

# 2020 NOV 23 AM 7: 58 NOTICE OF PUBLIC HEARING BY THE 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 7, 2020 at 7:00 PM by remote access through the Zoom app. to consider the application of Magovcevic Mariola and Kai Angermueller, to construct a second story porch at 189 Beech Street located in General Residence (GR) Zoning District for One Special Permit under Section 1.5.4A of the Zoning By-Law. The proposed alterations are allowed by a Special Permit granted by the Board of Appeals.

**ZONING BOARD OF APPEALS** 



# Town of Belmont Zoning Board of Appeals



2020 NOV 23 AM 7: 58

# **APPLICATION FOR A SPECIAL PERMIT**

Date: 10220

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

To Whom It May Concern:

Pursuant to the provisions of Massachuse Section 9, as amended, and the Zoning By-Laws undersigned, being the owner(s) of a certain par situated on	cel of land (with the buildings thereon) treet/Road, hereby apply to your Board
thereof under the applicable Section of the Zonin	Id By-Law of said Town for
enclosing an existing	second floor rear porch
on the ground that the same will be in harmony said Zoning By-Law.	with the general purpose and intent of
Signature of Petitioner	Stale
Print Name	Mariola Magoricona
Address	_ 189 Beech Street
	Belmont, MA. 02478
Daytime Telephone Number	617 642 8591



## 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) 998-2664 Engineering Division (617) 993-2665 Planning Division (617) 993-2666

August 7, 2020

Magovcevic Mariola and Kai Angermueller 189 Beech Street Belmont, MA 02478

RE: Denial to Enclose a Second Story Porch

Dear Ms. Magovcevic & Mr. Angermueller,

The Office of Community Development is in receipt of your building permit application for your proposal to enclose a second story porch at 189 Beech Street 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, §1.5.4A of the By-Law allows any alterations or expansions in the General Residence district by a Special Permit granted by the Board of Appeals.

 The proposed alterations are allowed by a Special Permit granted by the Board of Appeals.

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 one (1) Special Permit 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,

Glenn R. Clancy, P.E.

Inspector of Buildings

## Belmont Special Permit Application Statement 189 Beech Street

Mariola Magovcevic and Kai Angermueller, of 189 Beech Street, seek a special permit in order to enclose a second floor porch on a non-conforming structure in the GR district.

Mariola and Kai have owned their condo since 2015. Mariola is a Clinical Psychologist and works at McLean Hospital in Belmont and Kai is an Engineer and works at Draper Laboratory in Cambridge. They have two children, a daughter who is 8 years old and a son who is 5 years old. Both of their children are in the Belmont Public School.

The existing second floor porch is 79 sf (6'-6" x 12'-2") and has a roof structure. We are proposing to enclose this porch and convert it to a mud room / pantry with two windows. The porch is on the rear of the home, not visible from the street. It is well within the side and rear setbacks, and the porch roof is considerably lower than the main roof of the house. Many of the homes on the street have enclosed rear porches very similar to what we are proposing.

The proposed alteration maintains a scale and style that is comparable to many other homes in the neighborhood. The proposed alteration does not pose any substantial detriment to the neighborhood and does not nullify or substantially derogate the intent of the by-law. Rather, it is very reasonably sized and in line with the neighbors.

# **Zoning Compliance Check List**

# Properties Located within the GR Zoning Districts

(To be Completed by a Registered Land Surveyor)

Surveyor Signature and Stamp: Date: 7-/1-20
Surveyor Signature and Stamp:

			<b>1</b> 5	L	Jate: (- / 1 / 1 - 0
		<u>Per §4.2</u>	of the Zoning B	y-Law	
			REQUIRED	EXISTING	PROPOSE
Lot Area	(sq. fl	i.)	5,000 S.F.	4,000 S.F.	4,000 SF.
Lot Fronta	age (f	eet)	50'	40'	40'
Lot Area/l	Jnit (s	sq. ft./d.u.)	35005F	2,000 1.F.	2.000 F.F.
Lot Cover	age (	% of lot)	30%	25.80%	28.8%
Open Spa	ce (%	of lot)	40%	34.2%	
	>	Front (a)	18.2'	16'	3429
Setbacks:	>	2nd Front Door (25%)			
(feet)	>	Side/Side	10' 10'	4.5 9.91	4.5 9.9
	>	Rear	201	31.6'	31.6
Building	>	Feet	33 *	27 Milliont	27 10 Proins
Height:	> :	Stories	2/2	342	31/2
1/2 Story	> 1	Perimeter (50%)			
feet)	> /	\rea (60%)			
Per §1.4)	> L	ength (75%)			
		Per §6D of	the Zoning By-L	aw	
IVAC:		Prohibited in Front Ya	rd and Side and	Rear Setbacks	
ront Doors:		Both Must Face Stree			
			STANDARD	PR	OPOSED
urb Cut (Or	ne pe	r 70' Frontage) (c)	1		/
		<del></del>			

<sup>(</sup>a) Front setback is equal to the average front setbacks of the abutting properties on either side.

