

RECEIVED
TOWN CLERK
BELMONT, MA

CASE NO. 20-03

2020 JAN 14 PM 1:17 NOTICE OF PUBLIC HEARING BY THE
BELMONT ZONING BOARD OF APPEALS

ON APPLICATION FOR SIX SPECIAL PERMITS

Notice is hereby given that the Belmont Zoning Board of Appeals will hold a public hearing on Monday, February 3, 2020 at 7:00 PM in the Art Gallery, 3rd floor, Homer Municipal Building, 19 Moore St., to consider the application of Derek Tommy at 15-17 Moraine Street. located in a General Residence (GR) Zoning District for Six Special Permits under §1.5 of the Zoning Bylaw to construct a Second Story Porch. Special Permits, 1.- §1.5.4 A of the By-Laws allow extensions and alterations of non-conforming structures in the GR district by a Special Permit granted by the Board of Appeals. 2.- the maximum allowed lot coverage is 30%, the existing is 49.0% and the proposed is 49.6%. 3.- the minimum allowed open space is 40%, the existing is 37.6% and the proposed is 38.1%. 4.- the minimum required front setback is 20.0' the existing is 0.7' and the proposed is 6.6'. 5.- the minimum required side setback is 10.0', the existing and proposed is 6.0'. 6.- the required rear setback is 16.0', the existing is 15.2' and the proposed is 14.9'.

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

March 14, 2019

Derek Tommy
26 Agassiz Ave.
Belmont, MA 02478

RE: Denial to Construct Second Story Porch

Dear Mr. Tommy,

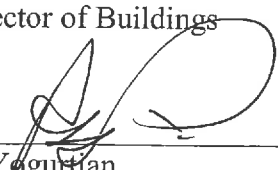
The Office of Community Development is in receipt of your building permit application for your proposal to construct a second story Porch at 15-17 Moraine Street located in a General Residence Zoning District.

Your application has been denied because it does not comply with the current Town of Belmont Zoning By-Law. More specifically, Section 1.5.4 A allows extensions and alterations of non-conforming structures in the GR zoning district by a Special Permit from the Zoning Board of Appeals. In addition §4.2.2 of the Zoning By-Law Dimensional Regulations allows a maximum lot coverage of 30%, a minimum open space of 40%, a minimum front set back of 20.0, a minimum side setback of 10.0', and a minimum rear setback of 16.0'.

1. The proposed changes to the structure are allowed by a Special Permit.
2. The existing lot coverage is 49% and the proposed is 49.6%.
3. The existing open space is 37.6% and the proposed is 38.1%.
4. The existing front setback is 0.7' and the proposed is 6.6'.
5. The existing side setback is 6.0' and the proposed is 6.0'.
6. The existing rear setback is 15.2' and the proposed is 14.9'.

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 six (6) Special Permits 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,
On Behalf of
Glenn R. Clancy, P.E.
Inspector of Buildings


Ara Yogurtian
Assistant Director
Office of Community Development



Town of Belmont
Planning Board

RECEIVED
TOWN CLERK
BELMONT, MA

2020 JAN 14 PM 1:17

APPLICATION FOR A SPECIAL PERMIT

Date: 1-6-2020

Planning Board
Homer Municipal Building
19 Moore Street
Belmont, MA 02478

To Whom It May Concern:

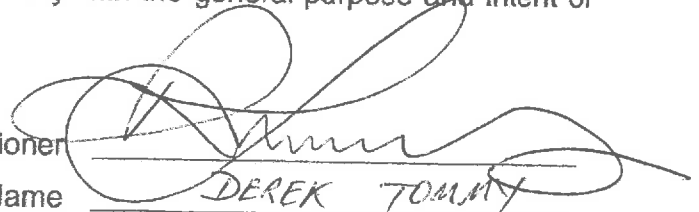
Pursuant to the provisions of Massachusetts General Laws, Chapter 40A, Section 9, as amended, and the Zoning By-Law of the Town of Belmont, I/we the undersigned, being the owner(s) of a certain parcel of land (with the buildings thereon) situated on 15-17 MORaine Street/Road, hereby apply to your Board 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 2nd FLOOR PORCH WITH STAIRS DOWN TO GRADE. THESE NEW STAIRS WILL BECOME THE 2nd MEANS OF EGRESS AND WILL ALLOW REMOVAL OF THE CURRENT STEEP NON-CONFORMING STAIR RUN. 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

Address

Daytime Telephone Number



DEREK TOMMY

26 AGASSIZ AVE.

BELMONT MA.

