

RECEIVED  
TOWN CLERK  
BELMONT, MA

CASE NO. 19-44

2019 NOV 15 AM 9:35

NOTICE OF PUBLIC HEARING BY THE  
BELMONT ZONING BOARD OF APPEALS

ON APPLICATION FOR ONE SPECIAL PERMIT

Notice is hereby given that the Belmont Zoning Board of Appeals will hold a public hearing on Monday, December 2, 2019 at 7:00 PM in the Art Gallery, 3<sup>rd</sup> floor, Homer Municipal Building, 19 Moore St. to consider the application of Adrienne Kelly and Shawn Avery at 89 Hammond Road located in a Single Residence C (SRC) Zoning District for One Special Permit under §5.1.3 b-2 which allows the installation of parking spaces within the required front yard by a Special Permit granted by the Board of Appeals.

ZONING BOARD OF APPEALS



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

September 26, 2019

Adrienne Kelly and Shawn Avery  
89 Hammond Road  
Belmont, MA 02478

RE: 89 Hammond Road – Denial of Driveway Expansion in Front Yard.

Dear Mrs. Kelly and Mr. Avery:

The Office of Community Development is in receipt of your application and plot plan to expand your driveway at 89 Hammond Road located in a Single Residence C (SRC) Zoning District.

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

1. Section 5.1.3 b) 2) requires a Special Permit for the installation of parking spaces within the required front yard. Therefore you need a Special Permit in order to expand your driveway.

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



Town of Belmont  
Zoning Board of Appeals

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**APPLICATION FOR A SPECIAL PERMIT**

Date: OCTOBER 16, 2019

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

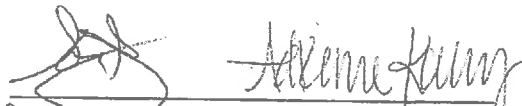
To Whom It May Concern:

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 89 Hammond Road 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 \_\_\_\_\_

EXPAND EXISTING FRONT YARD PARKING & DRIVEWAY

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

Signature of Petitioner



Print Name

SHAWN AVERI & ADRIENNE KELLEY

Address

89 HAMMOND ROAD  
BELMONT, MA 02478

Daytime Telephone Number

(781) 520-9360

October 16, 2019

Belmont Zoning Board of Appeals  
19 Moore Street  
Belmont, MA 02478

Dear Zoning Board of Appeals:

We were fortunate to purchase our “forever home” in Belmont one year ago. Since then, we have devoted considerable effort and resources toward upgrading the interior of our home, along with numerous projects to bring the home up to date. It has been an exciting adventure for us and our two school-aged children (Jace, 13 and Ella, 9). However, we have struggled greatly with having the ability to park only one car in our 15-foot driveway. Having a single car was adequate during the years that we lived in the city, but with two children involved in activities, full-time jobs, a puppy and a small business to run, we very often find ourselves in need of a second mode of transportation.

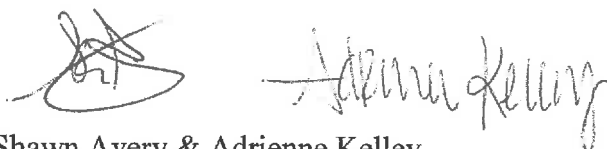
Like many others in our neighborhood, our home was built in the 1920's. When they created the driveway, the size of modern vehicles could not have been anticipated. We have a small SUV to accommodate our family and survive the New England winters, and unfortunately there is no space to put second vehicle in our driveway with it. Although Belmont's by-laws allow for 3 off-street spaces, we are only seeking approval to add a second. As our driveway is already non-conforming, our wish is to expand the opening width from 15' to the allowed 20' to accommodate a second vehicle.

We are requesting a special permit in order to comply with by-law 5.1.3. b) 2). According to the specific zoning laws within the town of Belmont, we feel that our project meets all the criteria to grant an exception. As the attached plot plan and photos outline, there is nowhere else within the property lines to expand our driveway. Based on proximity to our neighbors and the topography of the plot, the only option is to expand the size of the current driveway in the front yard of our house.