The second unit's front does not be allowed by the second unit of the second unit of

(b) The second unit's front door may be allowed to face the side yard only if the existing structure is historically or architecturally significant.

A second curb cut may be allowed where the Applicant can demonstrate that creating a 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

NO. 47879

August 20, 2014

**DLJ** Geomatics

276 North Street

Weymouth, MA 02191

landsurv@comcast.net

781-812-0457

189 Beech Street

Belmont, MA 02478

**Basement Calculations:** 

The foundation walls are 6.49' high. There are four segments.

Segment:	Length:	Area:	Area Below Grade:
A	25.3'	164.20 S.F.	91.33 S.F.
В	45.2'	293.35 S.F.	164.08 S.F.
С	25.3'	164.20 S.F.	82.73 S.F.
D	45.2'	293.35 S.F.	146.90 S.F.
Total:		915.10 S.F.	485.04 S.F.
485.04/915.10= 5300			

53.00% of the foundation wall is below grade

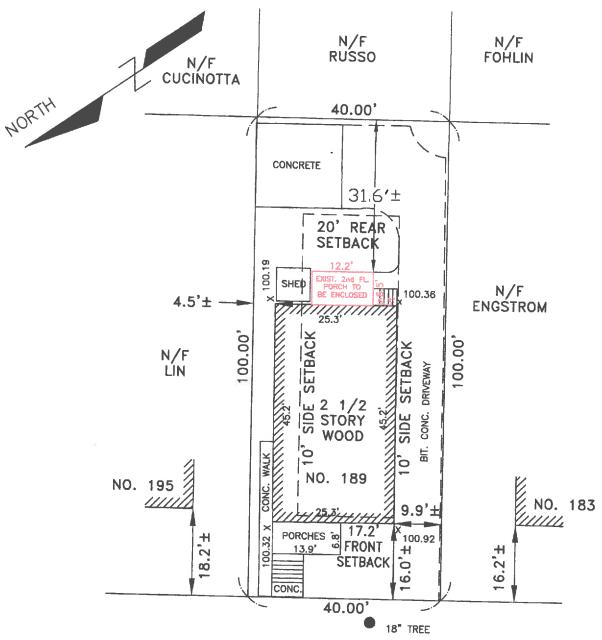


BELMONT

5EG A	9 ×	BELMON	N WATEL
326 A	CEILINGE 1	<b>12.</b> (2)	ε π
25.3 1.4.20 FACE			100-92
91.73 = 5562 100.32 91.73 = 5562		3.61	6.49
55.62% BELOW grade	FLOOR = 97 -25		DOUGLAS L. S. JOHNSTON
SEG= 18"			De 120
45.2 100.92 19335 PACE 19335 PACE 100.92 363 4.03 RELANDER 57.942	CEILING = P	3 50	
14.38 = 5593	100.64	3.63	130.36 6.49'
55.93% BELOW Grade	- Floon=97.01 45 20		

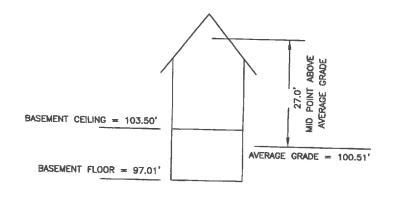
SEC 1-10 BELMONT

SEE C	600 mm	* DELMINT	*
25.3 tolk	CEIDINGS 183	7.50	firmmental transferance transferance,
692 FACE			
25.3 TOTAL 164.20 EACH	200		
a acim		*	
73.37 89131E			10 Caracterist
75.3 86 LANG 1312 120.76		100.28	100.19
92.73 5038		3.27	6.49'
164.20			
and the second s			J.
50,38%			
8620W	FLOOR = 97.0		THOSE W.
-	25,	3	DOUGLAS L. JOHNSTON
SEG "D	** ** **	· · · · · · · · · · · · · · · · · · ·	LANGE POR
SEG D			With Lab S
8 W	( FILING = 103.	,30	Annual Control of the
15,2 TOTAL 649 PACE			
69 PACE		8	:
,	£.,	TEL.	-
100,19		100.26	-100.32
25	9	700	
90		3.25	6.49'
	k a		/
29335 5008		*	
France 444			
0.08%			
BELOW	FLOOR= 97.0	1-	7
1	45.2		Đ



