### NOTICE OF PUBLIC HEARING BY THE BELMONT ZONING BOARD OF APPEALS

## ON APPLICATION FOR TWO VARIANCES

Notice is hereby given that the Belmont Zoning Board of Appeals will hold a public hearing on Monday, July 13, 2020 at 7:00 PM by remote access through the Zoom app. to consider the application of Steven Brown, at 30 Alma Ave. located in a General Residence (GR) Zoning District for Two Variances under \$1.5 of the Zoning Bylaw to construct a second dwelling unit. Variances 1.-\$4.2.1-1 of the Zoning By-Law requires a minimum of 7,000 square feet lot area for a 2 family dwelling, the existing and proposed lot area is 3,416 square feet. 2.- \$4.2.1 (Table) requires 3,500 square feet lot area for each unit in the General Residence zoning district, the proposed lot area for each unit is 1,708 square feet.

ZONING BOARD OF APPEALS



## OFFICE OF COMMUNITY DEVELOPMENT

TOWN OF BELMONT 19 Moore Street Homer Municipal Building Belmont, Massachusetts 02478-0900

Building Division (617) 993-2664 Engineering Division (617) 993-2665 Planning Division (617) 992-2666

Telephone: (617) 993-2650 Fax: (617) 993-2651

April 28, 2020

Steven R. Brown 30 Alma Ave. Belmont, MA 02478

RE: Denial to Construct a Second Dwelling Unit.

Dear Mr. Brown,

The Office of Community Development is in receipt of your building permit application to construct a second dwelling unit at 30 Alma Avenue located in a General Residence (GR) Zoning District.

Your application has been denied because it does not comply with the current Town of Belmont Zoning By-Law. More specifically, Section 4.2.1-1 of the Zoning By-Law requires a minimum of 7,000 square feet lot area for a 2 family dwelling and Section 4.2.1 (Table) requires 3,500 square feet lot area for each unit in the General Residence zoning district.

1. The existing and proposed lot area is 3,416 square feet.

2. The proposed lot area for each unit is 1,708 square feet.

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 two (2) Variances from the Zoning Board of Appeals and subsequently three (3) Special Permits from the Planning Board for lot coverage, and side and front setbacks. 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, Glenn R. Clancy, P.E.

Inspector of Buildings



Town of Belmont Zoning Board of Appeals

## **APPLICATION FOR A VARIANCE**

Date: 51520

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 carcel of land (with the buildings thereon) situated on 30/A/Ma, Ave -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 or nution . 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)

enabling the

Signature of Petitioner Print Name

Address

02478 (0)

Daytime Telephone Number

December 6, 2005

## Belmont ZBA Variance Application Statement 30 Alma Ave

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Terri Goldberg and Steve Brown of 30 Alma Ave seek a variance in order to convert from a single family to a two family in the GR district on a lot that is less than 5,000 sf.

Terri and Steve have lived at their Alma Ave home for 25 years. They raised their son, Micah Goldberg, in this home. Micah attended the Butler School, Chenery Middle School, and Belmont High School. He got a great education and went on to obtain an undergraduate degree from Bryant University. He is currently working for a Biotech company in Cambridge. Growing up he played baseball for a number of teams in Belmont and represented the Town in numerous regional summer baseball tournaments. In high school, he was voted onto the Middlesex League all-star team in both his junior and senior year. He is eager to move back to his hometown. Micah's wife, Kasey, is a graduate of Lesley and is currently working in Medford with extreme special education students. Terri is the Executive Director of an environmental organization (newmoa.org). She has been sharing her expertise with the Sustainable Belmont group for a number of years. She has also written for the Belmont Citizens Forum newsletter. She is very active on an environmental team at the Temple Beth El Center in Belmont. Steve worked in the information technology startup world for many years, most recently at iRobot. He coowns a gym in Arlington (cambridgestrength.com). This gym draws many people from Belmont, including the Pastor of Plymouth Congregational Church.

Micah and Kasey are currently renting an apartment in Arlington, but are very excited to move back to Belmont and, through the generous flexibility of Terri and Steve, become first time homeowners and invest in their hometown by moving to the second floor of the family home. Terri and Steve intend to transition to single story living by occupying the first floor of the home, allowing them to downsize without having to leave the town and the street that they call home.

The Belmont zoning ordinance includes a special provision to allow conversion from single to two family homes within the GR district (section 4.2.1 (2)). This provision stipulates a lot size of 5,000 sf and frontage of 50' as the threshold for distinguishing between a special permit from the Planning Board and a variance from the Zoning Board of Appeals. In our case, the 3.416 sf lot triggers a variance from the ZBA as the means to approve this conversion.

It is our intention to demonstrate that the circumstances of this particular conversion meet the criteria for issuing a variance – there is a valid hardship, the project will not be detrimental to the neighborhood and the project will not derogate the town's by-law.

## There is a valid hardship:

Hardship is defined as either an unusual lot shape, severe topography or soil conditions that prohibit by-right development of the site. In our case, the hardship is the unusual lot shape. The property is located in the bend on Alma Ave and so, even though it has the same 50' of frontage and 90' of depth that is consistent throughout most of the

neighborhood, the lot is wedge shaped with the property lines converging toward the back, resulting in a smaller than usual lot size (3,416 sf at Alma Ave vs 4,700 sf average on Alma Street) – *see neighborhood analysis*. Almost all of the other lots on the street are uniform rectangles.

#### The project will not be detrimental to the neighborhood:

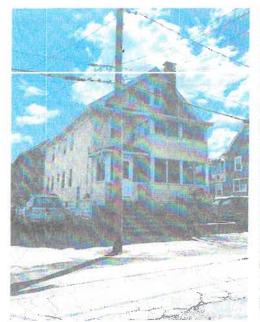
The proposed two family use is consistent with the vast majority of properties within the neighborhood. In fact 17 out of 25 homes on the street are already two families - see **neighborhood analysis.** Furthermore, the proposed architectural style of the project – gable front with substantial front porch with second floor living space over the porch – is extremely consistent with the vernacular of the neighborhood - see **photographs**. And the size and scale of the two family home is also appropriate for the neighborhood. We are proposing a modestly sized home – 871 sf one bedroom first floor unit and 1,001 sf two bedroom second floor unit - that would be 2 ½ stories and 25.3' high. The TLA of our proposed project (1,872 sf) would still be below the TLA for the street (2,218 sf) and the proposed number of bedrooms (3) would still be lower than the average number of bedrooms on the street (4) - see neighborhood analysis.

## The project will not derogate the town's by-law:

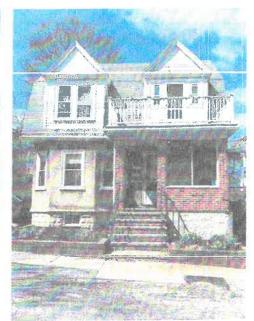
One important goal of Belmont's zoning bylaw is to provide opportunities for entry level housing within our Town of Homes. While the lot size is below the threshold for a special permit, thereby warranting closer scrutiny, the circumstances of this particular lot and the neighborhood within which it exists definitively support the appropriateness of the proposed use as a two family home. It is worth noting that very few of the lots within the neighborhood (only 5 out of 25) are at the 5,000 sf threshold, and yet a large percentage of these homes (17 out of 25) are already two family structures – *see neighborhood analysis*. Therefore the proposed use as a two family at 30 Alma Ave is not very different at all than so many of its neighbors, most of which are already two family homes on lots that are smaller than 5,000 sf. This is clearly an example of a pocket of Belmont that celebrates a certain density and embraces the notion of providing entry level housing, accommodating circumstances exactly like ours – aging parents and young families working together to create a sustainable living arrangement for everyone.