617-699-1455

Special permit what and why statement.

15-17 Moraine st Belmont MA

Date: January 6th 2020.

My property at 15-17 Moraine st is a 2 family home on the corner of Moraine st and Agassiz ave. I have tenants on the first floor and my son and his wife live on the 2nd and 3rd floors. We have recently gutted and renovated the 3rd floor with all new systems and are about to start work on the 2nd floor. The 2nd means of egress from the 2nd floor is a narrow (31"), very steep flight of stairs with an 8 1/2" riser and 7" tread. This stair flight exits onto the existing 1st floor deck on the Agassiz ave side. We would like to re-build the existing deck structure as a 2 story porch with a flight of stairs off the 2nd floor porch to the ground level. These stairs would become the 2nd means of egress from the 2nd floor.

This would allow removal of the dangerous internal egress stairs and make the 1st floor porch more usable for the 1st floor tenants. The existing steep egress stairs exit onto the middle of the 1st floor deck which greatly reduces the usability of that deck by the 1st floor tenants.

Regards,

Derek Tommy



In support of building a 2nd floor porch at 15-17
Moraine st
Belmont MA

Name	Address	Signature
Jeff Kerzner	33 Agassiz Ave	Jeff Kerzner
Samie Cohen	25 Moraine St.	Samie Cohen
Debra Gallahan	27 Agassiz Ave	Debra Gallahan
Dore Bonson	39 Agassiz Ave	Dore Bonson
Robert Park	23 Moraine St.	Robert Park
WELB MURPHY	10 MORLAINE	WELB MURPHY
Norman Lee	23 Agassiz Ave	Norman Lee

15-17 MORaine ST VIEW FROM AGASSIZ AVE



15-17 MORRIS ST EXISTING DECK



15-17 MORaine ST EGRESS STAIRS FROM 2nd FL TO 1st FLOOR DECK



Zoning Compliance Check List

(Registered Land Surveyor)

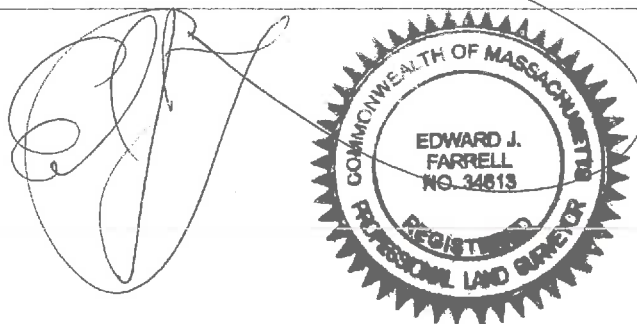
Property Address: 15-17 MORaine STREET Zone: GR

Surveyor Signature and Stamp: EDWARD J. FARRELL Date: 12/30/15

	REQUIRED	EXISTING	PROPOSED
Lot Area	5,000	2.614	2.614
Lot Frontage	50'	42.34	42.34
Floor Area Ratio	N/A	N/A	N/A
Lot Coverage	30%	49%	50.7%
Open Space	40%	38.4%	36.9%
Front Setback	20'	0.7'	6.6'
Side Setback	10'	3.1'	6.0'
Side Setback	10'		
Rear Setback	18'	15.2'	11.5'
Building Height	33'	29.05'	29.05'
Stories	2 1/2	2 1/2	2 1/2
1/2 Story Calculation			