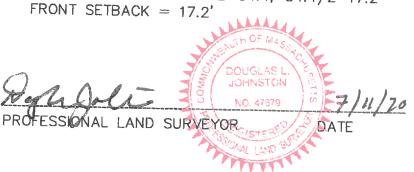
# BEECH STREET

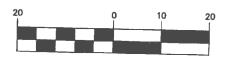
LOT AREA = 4,000 S.F.± EXISTING BUILDING = 1,150 S.F.± EXISTING PAVEMENT = 1,480 S.F.± PROPOSED ADDITION = 79 S.F.± EXISTING LOT COVERAGE = 28.8% PROPOSED LOT COVERAGE = 28.8% EXISTING OPEN SPACE = 34.2% PROPOSED OPEN SPACE = 34.2%



## NOTES

- 1. SEE DEED RECORDED IN MIDDLESEX COUNTY REGISTRY OF DEEDS IN LAND COURT BOOK 1105, PAGE 115.
- 2. SEE PLAN RECORDED IN MIDDLESEX COUNTY REGISTRY OF DEEDS IN LAND COURT PLAN 1053-A.
- 3. SUBJECT PARCEL IS LOCATED IN ZONE GR.
- 4. SUBJECT PARCEL IS LOCATED IN FLOOD ZONE X AS SHOWN ON PANEL 25017C0418E WITH AN EFFECTIVE DATE OF JUNE 4, 2010.
- 5. ONE PUBLIC SHADE TREE IS LOCATED WITHIN THE LIMITS OF THE PROPERTY FRONTAGE OF THE SUBJECT PROPERTY.
- 6. FRONT SETBACK: 18.2+16.2=34.4; 34.4/2=17.2 FRONT SETBACK = 17.2'





( IN FEET )
1 inch = 20 ft.

CERTIFIED PLOT PLAN IN BELMONT, MA

SCALE: 1" = 20' JUNE 11, 2020

DLJ GEOMATICS
PROFESSIONAL LAND SURVEYING
276 NORTH STREET
WEYMOUTH, MA 02191
(781) 812-0457
189 BEECH ST BELMONT.dwg

#### GENERAL NOTES:

- 1. CONTRACTOR TO OBTAIN AND PAY FOR ALL PERMITS REQUIRED TO PERFORM THE WORK.
- 2. COORDINATE AND BE RESPONSIBLE FOR THE PROTECTION OF PERSONS AND PROPERTY FOR THE DURATION OF CONSTRUCTION AS REQUIRED BY AGENCIES AND AUTHORITIES HAVING JURISDICTION.
- 3. DO NOT DAMAGE BUILDING ELEMENTS AND IMPROVEMENTS INDICATED TO REMAIN.
- 4. DO NOT INTERRUPT UTILITIES WITHOUT THE WRITTEN PERMISSION OF THE OWNER.
- 5. REMOVE SALVAGE AND DEBRIS FROM THE SITE AS IT ACCUMULATES. DO NOT STORE, SELL, BURN OR OTHERWISE DISPOSE OF THE DEBRIS ON THE SITE. KEEP ALL PAVEMENTS AND AREAS ADJACENT TO AND LEADING FROM THE SITE CLEAN AND FREE OF MUD, DIRT, AND DEBRIS AT ALL TIMES. ALL MATERIALS SHALL BE DISPOSED OF IN A LEGAL MANNER.
- 6. SORT DEBRIS FOR RECYCLING TO THE EXTENT POSSIBLE. REMOVE OR ARRANGE FOR THE TRANSPORT OF SORTED MATERIALS SCHEDULED TO BE RECYCLED TO APPROPRIATE OFF-SITE FACILITIES EQUIPPED FOR THE RECYCLING OF SPECIFIC MATERIALS. PROVIDE CONTAINERIZED DUMPSTERS FOR THE SORTING OF DEMO WASTES.
- 7. CEASE OPERATIONS IF PUBLIC SAFETY OR REMAINING STRUCTURES ARE ENDANGERED. PERFORM TEMPORARILY CORRECTIVE MEASURES UNTIL OPERATIONS CAN BE CONTINUED PROPERLY.
- 8. ALL INTERIOR DIMENSIONS ARE FROM FACE OF GWB TO FACE OF GWB UNLESS SPECIFICALLY NOTED OTHERWISE. DO NOT SCALE DRAWINGS.
- 9. HVAC CONTRACTOR TO MODIFY MECHANICAL SYSTEM TO ACCOMMODATE NEW LAYOUT AND NEW ADDITION. CONTRACTOR TO PROVIDE COOLING SYSTEM OPTIONS
- 10. CONTRACTOR TO COORDINATE THE LOCATION OF ELECTRICAL OUTLETS TO MEET CODE. CONTRACTOR TO SUBMIT SWITCHING LOCATIONS TO OWNER / ARCHITECT FOR APPROVAL.
- 11. PAINT AND/OR STAIN ALL EXTERIOR SIDING, DOORS, WINDOWS, AND TRIM AND INTERIOR SURFACES PER OWNERS DIRECTION.
- 12. ALL INTERIOR WOOD TRIM AND WOOD BASE TO BE SELECTED BY OWNER.
- 13. NOT USED
- 14. ALL FLOOR TILE, APPLIANCES, PLUMBING FIXTURES AND LIGHT FIXTURES TO BE FURNISHED BY OWNER, INSTALLED BY CONTRACTOR.
- 15. ALL INTERIOR WALLS TO BE 2X4 CONSTRUCTION, UNLESS NOTED OTHERWISE. ALL EXTERIOR WALLS TO BE 2X4 CONSTRUCTION.
- 16. BATT INSULATION TO BE PROVIDED FOR SOUND ATTENUATION IN ALL INTERIOR BEDROOM AND BATHROOM WALLS AND FLOORS.
- 17. CONTRACTOR TO SPRAY APPLY ICYNENE INSULATION FORMULA, APPLIED TO A THICKNESS ADEQUATE TO ACHIEVE SPECIFIED R VALUES. ALL FOUNDATION SILL PLATES AND FLOOR / WALL JUNCTION PLATES TO BE CAULKED TO AVOID AIR LEAKAGE. ALL ROUGH OPENINGS FOR EXTERIOR DOORS AND WINDOWS TO BE SIZED TO FURNISH A MINIMUM 1/2" SPACE AROUND THE PERIMETER OF FRAME TO PERMIT INSTALLATION OF FOAM INSULATION. ALL JOINTS BETWEEN EXTERIOR FRAMING MEMBERS TO BE CAULKED TO AVOID AIR LEAKAGE. CEILING VAPOR BARRIER TO BE CAULKED AND STAPLED TO THE TOP PLATES OF INTERIOR PARTITIONS AND TO THE LOWER TOP PLATES OF EXTERIOR WALLS. ROOF ASSEMBLY TO BE NON-VENTED (NO SOFFIT OR RIDGE VENTS) PER MFGR SPECS FOR ICYNENE INSULATION SYSTEM. BUILDING TO BE MECHANICALLY VENTED. ALL VERTICAL WIRING FOR ELECTRIC, CABLE, TELEPHONE, SECURITY, ETC. SHALL BE SECURED TO THE INSIDE OF STUDS EVERY 3'-0" AND 1 1/2" FROM THE GWB SURFACE FOR ALL RUNS. CEILING OUTLETS SHALL BE INSTALLED USING VAPOR BARRIER PANS/ BOXES WHICH ARE CAULKED WITH ACOUSTICAL CAULKING MATERIAL PRIOR TO THE INSTALLATION OF THE ATTIC INSULATION.