# 30 Alma Ave Neighborhood analysis

	Address	l at si	Use (1 or 2	Number of	1
	1 8 Alma Ave	Lot size	family)	bedrooms	TLA*
	2 10 Alma Ave	4500	1	4	15
	3 11-13 Alma Ave	4500	1	3	131
	4 12 Alma Ave	6786	2	. 6	324
	5 17-19 Alma Ave	4500	1	4	
	6 18-20 Alma Ave	4782	2	5	141
		4500	2	5	2693
	7 21-23 Alma Ave	5042	2	5	2470
	8 22-24 Alma Ave	4500	2	4	2620
	9 26 Alma Ave	4500	2		2464
	0 27-29 Alma Ave	5364	2	4	2364
	1 30 Alma Ave	3416	2	4	2634
	2 33 Alma Ave	6047	1	3	1872
	3 34 Alma Ave	3373		2	1520
	35-37 Alma Ave	6066	1	3	1110
	38-40 Alma Ave	4500	2	3	2663
16	41-43 Alma Ave	4648	2	5	2551
17	42-44 Alma Ave	4500	2	4	2306
	45-47 Alma Ave	4500	2	5	2574
	48 Alma Ave	4500	2	2	1841
20	49-51 Alma Ave	4500	1	4	1632
	50-52 Alma Ave	and the second distance of the second distanc	2	4	2340
	53-55 Alma Ave	4500	2	5	2340
	54 Alma Ave	4500	2	5	2365
	57-59 Alma Ave	4500	1	4	1805
	51-63 Alma Ave	4500	2	6	3532
-	THE PARTY PARE	4500	2	4	2240
LA	verage	117524		103	55456
Ľ		4700.96		4.12	2218.24



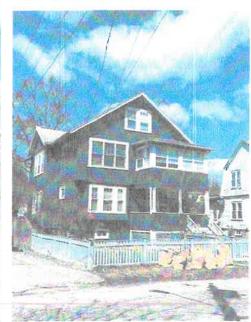




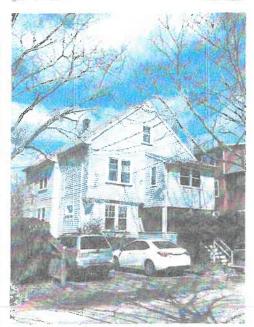




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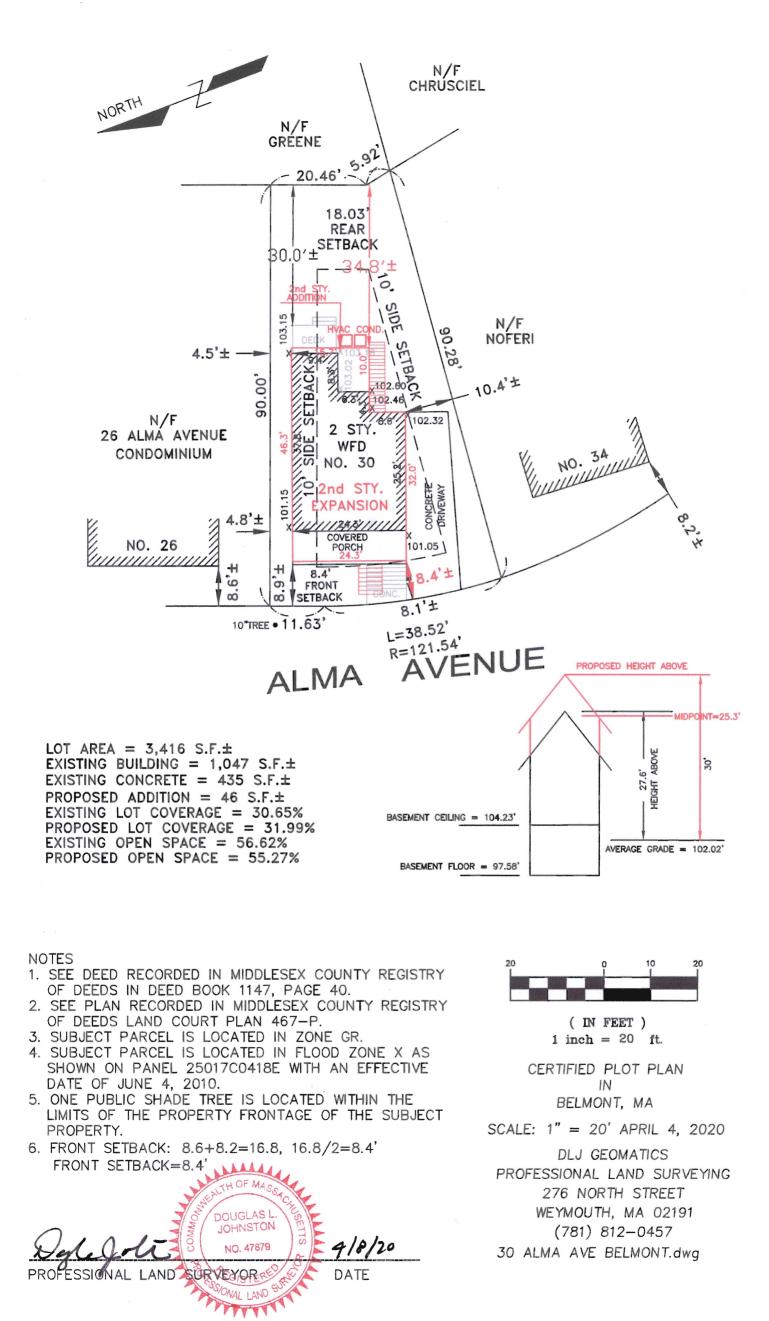