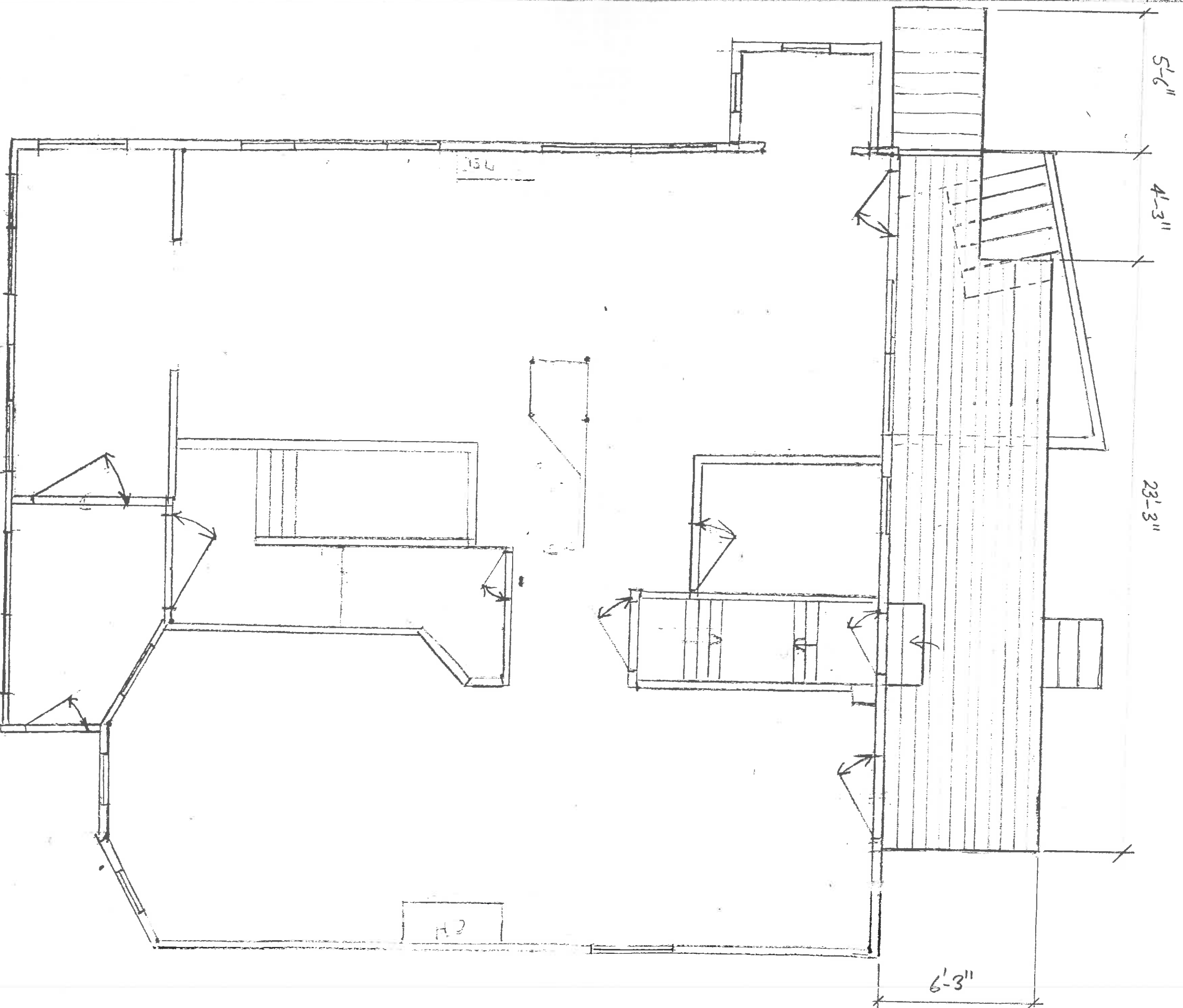
NOTES:

June 4, 2013



15-17 MORaine STREET BELMONT MA

Existing plan view showing 1st floor deck.



KIWI ENTERPRISE

SCALE 1/4" = 1'