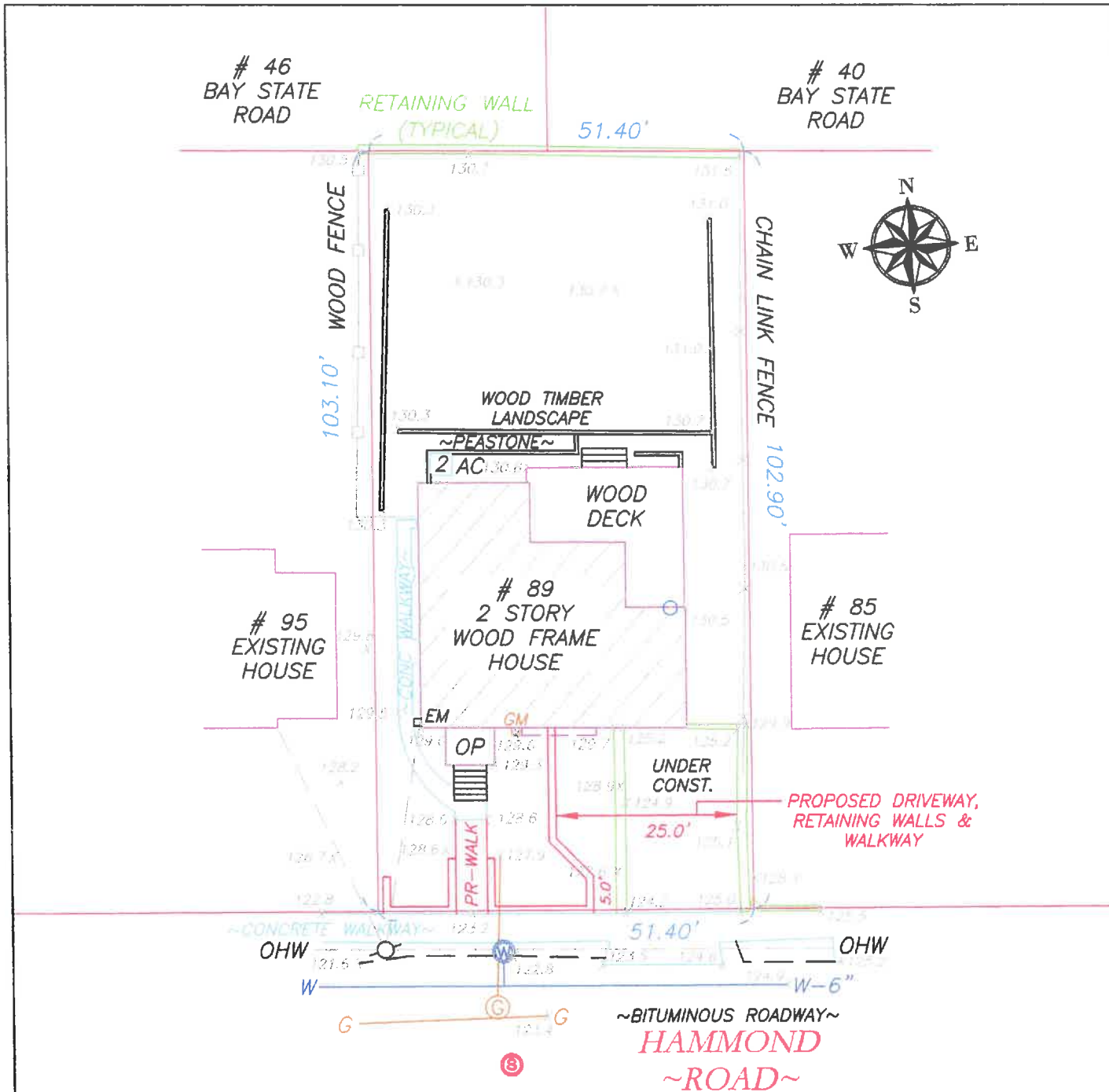
We believe that the proposed expansion will not detract from our home any more than the current driveway--in fact, the updates we plan to make will improve both the appearance and functionality. We have devoted extra care to the selection of materials and design in order to enhance curb appeal, but more importantly, also improve the utility by incorporating proper drainage (where there was none before) and installing an entrance on the ground level with direct access from where we would park.

The second vehicle will allow us to alleviate scenarios in which our son needs to be at Boy Scouts, while our daughter has a Cheer competition in another town—or when one of us needs to be in the office for a client meeting and the other has a doctor's appointment at the same time. We would like to avoid the risk (and potential ticket violation) of parking on the street, where the second car may be in the way of a snow plow or emergency vehicle. The expanded driveway space allows us to provide for the needs of our busy family. We believe that this proposed expansion is not more detrimental than the existing driveway.

Thank you for your time and consideration.

The block contains two handwritten signatures in black ink. The first signature on the left is for Shawn Avery, and the second signature on the right is for Adrienne Kelley. Both signatures are written in a cursive, flowing style.

Shawn Avery & Adrienne Kelley  
89 Hammond Road



NOTES:

ALL OFFSETS & DIMENSIONS  
ARE TO THE SIDING UNLESS  
OTHERWISE NOTED.

LOT AREA = 5,294 SQ. FT.

FIRST FLOOR=133.25  
ROOF PEAK=159.06

GM=GAS METER  
OP=OPEN PORCH  
AC=AIR CONDITIONING  
EM=ELECTRIC METER  
OHW=OVERHEAD WIRES

LEGEND:

- = UTILITY POLE
- Ⓢ = SEWER MANHOLE
- ⓐ = GAS SHUTOFF
- Ⓦ = WATER SHUTOFF

EXISTING LOT COVERAGE = (19.1%) 1,015.4 S.F.  
EXISTING OPEN SPACE = (71.0%) 3,761.3 S.F.  
PROPOSED LOT COVERAGE = (19.1%) 1,015.4 S.F.  
PROPOSED OPEN SPACE = (58.8%) 3,117.2 S.F.