Zoning Compliance Check List         Properties Located within the GR Zoning Districts (To be Completed by a Registered Land Surveyor)         Property Address: 30 ALMA AVE.         Surveyor Signature and Stamp: Day Office         Date: 100         Property Address: 30 ALMA AVE.         Surveyor Signature and Stamp: Day Office         Date: 100         Date: 100	
Properties Located within the GR Zoning Districts (To be Completed by a Registered Land Surveyor)         Property Address:       30       ALMA AVE.         Surveyor Signature and Stamp:       Date:       Date:         Per §4.2 of the Zoning By-Law       Date:       Date:         Lot Area (sq. ft.)       5,000 S.F       3,411 S.F       3,410 S.F         Lot Frontage (feet)       50'       50.15'       50.15'         Lot Area/Unit (sq. ft./d.u.)       3,500.5F       3,410 S.F       3,416 S.F         Lot Coverage (% of lot)       30°/5       30.65°/5       31.99°/6	r. V
Surveyor Signature and Stamp: $\begin{tabular}{ c c c c c c c c c c c c c c c c c c c$	A A A
Surveyor Signature and Stamp: $\begin{tabular}{ c c c c c c c c c c c c c c c c c c c$	1-1-6
REQUIRED         EXISTING         PROPOSEL           Lot Area (sq. ft.)         5,000 S.F.         3,411 S.F.         3,911 S.F.           Lot Frontage (feet)         50'         50.15'         50.15'           Lot Area/Unit (sq. ft./d.u.)         3,500.1F.         3,410 S.F.         3,416 S.F.           Lot Coverage (% of lot)         30%         30.65%         31.99%	3/2-
Lot Area (sq. ft.) $5,000 S.F.$ $3,411 S.F.$ $3,911 S.F.$ Lot Frontage (feet) $50'$ $50.15'$ $50.15'$ Lot Area/Unit (sq. ft./d.u.) $3,500.5F.$ $3,410 S.F.$ $3,416 S.F.$ Lot Coverage (% of lot) $30'/_0$ $30.65''/_0$ $31.99''/_0$	
Lot Frontage (feet)         50'         50.15'         50.15'           Lot Area/Unit (sq. ft./d.u.)         3.500.5F.         3.410 5.F.         3.416 5.F.           Lot Coverage (% of lot)         30%         30.65%         31.99%	
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Lot Coverage (% of lot) 30% 30.65% 31.99%	
Open Space (% of lot) -70% 56 22% 55.27%	
> Front <sup>(a)</sup> 8.4' 8.1' 8.1'	
Setbacks: > 2nd Front Door (25%)	
(feet) > Side/Side 10' 10' 4.5' 10.4' 4.5' 10.4	
> Rear 18.03' 30' 34.2'	-
Building > Feet 37' 77.6' 30'/25.3	poin
Height: > Stories 21/2 2 7/2	
1/2 Story > Perimeter (50%)	_
(feet) > Area (60%)	_
(Per §1.4) > Length (75%)	-
Per §6D of the Zoning By-Law	-
HVAC: Prohibited in Front Yard and Side and Rear Setbacks	
Front Doors: Both Must Face Street (b)	
STANDARD PROPOSED	
Curb Cut (One per 70' Frontage) (c)	1

Front setback is equal to the average front setbacks of the abutting properties on either side.
 The second unit's front door may be allowed to face the side yard only if the existing structure is

A second curb cut may be allowed where the Applicant can demonstrate that creating a second curb cut may be allowed where the Applicant can demonstrate that creating a second curb cut is harmonious with the surrounding neighborhood.

SUBMIT CALCULATIONS for all of the requirements listed above on a separate piece of paper(s) to verify how they were calculated



DLJ Geomatics

276 North Street

Weymouth, MA 02191

landsurv@comcast.net

781-812-0457

30 Alma Avenue

\$

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Belmont, MA 02478

Basement Calculations:

The foundation walls are 6.65' high. There are seven segments.

Segment:	Length:	Area:	Area Below Grade:
А	24.3'	161.60 S.F.	85.54 S.F.
В	25.2′	167.58 S.F.	103.57 S.F.
С	8.6'	57.19 S.F.	42.05 S.F.
D	10.6	70.49 S.F.	54.70 S.F.
E	8.3'	55.20 S.F.	45.73 S.F.
<u>þ</u> .	9.4'	62.51 S.F.	52.45 S.F.
G	37.8'	251.37 S.F.	172.75 S.F.

Total:

825.94 S.F.

556.79 S.F.

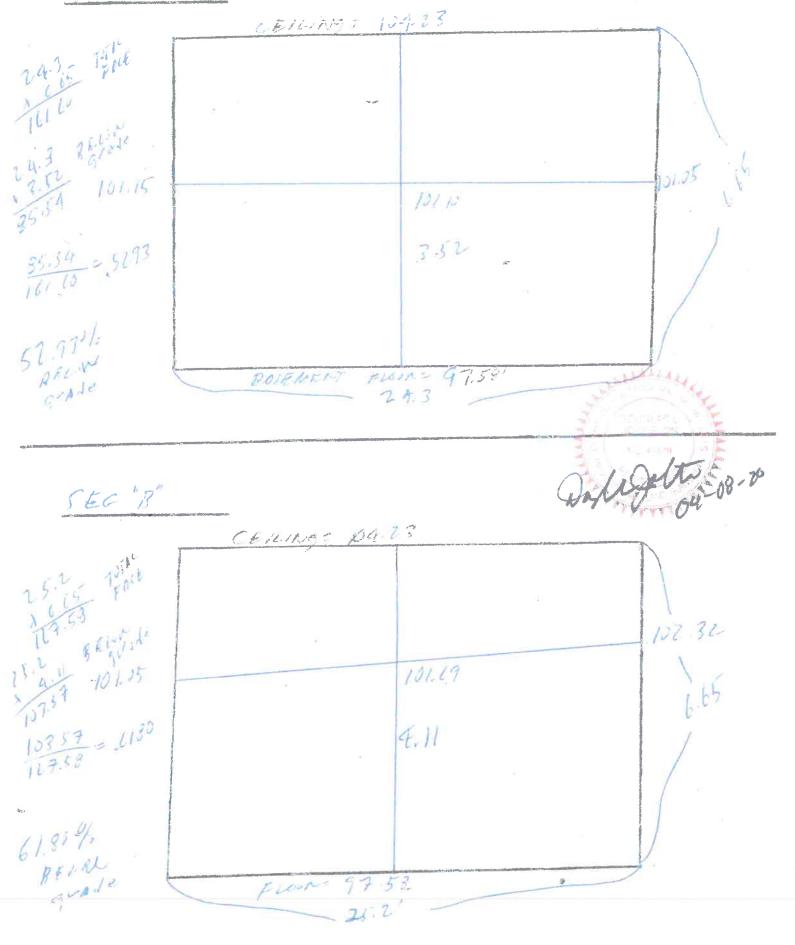
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67.41% of the foundation wall is below grade

19.