26 Agassiz Ave, Belmont, MA 02478

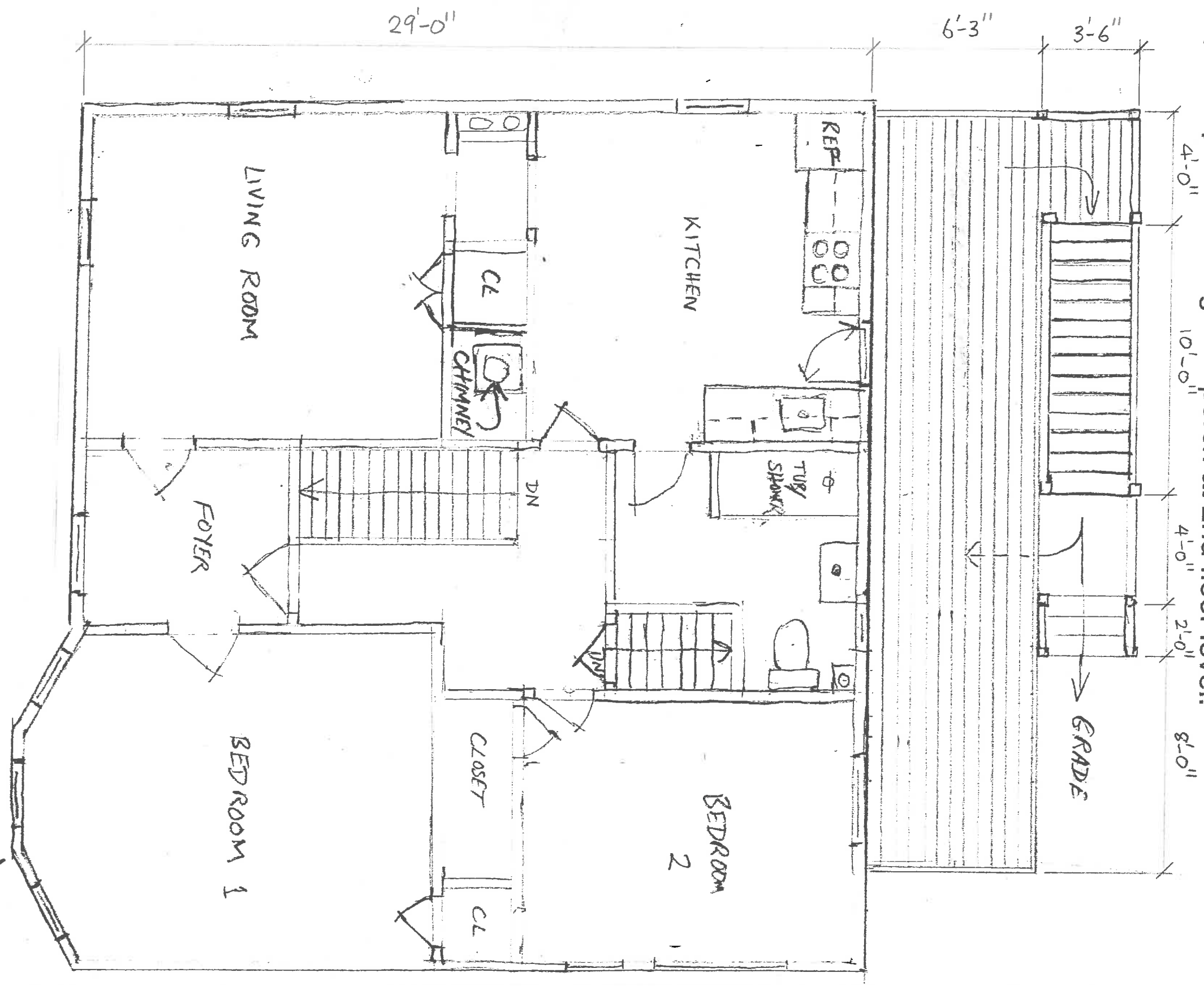
Office: 617-699-1455

Email: kiwidtommy@gmail.com

Date: January 6th 2020

15-17 MORaine STREET BELMONT MA

Proposed plan showing new porch at 2nd floor level.