#### WINDOW SCHEDULE:

ALL WINDOWS TO BE ANDERSEN 400 SERIES OR APPROVED EQUAL. WINDOW SPECIFICATIONS TO BE APPROVED BY OWNER. EXACT DIMENSIONS MAY BE ADJUSTED TO MEET STANDARD SIZING AVAILABLE, WITH OWNER'S CONSENT. TEMPERED GLASS WHERE REQUIRED BY CODE.

WINDOW A: DOUBLE-HUNG - 2'-6"W X 4'-3"H, SILL AT 2'-5" AFF

WINDOW B: DOUBLE-HUNG - 2'-6"W X 3'-3"H, SILL AT 3'-5" AFF

#### DOOR SCHEDULE:

ALL INTERIOR DOORS TO BE SOLID WOOD DOORS TME. SELECTED BY OWNER.

DOOR 1: KITCHEN TO REAR STAIR - 2'-6"W X 6'-8"H EXTERIOR DOOR

# CONSTRUCTION DOCS MAY 4, 2020 REVISED 7/9/20

#### ENERGY AUDIT:

REFERENCE CH 11 - ENERGY EFFICIENCY 2015 INTERNATIONAL RESIDENTIAL CODE W/ MASS AMENDMENTS.

PRESCRIPTIVE OPTION FOR RESIDENTIAL ADDITION (401.3):

- 1. RENOVATION TO COMPLY WITH ENERGY STAR QUALIFIED HOMES THERMAL BYPASS INSPECTION CHECKLIST. INSULATION VALUES AS FOLLOWS: R49 ROOF R-VALUE, R30 FLOOR R-VALUE, R20 WALL R-VALUE, R15/19 BASEMENT / CRAWL SPACE WALL R-VALUE.
- RENOVATION TO COMPLY WITH ENERGY STAR PROGRAM REQUIREMENTS FOR RESIDENTIAL WINDOWS, DOORS, AND SKYLIGHTS - VERSION 5.0. ALL NEW WINDOW GLAZING TO BE .30 U FACTOR AND SKYLIGHTS TO BE 55 LEFACTOR
- 3. HEATING / COOLING DUCTS TO BE SEALED ADN TESTED TO MEET REQUIREMENTS OF 401.3.