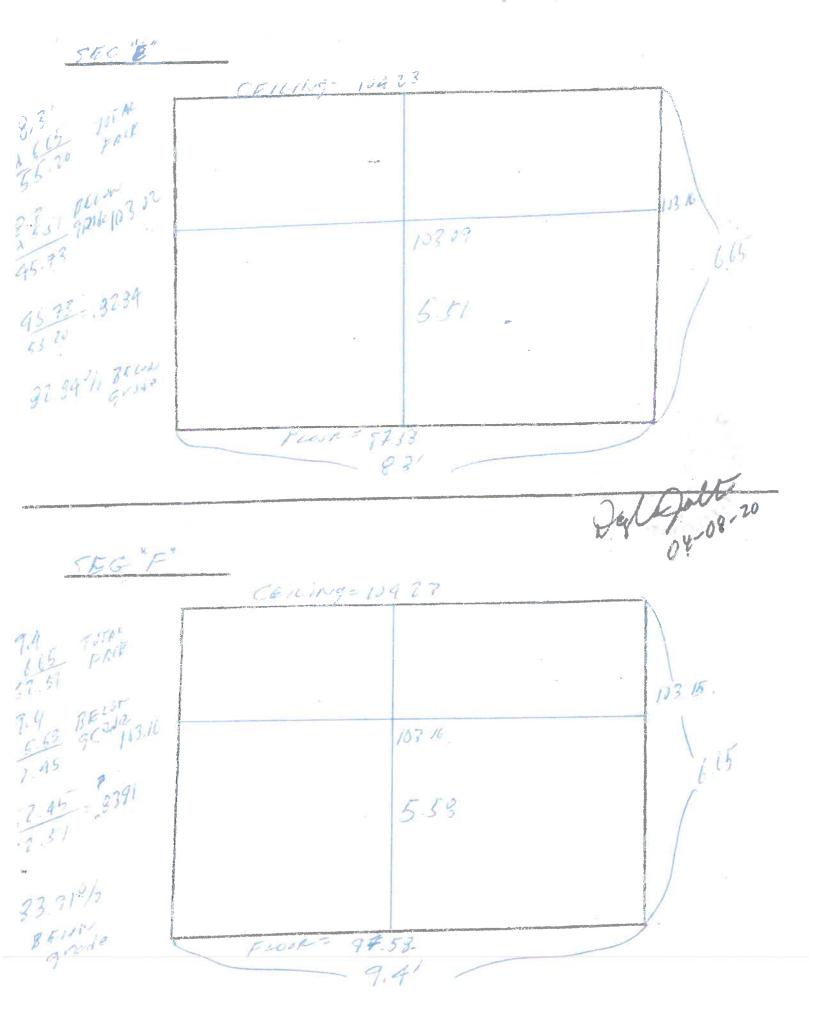




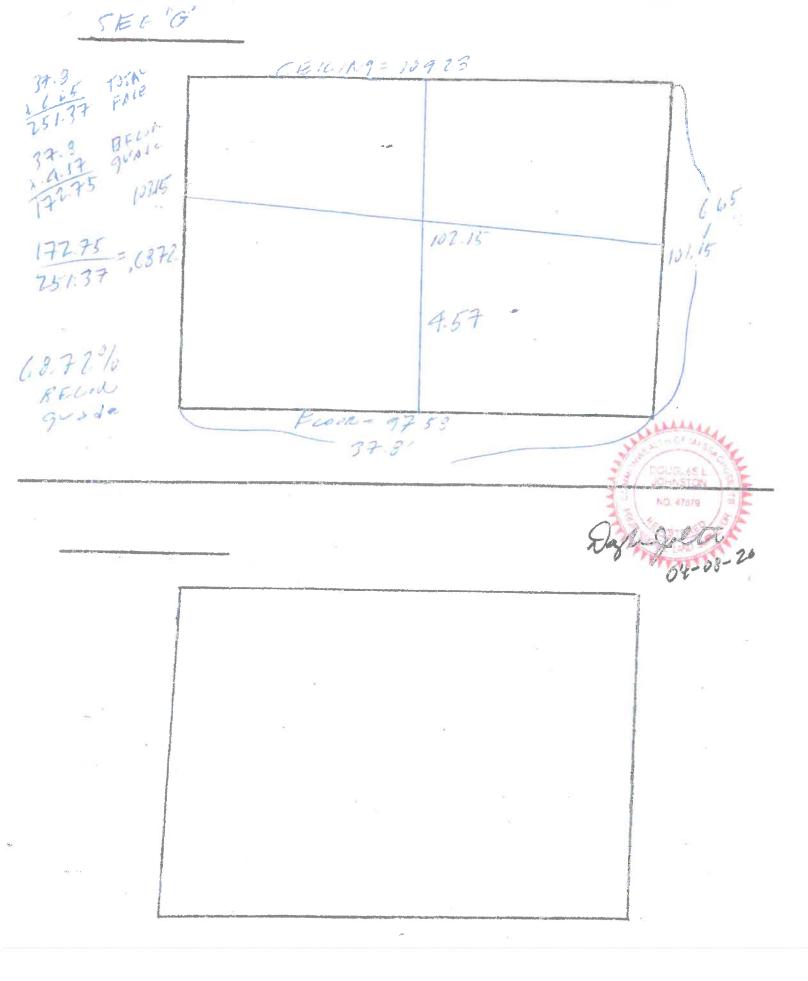
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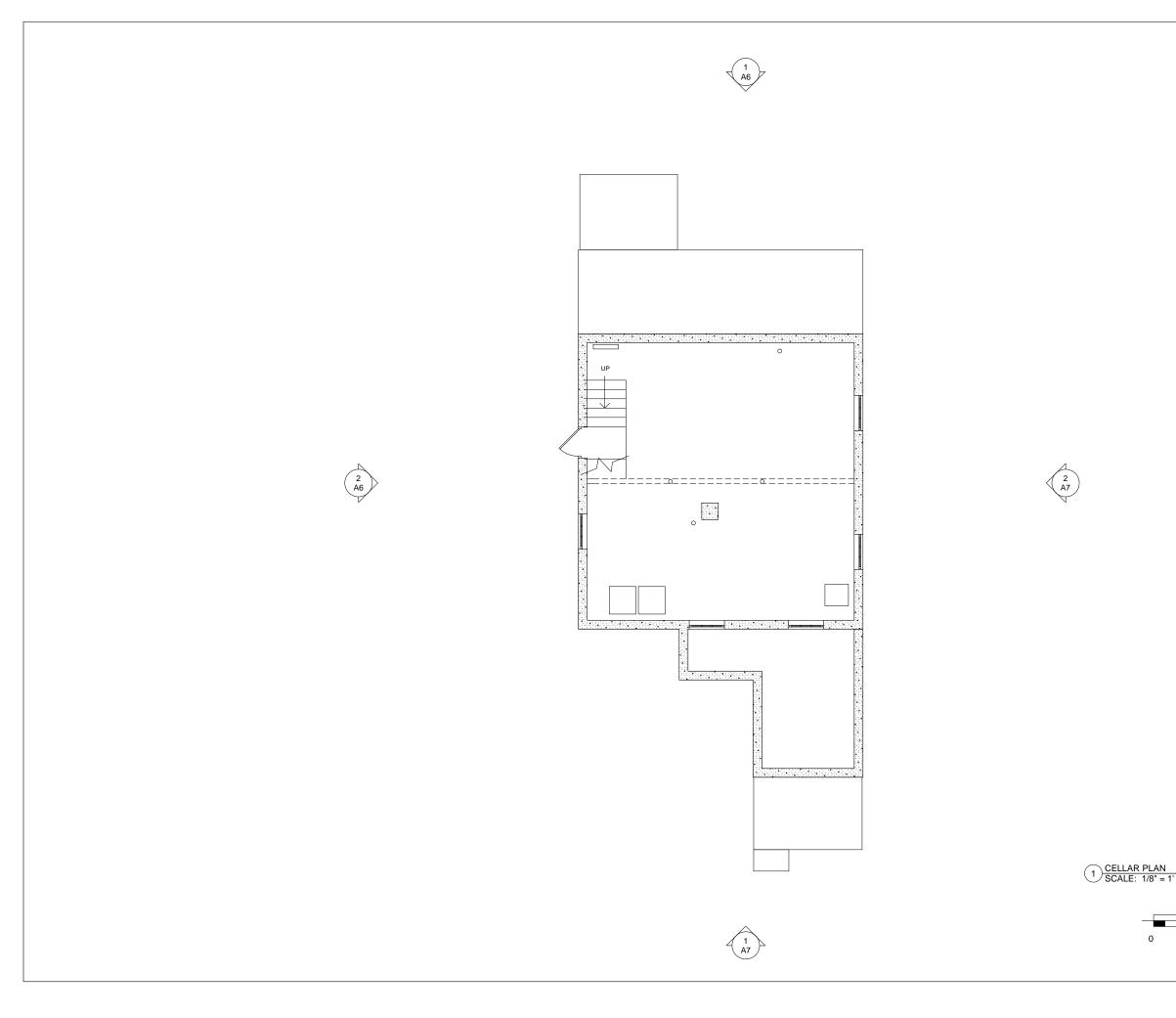
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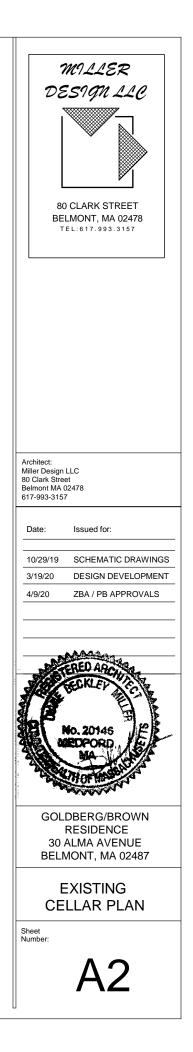