Dennis O'Brien P.L.S.



 <b>D. O'BRIEN</b> LAND SURVEYING 480 WEST CENTRAL STREET EST 1998 FRANKLIN, MA 02038 508-541-0048	PLAN SHOWING PROPOSED SITE RENOVATIONS 89 HAMMOND ROAD – OPTION 1 BELMONT, MA MIDDLESEX COUNTY			
	SCALE: 1:20	DATE: 8/29/2019	REVISED: 10/21/2019	DRAWN BY: W.M.N. CHECKED BY: D.O.

## Zoning Compliance Check List (Registered Land Surveyor)

Property Address: 89 Hammond Road, BEVERLY, MA 02478 Zone: GR

Surveyor Signature and Stamp: *Dan L. Okni* Date: 10/24/19

	REQUIRED	EXISTING	PROPOSED
Lot Area			
Lot Frontage			
Floor Area Ratio			
Lot Coverage			
→ Open Space	40%	71.9%	58.8
Front Setback			
Side Setback			
Side Setback			
Rear Setback			
Building Height			
Stories			
½ Story Calculation			

### NOTES:


June 4, 2013





**Above (both): View of existing driveway and retaining wall.**

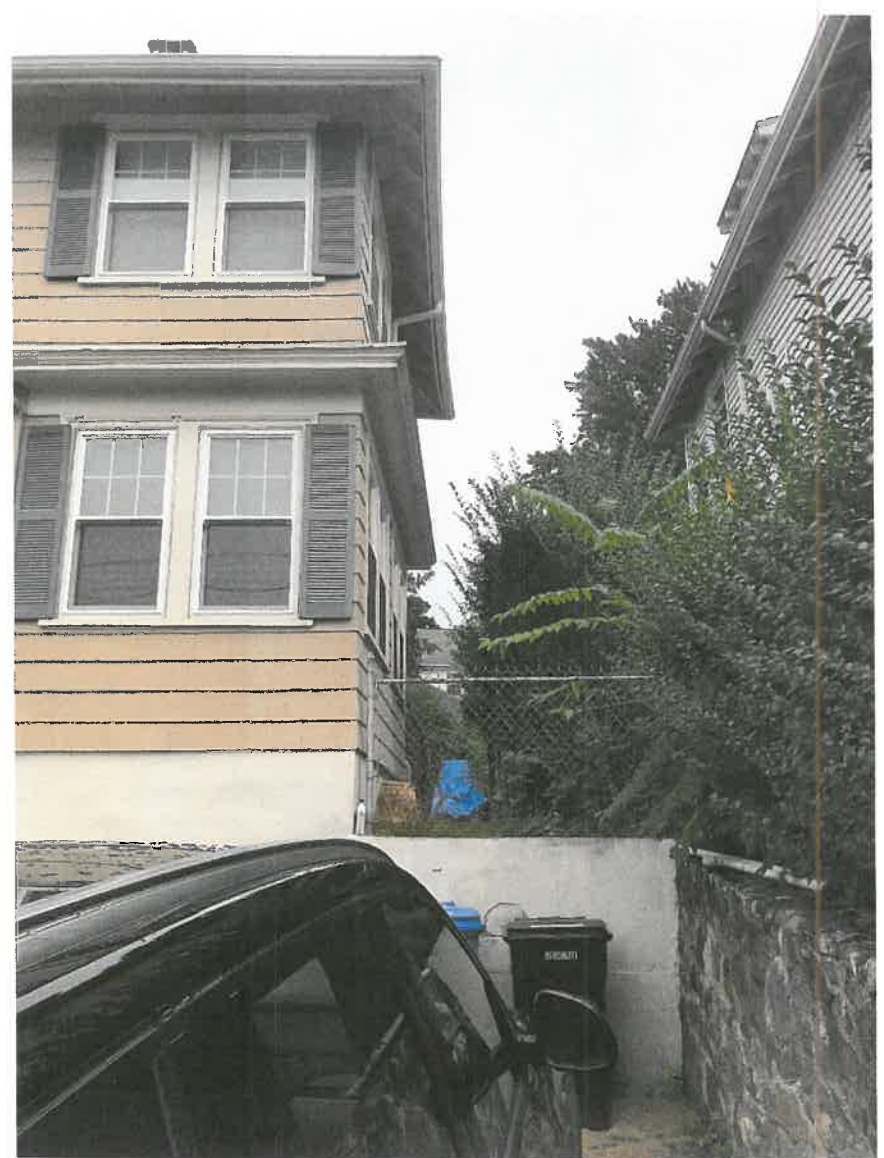


**Above: Street view of property from other side of Hammond Road.**



**Above: Street view of property, line represents proposed driveway expansion (not to scale).**





**Above: Left-hand side of property, showing proximity to neighbor at 85 Hammond Road (left photo).  
Above: Right-hand side of property showing proximity to neighbor at 95 Hammond Road (right photo).**

