzzi:

Attached is the Application of 56 Oxford Street Condominium Trust for a Special Permit for the purpose of expanding the parking area at 56 Oxford Avenue.

Thank you.

Very truly yours,



Sami S. Baghdady

SSB/esh

Enclosures

Baghdady Law Offices

382 Massachusetts Avenue, Arlington, Massachusetts 02474-6717

www.BaghdadyLaw.com



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 13, 2019

56 Oxford Ave. Condominium Trust
56 Oxford Ave.
Belmont, MA 02478

RE: 56 Oxford Ave. – Denial of Driveway Expansion.

To: 56 Oxford Ave. Condominium Trust:

The Office of Community Development is in receipt of your application and plot plan to expand your driveway at 56 Oxford Ave. located in a General Residence (GR) Zoning District.

Your application has been denied because it does not comply with the current Zoning By-Law requirements. More specifically, §4.2 of the Zoning By-Law requires a minimum open space of 40% in the GR district.

1. The existing open space is 39.2% and the proposed is 27.5%.

You may alter your plans to conform to the Zoning By-Laws and resubmit for approval 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 (617-993-2650) to make an appointment with Ara Yogurtian, Assistant Director to begin this process.

Sincerely,

Glenn R. Clancy, P.E.
Director of Community Development

RECEIVED
TOWN CLERK
BELMONT, MA



Town of Belmont
Zoning Board of Appeals

2019 JUN 28 AM 8:30

APPLICATION FOR A SPECIAL PERMIT

Date: May 31, 2019

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 56 Oxford Avenue 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 _____

Expansion of parking area

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

56 OXFORD STREET CONDOMINIUM TRUST

Signature of Petitioner

BY: 

Print Name

Jeffrey M. Adams, Trustee

Address

c/o Sami S. Baghdady, Esquire
Baghdady Law Offices
382 Massachusetts Avenue
Arlington, MA 02474
(781) 646-7050

Daytime Telephone Number

ADDENDUM TO SPECIAL PERMIT APPLICATION TO EXPAND PARKING AREA

PROPERTY: 56 Oxford Avenue, Belmont, MA 02478

PETITIONER: 56 Oxford Street Condominium Trust

1. The 56 Oxford Street Condominium is a 3 unit residential condominium (the "Condominium") located at 56 Oxford Avenue in Belmont (the "Property").

The Master Deed which created the Condominium is dated April 27, 2007. It was recorded with the Middlesex South District Registry of Deeds on May 1, 2007 in Book 49382, Page 71.

2. The land and parking areas of the Property are a part of the common areas of the Condominium. The Petitioner, 56 Oxford Street Condominium Trust, is the organization of unit owners which has legal control over the common areas, including the parking.

3. The Petitioner is requesting the Board of Appeals to issue a Special Permit to permit parking for each of the three Condominium Units over an unpaved, gravel area within the back yard of the Property. A plan of the proposed gravel parking area is attached.

4. In support of such request, the Petitioner states as follows:

(a) Feasible alternative parking arrangements are lacking, because the cars of different Unit Owners would block each other within the driveway. Parking within the rear gravel area will provide each Unit Owner safe 24 hour access to Oxford Avenue from the driveway, without requiring other Unit Owners to move their cars.

(b) The rear gravel parking area would not be visible from Oxford Avenue. The visual impact on other neighbors would be minimal.

(c) There will be no new construction or expansion of the pavement, and the flat slope of the gravel area is not being changed. As a result, there will be no additional stormwater run-off, and drainage will remain on-site.

(d) The rear area of the Property has historically been used for parking, as is depicted on the 2007 site plan which was recorded with the Master Deed of the Condominium. A copy of the site plan is attached.

(d) Pictures of the Property are attached.