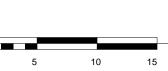
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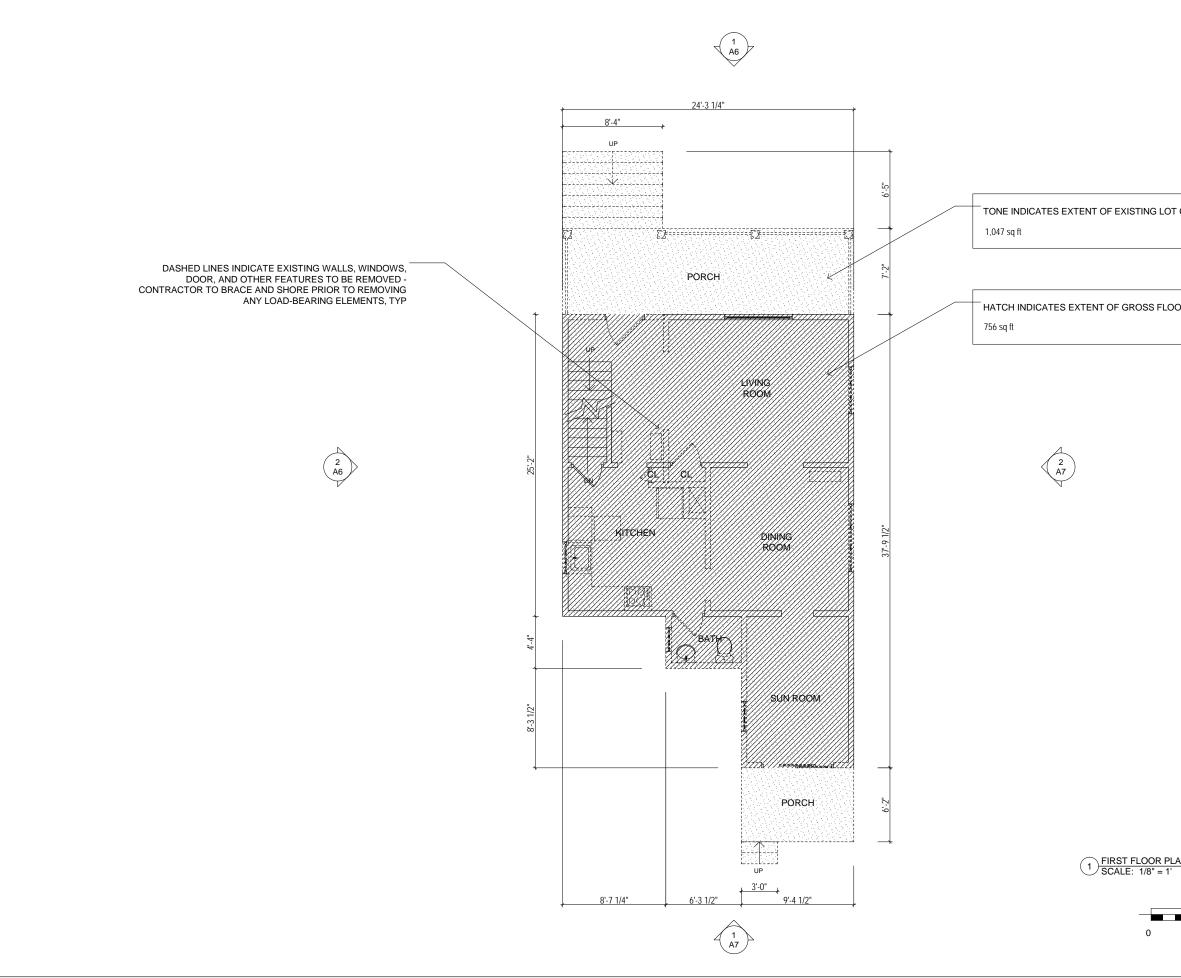