KIWI ENTERPRISE

SCALE 1/4" = 1'

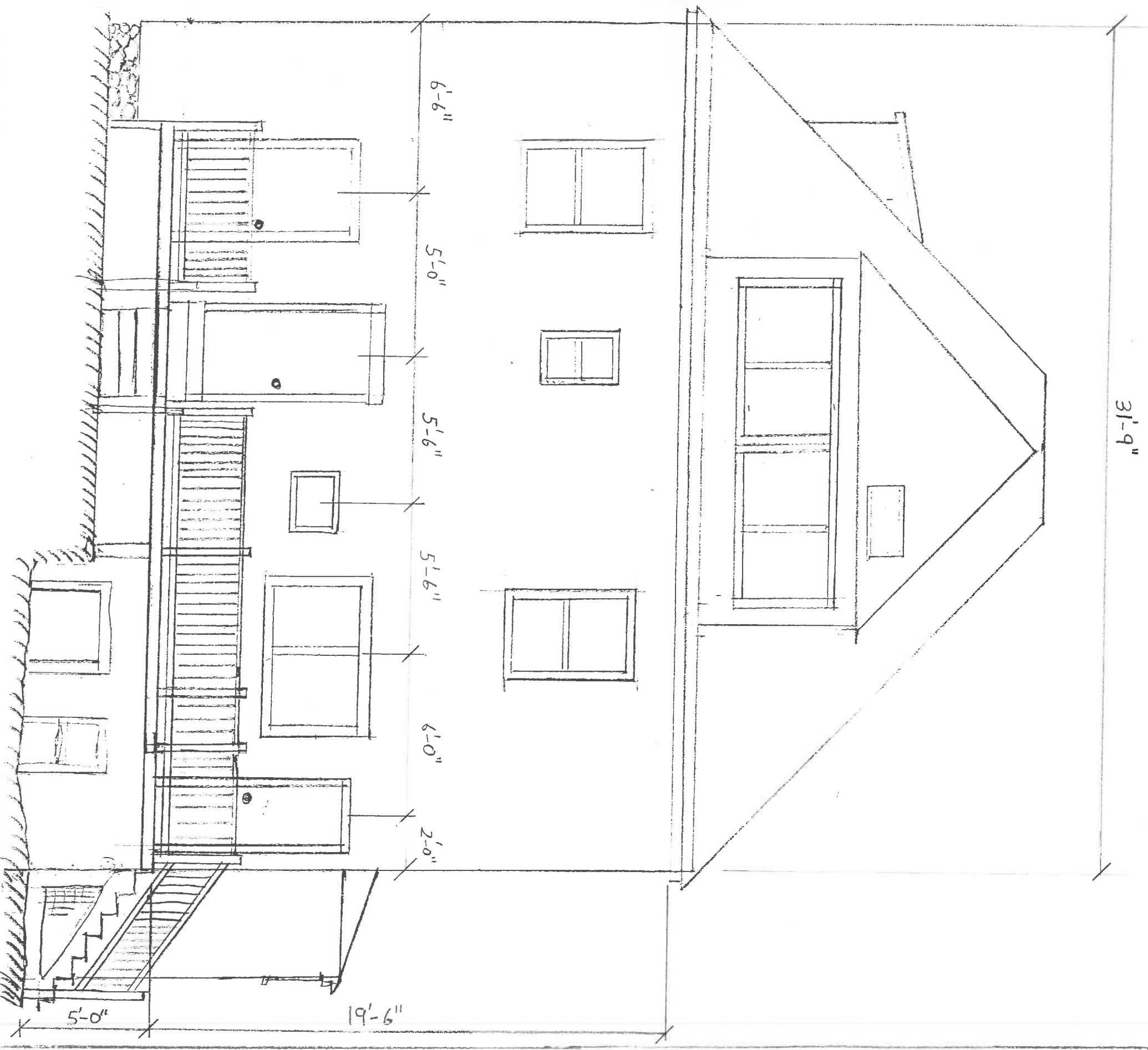
26 Agassiz Ave, Belmont, MA 02478

Office: 617-699-1455

Email: kiwidtommy@gmail.com

Date: January 6th 2020

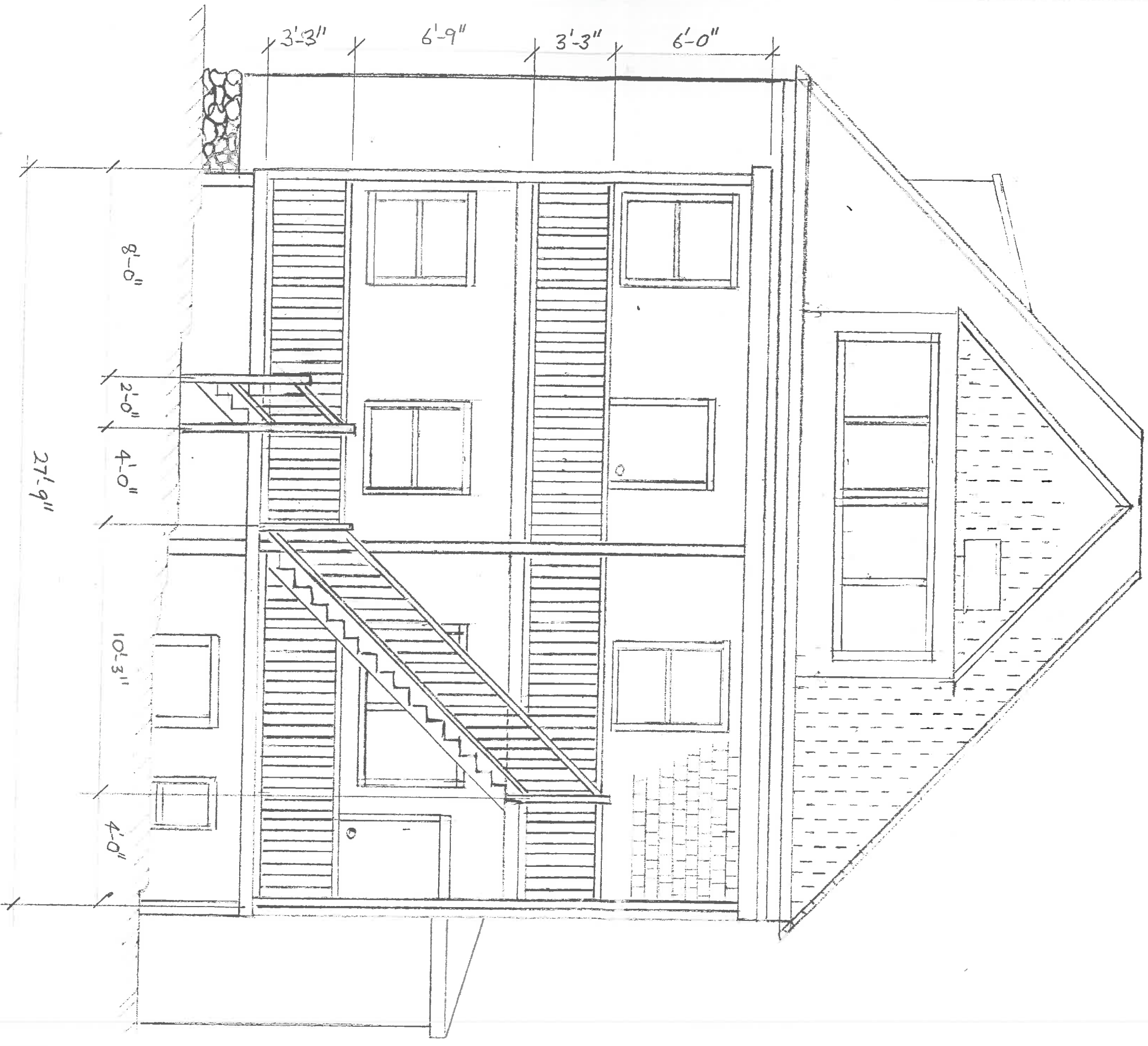
15-17 MORaine STREET
BELMONT MA
Existing west elevation.



KIWI ENTERPRISE SCALE 1/4" = 1'
26 Agassiz Ave, Belmont, MA 02478
Office: 617-699-1455
Email: kiwidotmmy@gmail.com

15-17 MORAINES STREET BELMONT MA

Proposed west elevation showing new stairs from
2nd floor.