Condo Site Plan Showing Location of Parking

56 OXFORD AVENUE CONDOMINIUM

56 OXFORD AVENUE
BELMONT, MA
SITE PLAN

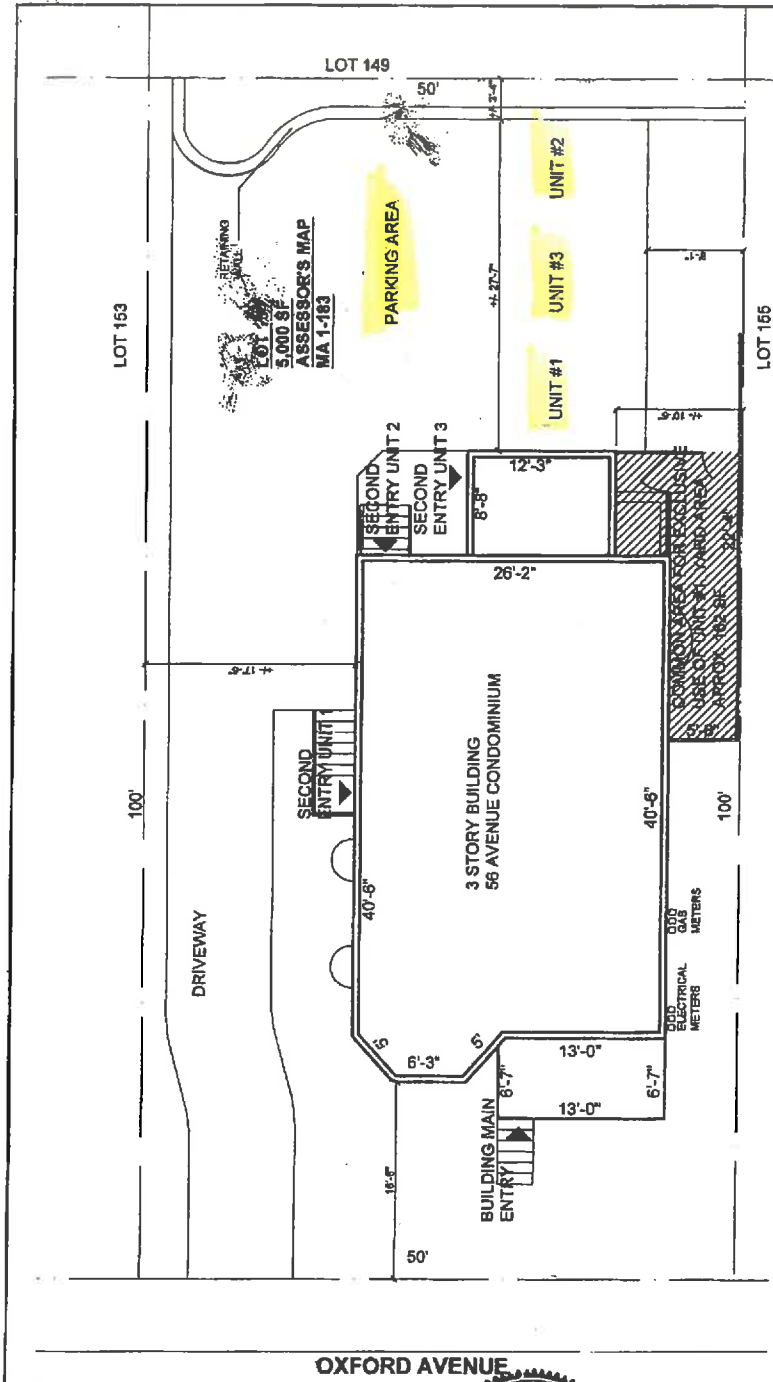
I, CHARLES W. BRADLEY III, ARCHITECT REGISTERED IN THE STATE OF MASSACHUSETTS HEREBY CERTIFY THAT THIS PLAN FULLY AND ACCURATELY DEPICTS THE LAYOUT, DIMENSIONS AND LOCATION OF THE BUILDING AND OTHER DESIGNATED ELEMENTS AS BUILT, AS OF
I CERTIFY THAT THE PROPERTY LINES SHOWN ON THIS PLAN ARE LINES DIVING EXISTING OWNERSHIP, AND THE LINES OF STREETS OR WAYS ALREADY ESTABLISHED, AND NO NEW LINES FOR DIVISION OF EXISTING OWNERSHIPS OR FOR NEW WAYS ARE SHOWN.

I CERTIFY THAT THESE PLANS HAVE BEEN PREPARED IN CONFORMITY WITH THE RULES AND REGULATIONS OF THE REGISTERS OF THE DEEDS OF THE COMMONWEALTH OF MASSACHUSETTS.



Charles W. Bradley III
CHARLES W. BRADLEY III
PROFESSIONAL ARCHITECT

4-20-07



SITE PLAN

1"=10'

NOTES:

PROPERTY LINES AND BUILDING LOCATION BASED ON SITE PLAN PREPARED BY RICHARD B. BETTS, 20 WOODS ROAD, BELMONT, MA, OCTOBER 31, 2005