	APPROVALS (F APPRIL 9 ENERGY AUDIT: REFERENCE CH 11 - ENERGY EFFICIENCY 2015 INTERNATION/ PRESCRIPTIVE OPTION FOR RESIDENTIAL ADDITION (401.3): 1. RENOVATION TO COMPLY WITH ENERGY STAR QUALIFIED H INSULATION VALUES AS FOLLOWS: R49 ROOF R-VALUE, R30 I BASEMENT / CRAWL SPACE WALL R-VALUE. 2. RENOVATION TO COMPLY WITH ENERGY STAR QUALIFIED H DOORS, AND SKYLIGHTS - VERSION 5.0. ALL NEW WINDOW GI BE .55 U-FACTOR. 3. HEATING / COOLING DUCTS TO BE SEALED ADN TESTED TO PROJECT INFORMATION: BELMONT ZONING GR REQUIRED: MAX 30% LOT COVERAGE MIN 40% OPEN SPACE FRONT YARD SETBACK: AVERAGE REAT YARD SETBACK: 20-0" SIDE YARD SETBACK: 20-0" SIDE YARD SETBACK: 10-0"	AL RESIDENTIAL CODE W/ MASS AMENDMENTS. HOMES THERMAL BYPASS INSPECTION CHECKLIST. FLOOR R-VALUE, R20 WALL R-VALUE, R15/19 REQUIREMENTS FOR RESIDENTIAL WINDOWS, LAZING TO BE .30 U FACTOR AND SKYLIGHTS TO	Implder         Dessign du date         Dessign du date         Dessign du date         B0 CLARK STREET         BELMONT, MA 02478         TEL: 617.993.3157         Architect:         Miler Design LLC         80 Clark Street         Belmont MA 02478         617-993.3157         Date:       Issued for:
EXISTING GROSS FLOOR AREA: 0 SF CELLAR 756 SF FIRST FLOOR 600 SF SECOND FLOOR 1356 SF TOTAL NEW GROSS FLOOR AREA: 0 SF CELLAR 871 SF FIRST FLOOR 1001 SF SECOND FLOOR 138 SF ATTIC 2010 SF TOTAL 654 SF NEW GROSS FLOOR AREA GR DISTRICT NEW GROSS FLOOR AREA > 300, THEREFORE PB APPROVAL REQUIRED	LIGHTING LEGEND <ul> <li>RECESSED LED CAN LIGHT - AS SELECTED BY OWNER</li> <li>CEILING MOUNTED PENDANT - AS SELECTED BY OWNER</li> <li>CEILING MOUNTED DOME LIGHT -</li> <li>AS SELECTED BY OWNER</li> <li>WALL MOUNTED SCONCES AS SELECTED BY OWNER</li> <li>CEILING FAN WITH INTEGRAL LIGHT - AS SELECTED BY OWNER</li> <li>CEILING FAN WITH INTEGRAL LIGHT - AS SELECTED BY OWNER</li> <li>CEILING FAN WITH INTEGRAL LIGHT - AS SELECTED BY OWNER</li> <li>CEILING FAN WITH INTEGRAL LIGHT - AS SELECTED BY OWNER</li> <li>CEILING FAN WITH INTEGRAL LIGHT - AS SELECTED BY OWNER</li> <li>CEILING FAN WITH INTEGRAL LIGHT - AS SELECTED BY OWNER</li> <li>Mathowing DPER CODE</li> <li>S.D. SMOKE DETECTOR - NOTE ALL NEW AND EXISTING SMOKES TO BE HARD WIRED PER CODE</li> <li>S.D. MOKE DETECTOR - NOTE ALL NEW AND EXISTING SMOKES TO BE HARD WIRED PER CODE</li> <li>D.T. CONNECTION</li> <li>Mathowing DPER CODE</li> <li>COM ARD-WIRED SMOKE / CARBON MONOXIDE DETECTOR</li> <li>D.T. CONNECTION</li> <li>Mathowing DPER CODE</li> <li>COM ARD-WIRED SMOKE / CARBON MONOXIDE DETECTOR</li> <li>Mathowing DPER CODE</li> <li>Mathowing DPER CODE</li> <li>Mathowing DPER CODE</li> <li>COM ARD-WIRED SMOKE / CARBON MONOXIDE DETECTOR</li> </ul>	SYMBOL LEGEND         WALL TO BE DEMOLISHED         EXISTING WALL TO REMAIN         NEW WALL $\overbrace{1}^{2}$ INTERIOR ELEVATION $\overbrace{1}^{2}$ SECTION $\overbrace{2}^{12}$ DOOR TAG $\textcircled{B}$ WINDOW TAG	Ro. 20145 Mo. 20145 Mo. 20145 Mo. 20145 Mo. 20145 Ma DPORD MA Vortes State State State Number: Ma COVERSHEET Sheet Number: A1