### PROJECT INFORMATION:

BELMONT ZONING GR

REQUIRED:

MAX 30% LOT COVERAGE MIN 40% OPEN SPACE

FRONT YARD SETBACK: AVERAGE REAR YARD SETBACK: 20-0" SIDE YARD SETBACK: 10'-0"

MAX HEIGHT: 2 1/2 STORIES AND 33' TO MIDPOINT

### DRAWING LIST

COVER SHEET

EXISTING BASEMENT DIAGRAM

EXISTING FIRST FLOOR DIAGRAM

A4 EXISTING SECOND FLOOR PLAN

A5 EXISTING ATTIC DIAGRAM

A6 PROPOSED SECOND FLOOR PLAN
A7 INTERIOR ELEVATIONS & WALL SECTION

A8 EXISTING AND NEW ELEVATIONS

A9 STRUCTURAL NOTES & FRAMING PLANS

### LIGHTING LEGEND

RECESSED LED CAN LIGHT - AS SELECTED BY OWNER

ceiling mounted pendant - as selected by owner

CEILING MOUNTED DOME LIGHT
AS SELECTED BY OWNER

WALL MOUNTED SCONCES AS SELECTED BY OWNER

CEILING FAN WITH INTEGRAL LIGHT - AS SELECTED BY OWNER

O S.D. SMOKE DETECTOR - NOTE ALL NEW AND EXISTING SMOKES TO BE HARD-WIRED PER CODE

S/CO HARD-WIRED SMOKE / CARBON MONOXIDE DETECTOR

DATA CONNECTION

TELEPHONE / DATA CONNECTION

ELECTRIC OUTLET (SPECIFIC LOCATIONS ONLY - ALL OUTLETS AS REQUIRED BY CODE ARE NOT SHOWN ON PLANS)

SYMBOL LEGEND

WALL TO BE DEMOLISHED

EXISTING WALL TO REMAIN

NEW WALL



INTERIOR ELEVATION



SECTION

5 DOOR TAG

B) WINDOW TAG



Architect: Miller Design LLC 80 Clark Street Belmont MA 02478 617-993-3157

 Date:
 Issued for:

 3/9/20
 SCHEMATIC DESIGN

 4/29/20
 DESIGN DEVELOPMENT

 5/4/20
 CONSTRUCTION DOCS

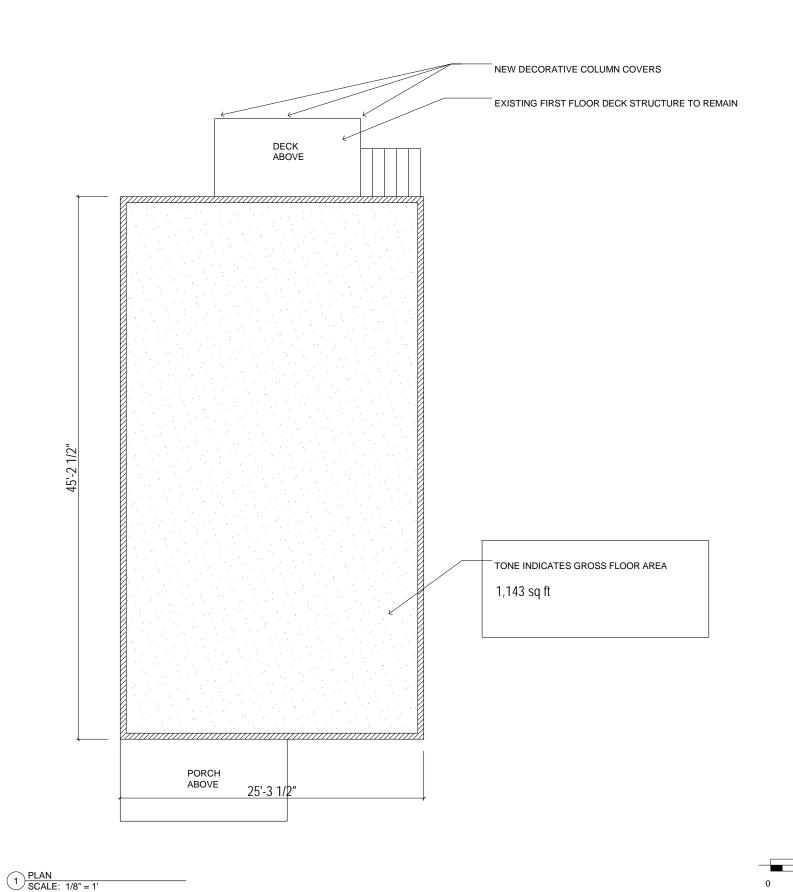
 7/9/20
 REVISIONS



AUGERMUELLER RESIDENCE 189 BEECH STREET BELMONT MA 02478

**COVER SHEET** 

Sheet





Date:	Issued for:
3/9/20	SCHEMATIC DESIGN
4/29/20	DESIGN DEVELOPMENT

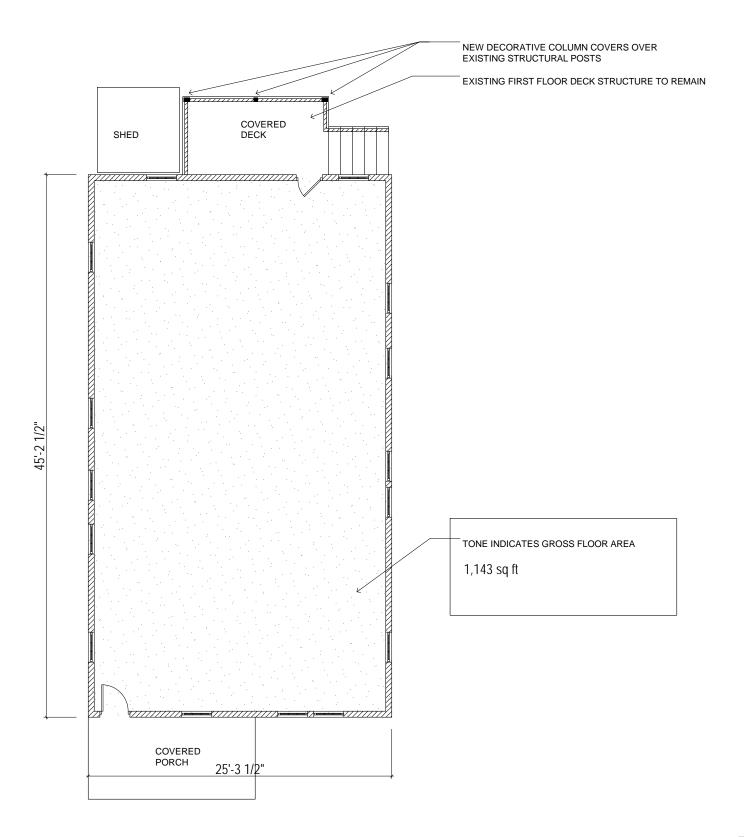




AUGERMUELLER RESIDENCE 189 BEECH STREET BELMONT MA 02478

EXISTING BASEMENT

Shee





Date:	Issued for:
3/9/20	SCHEMATIC DESIGN
4/29/20	DESIGN DEVELOPMENT

5/4/20 CONSTRUCTION DOCS



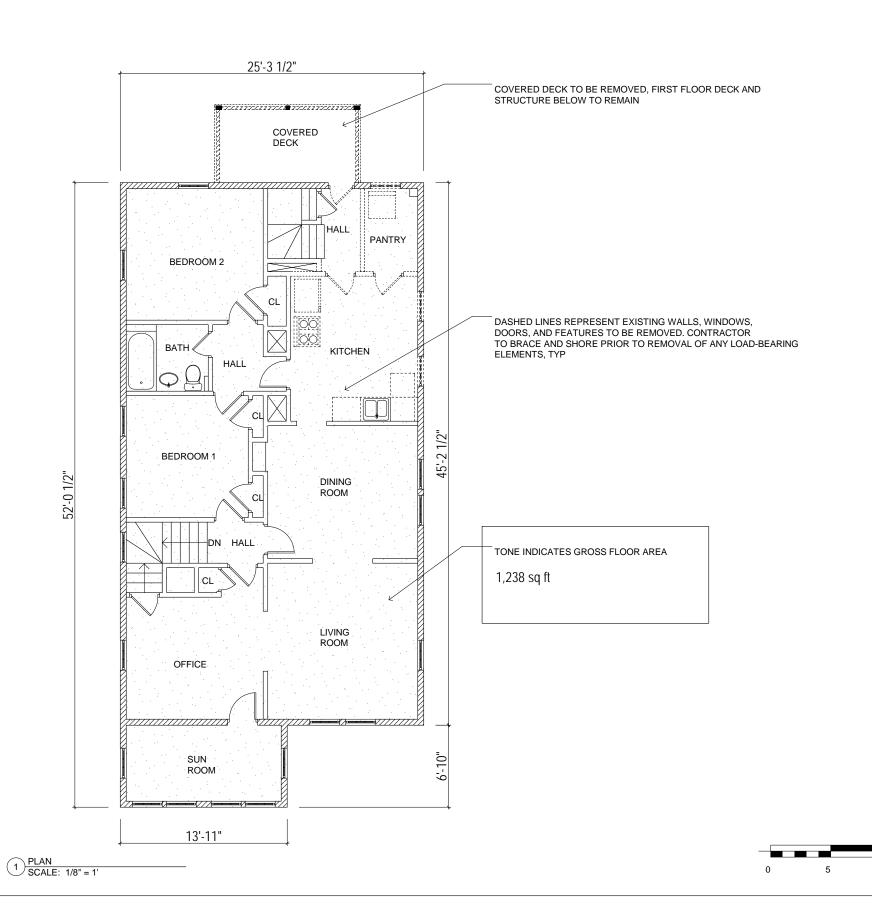
AUGERMUELLER RESIDENCE 189 BEECH STREET BELMONT MA 02478

EXISTING FIRST FLOOR

Sheet Number:

**A3** 

1 PLAN SCALE: 1/8" = 1' 0 5 10





Date:	Issued for:
3/9/20	SCHEMATIC DESIGN
4/29/20	DESIGN DEVELOPMENT
5/4/20	CONSTRUCTION DOCS



AUGERMUELLER RESIDENCE 189 BEECH STREET BELMONT MA 02478

EXISTING SECOND FLOOR

Sheet Number:

HALF STORY AREA CALCULATIONS:

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

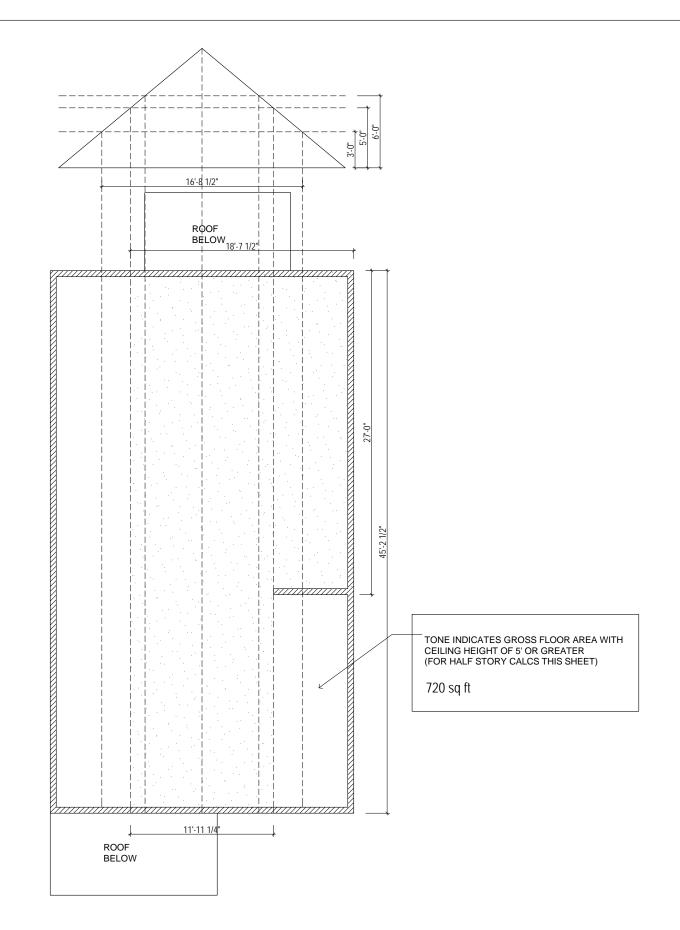
SECOND FLOOR AREA = 1238 SF 60% OF 1238 = 742.8 SF MAX ACTUAL: 720 SF , CONFORMING

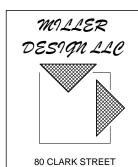
HALF STORY PERIMETER CALCULATIONS:

SECOND FLOOR PERIMETER = 154'-8" LF

ALLOWABLE: MAX 77'-4" W/ RAFTER BOTTOMS AT 3' OR GREATER (BASED ON 50% OF 154'-8" PERIMETER).