GENERAL OUTSIDE DIMENSIONS OF EXTERIOR WALLS ARE TAKEN FROM OUTSIDE FACE OF EXTERIOR WALLS



EXCLUSIVE AREAS



UNIT MAIN ENTRY



Leonard Aray, Assoc. AIA
Architecture Urban Design
800 Huron Ave Cambridge MA
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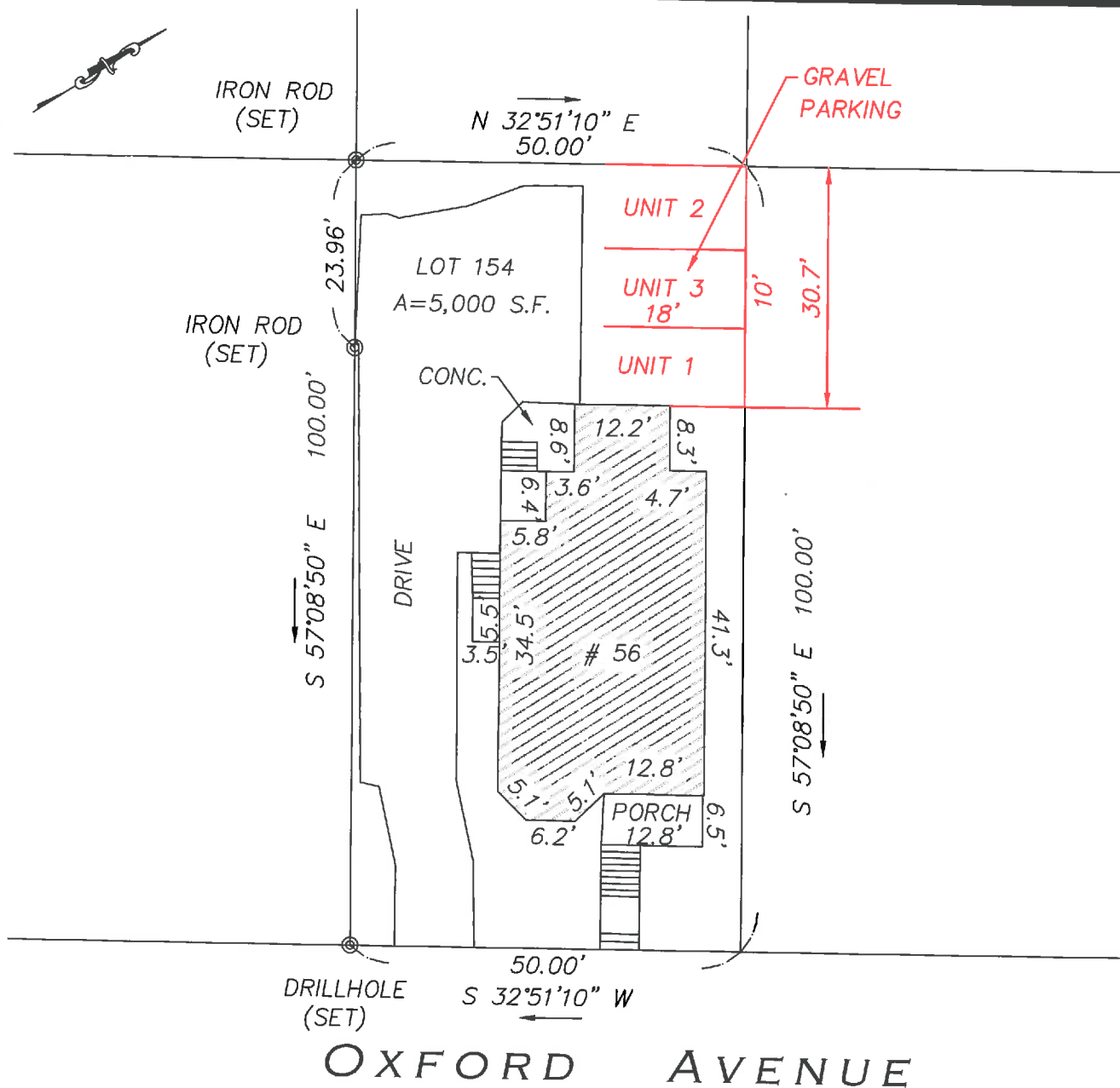
429 OF 2007
2 OF 4











OWNER: 56 OXFORD STREET CONDOMINIUM TRUST
LOCUS HOUSE # - 56 OXFORD AVENUE

LOCUS DEED - BOOK 49382 PAGE 86
LOCUS PLAN - PLAN BOOK 91 PLAN 6
APP. # -

SITE DOES NOT FALL WITHIN
THE WETLAND ZONE.

ZONING DISTRICT= R

	REQ.	EXIST.	PROP.
MAX. LOT COVERAGE	30%	26% *	
MIN. OPEN SPACE	40%	39.2%	27.5%**
FRONT SETBACK	20'	13.3'	
SIDE SETBACK	10'	4.9'	
REAR SETBACK	20'	30.7'	

* HOUSE (1184 S.F. + FRT. PORCH 85 S.F. +
REAR PORCH 36 S.F.)=1305/5000=26%

** HOUSE (1184 S.F. + FRT. PORCH 85 S.F. +
REAR PORCH 36 S.F. + CONC. PAD 61 S.F. +
SIDE PORCH 19 S.F. + 1656 S.F. DRIVE + 587
S.F. GRAVEL PARKING=3628/5000=72.5% OR 27.5%

PARKING PLAN
PLOT PLAN
56 OXFORD AVENUE
BELMONT MASS.

SCALE: 1" = 20' MARCH 15, 2019

Prepared By

EDWARD J. FARRELL
PROFESSIONAL LAND SURVEYOR
110 WINN STREET ~ SUITE 203 ~ WOBURN,
MA.
(781)-933-9012