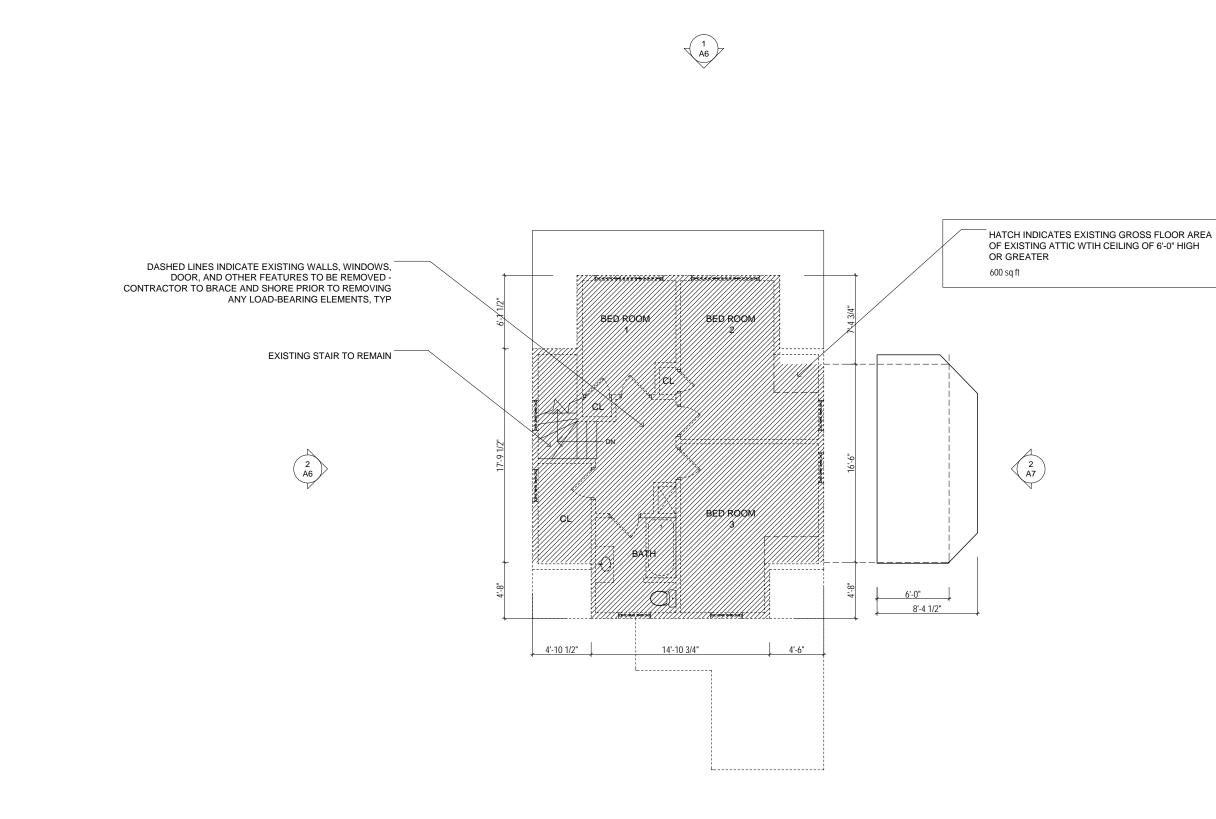






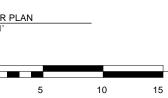


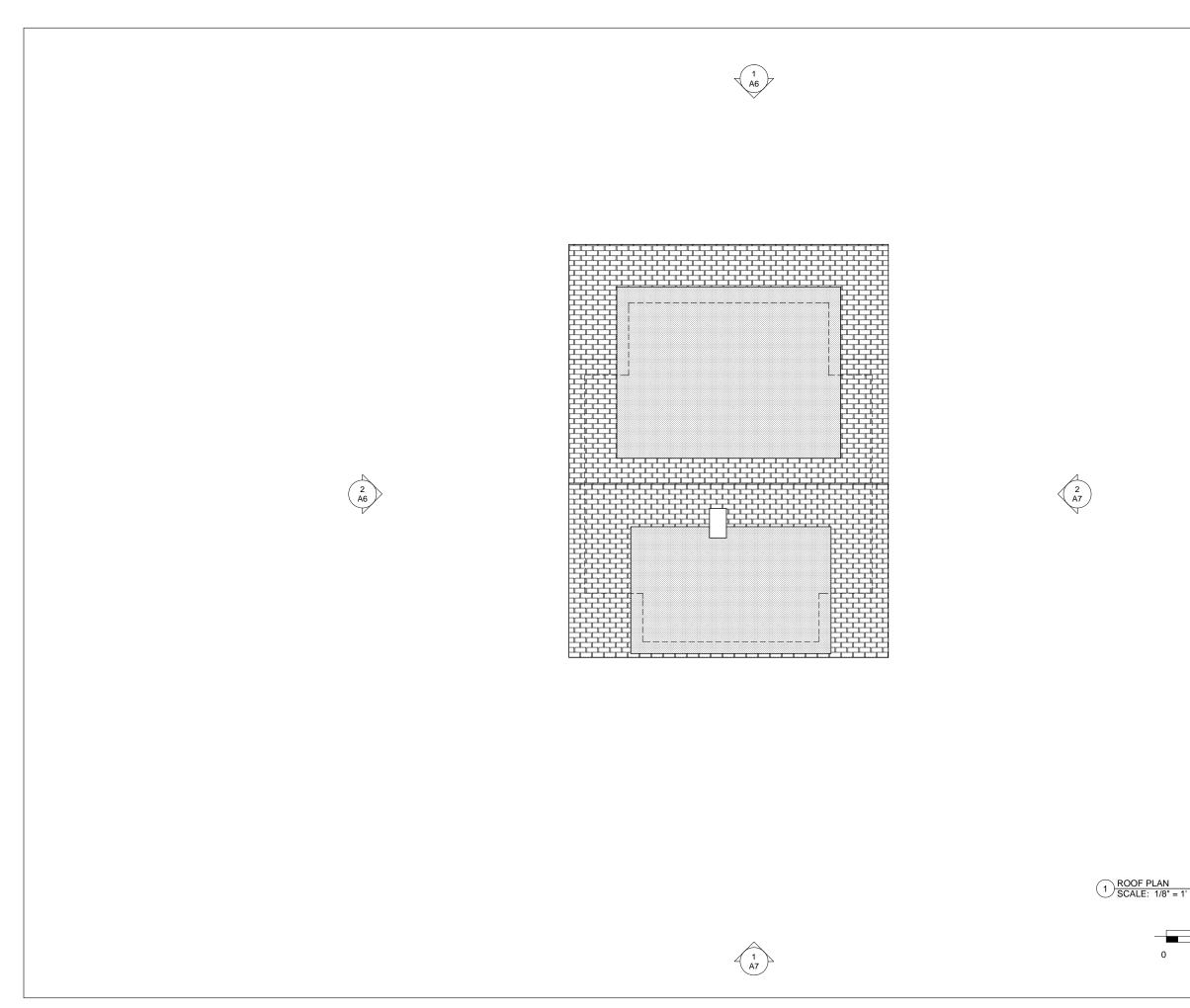
COVERAGE	MILLER DESIGN LLC WWW LLC 80 CLARK STREET BELMONT, MA 02478 TEL:617.993.3157
OR AREA:	
	Architect: Miller Design LLC 80 Clark Street Belmont MA 02478 617-993-3157 Date: Issued for: 
	3/19/20     DESIGN DEVELOPMENT       4/9/20     ZBA / PB APPROVALS
	No. 20146
	GOLDBERG/BROWN RESIDENCE 30 ALMA AVENUE BELMONT, MA 02487
AN	EXISTING FIRST FLOOR PLAN
5 10 15	Number:



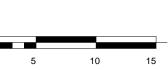
1 SECOND FLOOR PLAN SCALE: 1/8" = 1'