ACTUAL: 16'-8 1/2" + 16'-8 1/2" = 33-5", CONFORMING





BELMONT, MA 02478

Architect: Miller Design LLC 80 Clark Street Belmont MA 02478 617-993-3157

Date.	issueu ioi.
3/9/20	SCHEMATIC DESIGN
4/29/20	DESIGN DEVELOPMENT

CONSTRUCTION DOCS



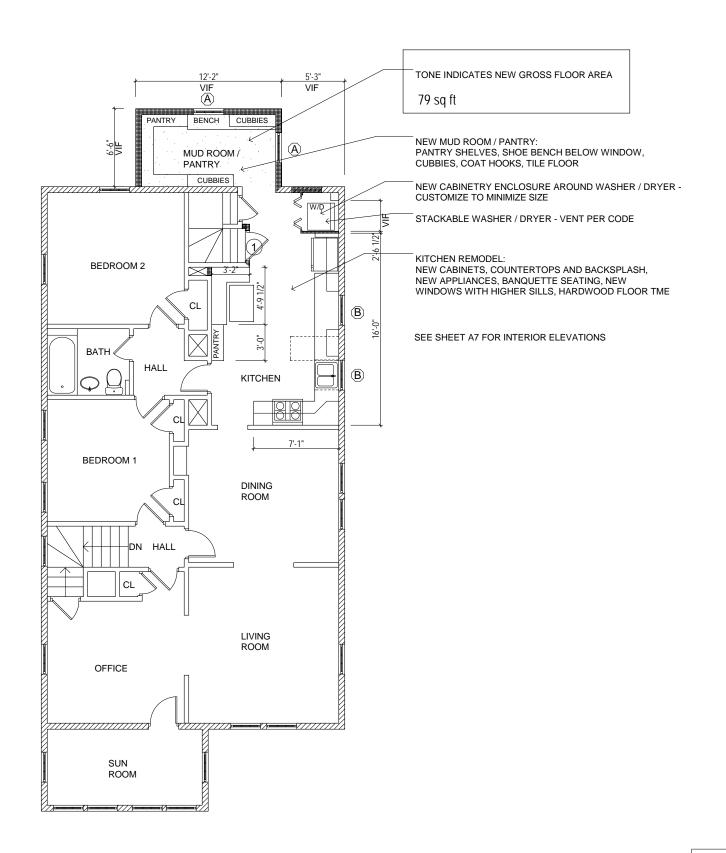
AUGERMUELLER RESIDENCE 189 BEECH STREET BELMONT MA 02478

EXISTING ATTIC

Sheet Number:

**A5** 

1 PLAN SCALE: 1/8" = 1' 0 5 10 15





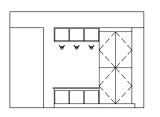
Date:	Issued for:
3/9/20	SCHEMATIC DESIGN
4/8/20	PROGRESS
4/29/20	DESIGN DEVELOPMENT
5/4/20	CONSTRUCTION DOCS

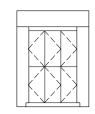


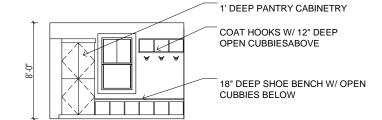
AUGERMUELLER RESIDENCE 189 BEECH STREET BELMONT MA 02478

NEW SECOND FLOOR PLAN

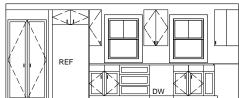
Sheet Number:

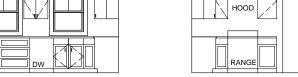


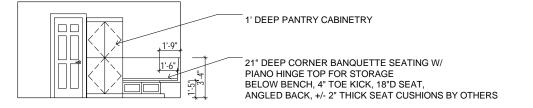




1 MUD ROOM / PANTRY ELEVATIONS SCALE: 1/8" = 1'

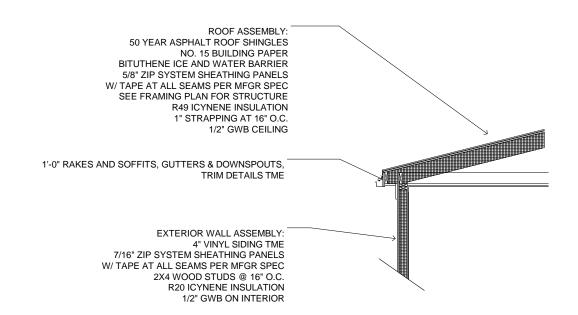






2 KITCHEN ELEVATIONS SCALE: 1/8" = 1'

NOTE: EXACT KITCHEN CABINET LAYOUT TO BE VIF AND FINALIZED WITH KITCHEN CONSULTANT



3 WALL SECTION 1/4" = 1'-0"



Architect: Miller Design LLC 80 Clark Street Belmont MA 02478 617-993-3157

Date:	Issued for:
3/9/20	SCHEMATIC DESIGN
4/8/20	PROGRESS
4/29/20	DESIGN DEVELOPMENT
5/4/20	CONSTRUCTION DOCS



AUGERMUELLER RESIDENCE 189 BEECH STREET BELMONT MA 02478

INTERIOR ELEVATIONS & WALL SECTION

Sheet Number:



	Date:	Issued for:
	3/9/20	SCHEMATIC DESIGN
	4/8/20	PROGRESS
	4/29/20	DESIGN DEVELOPMENT
	5/4/20	CONSTRUCTION DOCS
	7/9/20	REVISIONS