KIWI ENTERPRISE

SCALE 1/4" = 1'

26 Agassiz Ave, Belmont, MA 02478

Office: 617-699-1455

Email: kiwidtommy@gmail.com

Date: January 6th 2020

KIWI ENTERPRISE SCALE 1/4" = 1'

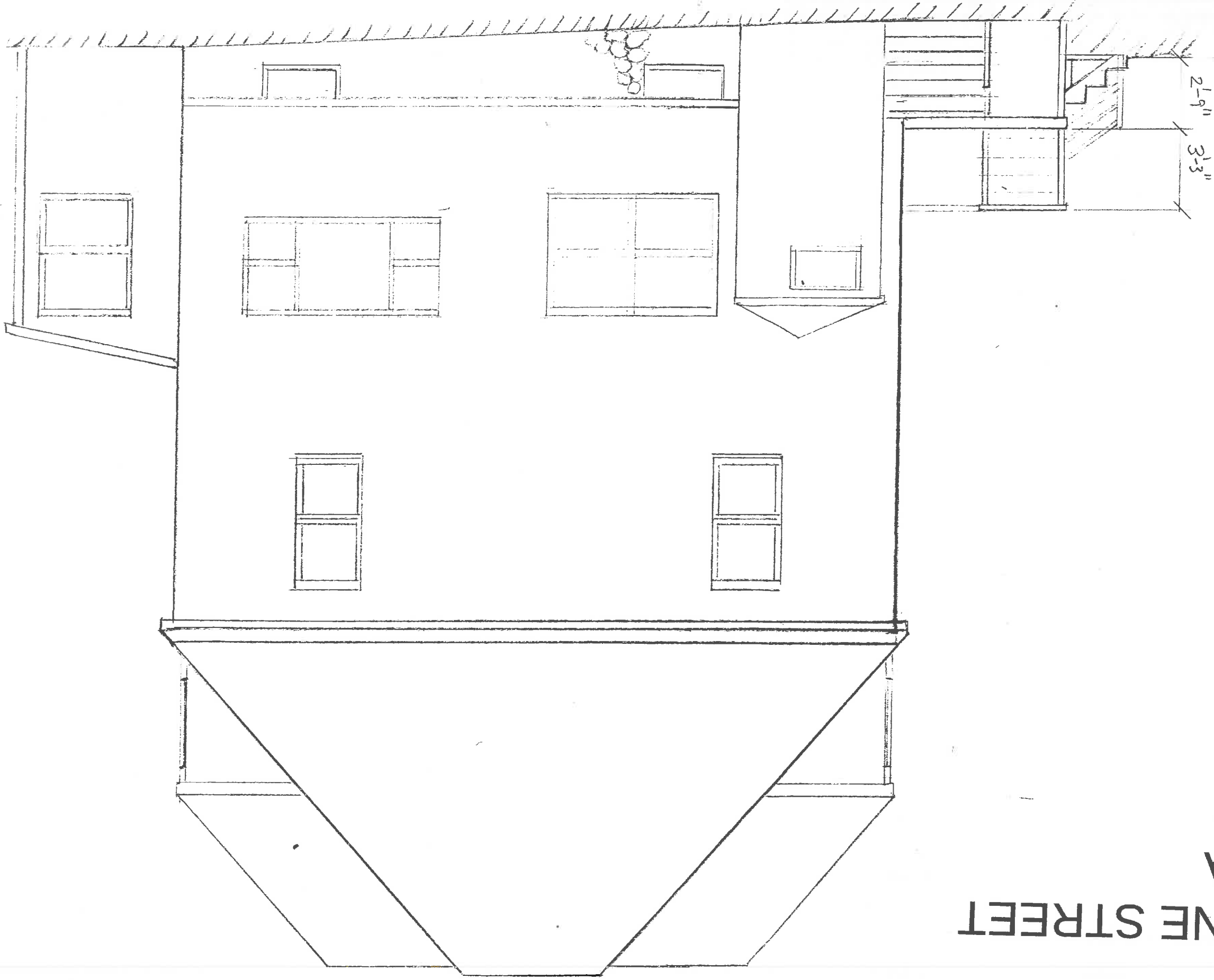
26 Agassiz Ave, Belmont, MA 02478

Office: 617-699-1455

Email: kiwidtommy@gmail.com

Date: January 6th 2020

15-17 MORaine STREET
BELMONT MA
Existing south elevation.



KIWI ENTERPRISE

SCALE 1/4" = 1'

26 Agassiz Ave, Belmont, MA 02478

Office: 617-699-1455

Email: kiwidtommy@gmail.com

Date: January 6th 2020

15-17 MORAINES STREET
Proposed south elevation showing porch roof.