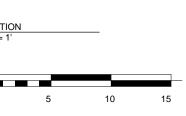








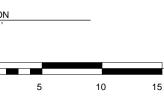


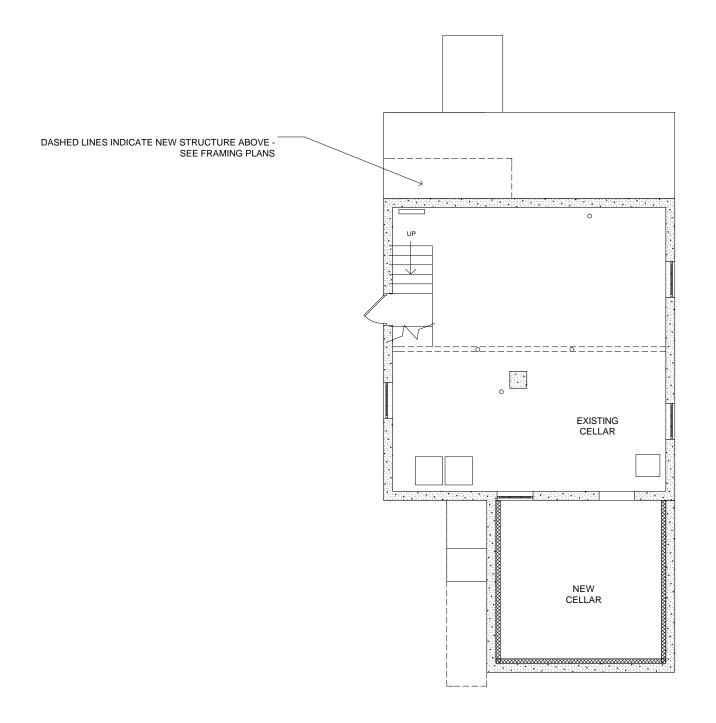




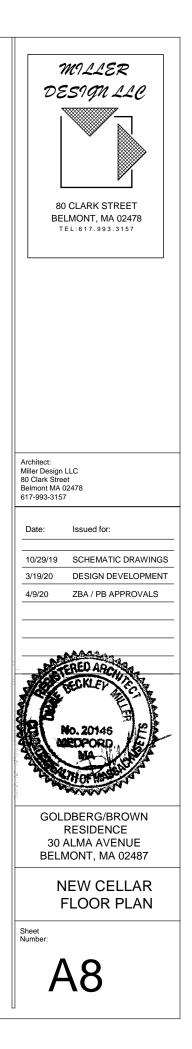




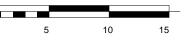


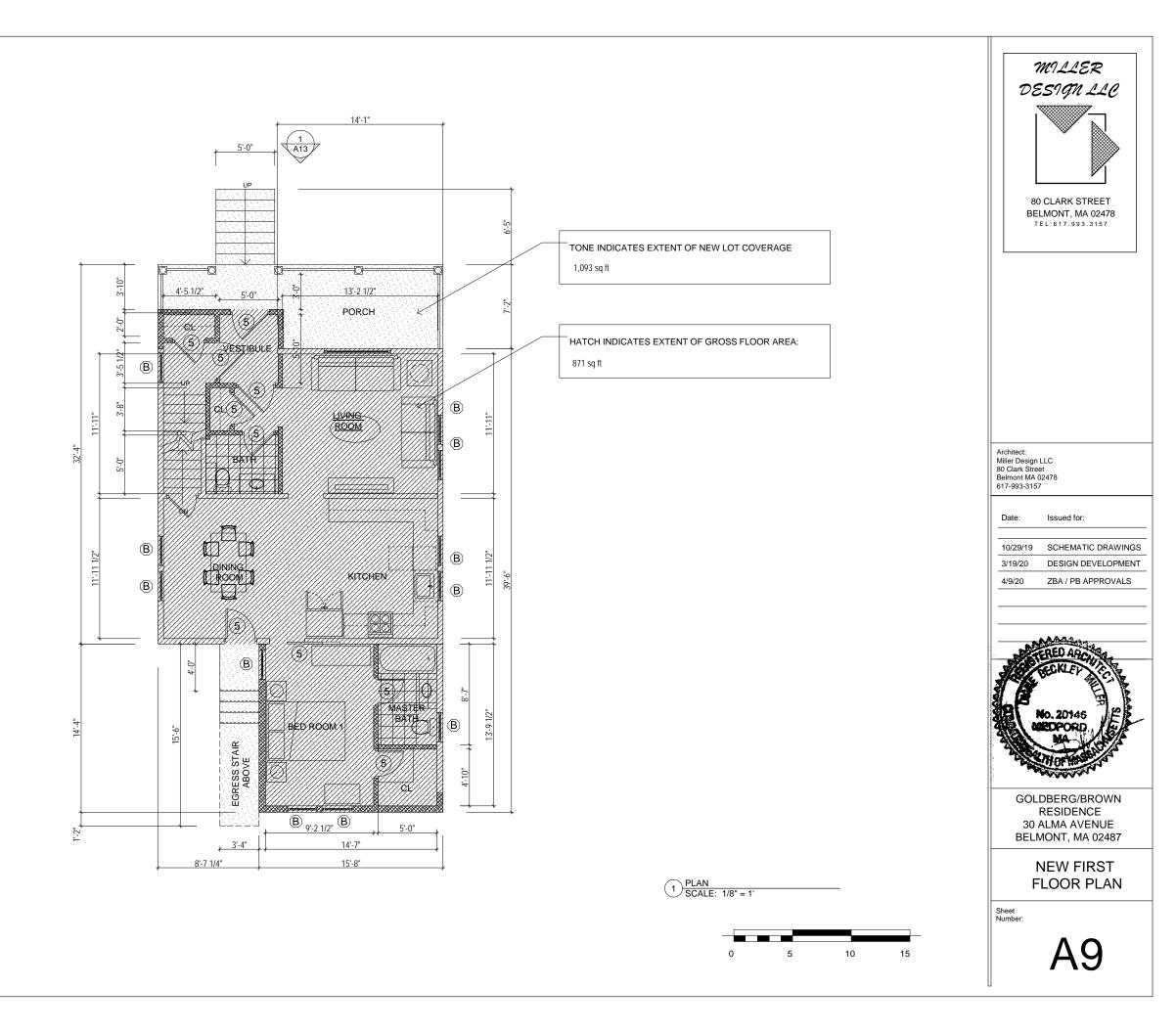


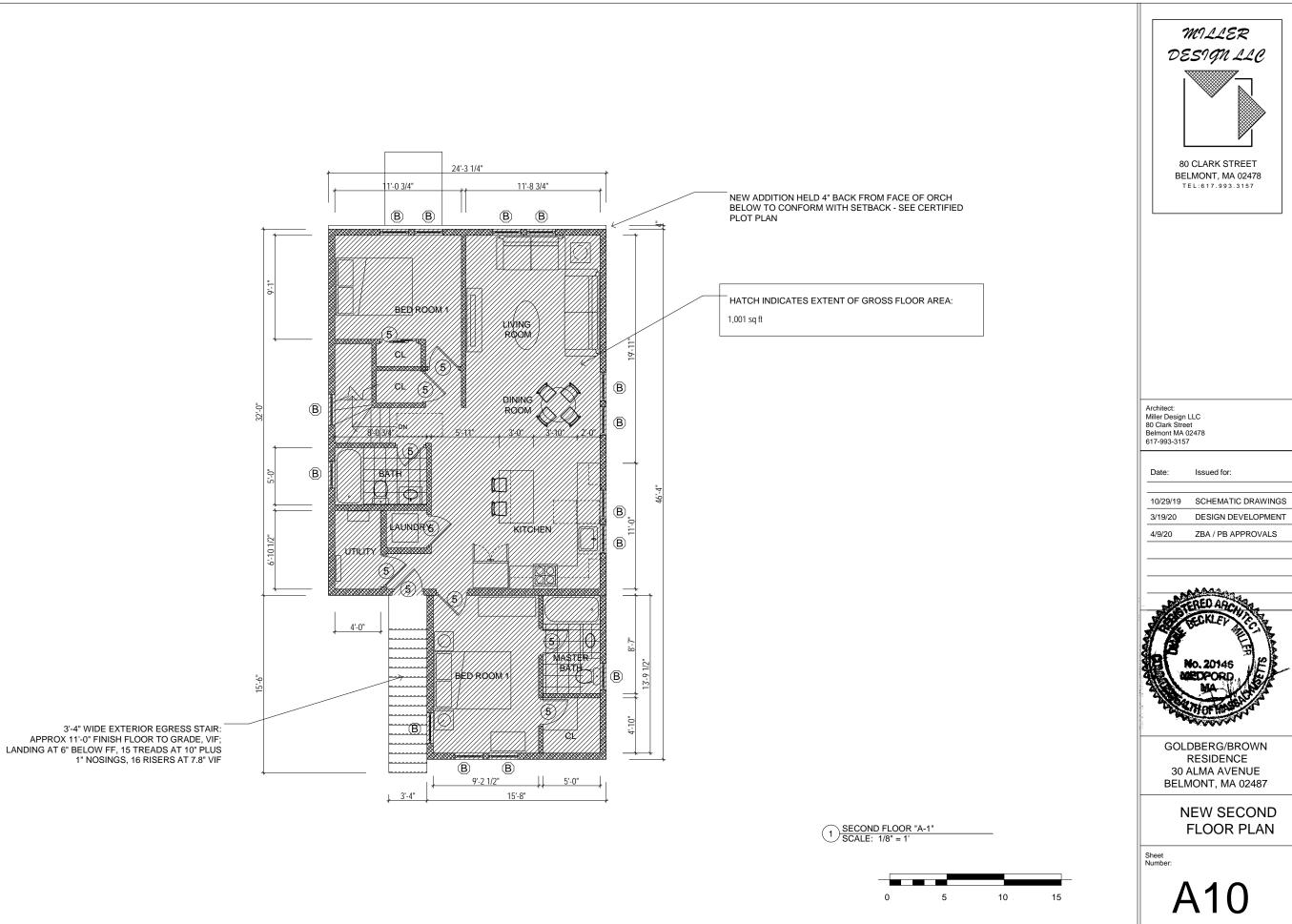
1 SECOND FLOOR "A-1" SCALE: 1/8" = 1'











#### HALF STORY AREA CALCULATIONS:

ALLOWABLE: AREA WITH CEILING HEIGHT OF 5' OR GREATER CAN BE NO MORE THAN 60% OF SECOND FLOOR AREA

SECOND FLOOR AREA = 1001 SF 60% OF 1001 = 600.6 SF MAX ACTUAL: 230 SF, CONFORMING (PROPOSED AREA W/ CEILING HEIGHT OF 5' OR GREATER IS DESIGNATED BY TONE)

HALF STORY PERIMETER CALCULATIONS:

SECOND FLOOR PERIMETER = 141'-2 1/2" LF

ALLOWABLE: MAX 70' - 7 1/4" W/ RAFTER BOTTOMS AT 3' OR GREATER (BASED ON 50% OF 141'-2 1/2" PERIMETER).

ACTUAL: 12'-11" + 12'-11" = 25'-10", CONFORMING

DORMER LENGTH CALCULATIONS:

NOT APPLICABLE

