

RECEIVED
TOWN CLERK
BELMONT, MA

CASE NO. 21-15

2021 MAY -4 PM 3: 01

NOTICE OF PUBLIC HEARING BY THE
ZONING BOARD OF APPEALS

ON APPLICATION FOR TWO VARIANCES AND ONE SPECIAL PERMIT

Notice is hereby given that the Belmont Zoning Board of Appeals will hold a public hearing on Monday, May 17, 2021 at 7:00 PM by remote access through the Zoom app. to consider the application of Marc and Kristen Becker for Two Variances and One Special Permit under §1.5 of the Zoning By-Law to construct rear additions at 24 Stults Road located in Single Residence C (SRC) Zoning district. Variances: 1.- §4.2 of the Zoning By-Law Dimensional Regulations allow a minimum rear setback of 23.72' (30% average depth of lot), The existing rear setback is 31.9' and the proposed is 15.9'. 2.- §4.3.5-b-2 requires a minimum set back of 5.0' between an accessory structure and the principal structure it is accessory to. The existing set back from the garage to the principal structure is greater than 5.0' and the proposed is 2.8'. Special Permit: 1.- The By-Law allows a maximum lot coverage of 25%. The existing lot coverage is 29.5% and the proposed is 36.1%.

ZONING BOARD OF APPEALS

Note: Application submittals, meeting agenda & instructions on remote access can be found on the Town's website <https://www.belmont-ma.gov/zoning-board-of-appeals>

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BELMONT, MA



Town of Belmont
Zoning Board of Appeals

2021 MAY -4 PM 3:01

APPLICATION FOR A VARIANCE

Date: March 23 2021

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 parcel of land (with the buildings thereon) situated on 24 Stults 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 Porch/mudroom addition, 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)

Erection of new screened in porch and mudroom on back side of existing single family home. Request variances from requirements for 1) rear yard setback, 2) separation distance from existing garage, and 3) extension beyond front surface of garage

Signature of Petitioner

Print Name Marc Becker

Address 24 Stults Road
Belmont, MA

Daytime Telephone Number 508-271-5687

June 4, 2013

2021 MAY -4 PM 3:02



Town of Belmont
Zoning Board of Appeals

APPLICATION FOR A SPECIAL PERMIT

Date: 3/17/21

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 24 Stults 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 Erection of new screened in porch and mudroom on back side of existing single
single family home.

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

Signature of Petitioner

Marc A. Becker

Print Name

Marc Becker

Address

24 Stults Road

Belmont, MA 02478

Daytime Telephone Number

508-271-5687



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

February 23, 2021

Marc and Kristen Becker
24 Stults Road
Belmont, MA 02478

RE: Denial to Construct Rear Additions.

Dear Mr. and Mrs. Becker,

The Office of Community Development is in receipt of your building permit application for your proposal to construct additions at 24 Stults Road located in a Single Residence C 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 of the Zoning By-Law, Dimensional Regulations, allows a minimum rear setback of 23.72' (30% average depth of lot), and a maximum lot coverage of 25%. In addition, §4.3.5 b) 2 requires a minimum set back of 5.0' between an accessory structure and the principal structure it is accessory to, and §4.3.5 c) 3 allows additions to existing dwellings to extend beyond the front line of an existing unattached accessory building (garage) provided the addition meets the requirements for rearline setbacks and lot coverage.

1. The existing rear setback is 31.9' and the proposed is 15.9'. A Variance.
2. The existing lot coverage is 29.5% and the proposed is 36.1%. A Special Permit.
3. The existing set back from the garage to the principal structure is greater than 5.0' and the proposed is 2.8'. A Variance.
4. The proposed rear additions extend beyond the front line of the existing unattached garage and do not meet the requirements for rearline setbacks and lot coverage. A Variance

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 three (3) Variances and a 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

Dear Board Members,

We respectfully submit the attached application for relief from zoning ordinances listed in the letter from the Belmont Office of Community Development dated February 23, 2021. As noted in the letter the proposed addition at 24 Stults Road will require (3) variances and (1) special permit. We understand why the work would not comply with setback and lot area requirements, and, that granting variances and special permits requires that the applicant demonstrate a high degree of necessity and hardship. We believe that both the necessity and hardship in this case warrant the Board's consideration. For this project we simply seek to create a space that allows us to enjoy the house more fully and, just as important to us, enjoy the privacy of our backyard without enduring the unbearable heat and blinding sunlight from the afternoon summer sun. We feel a covered structure is a necessity.

We would first like to point out that the lots along the west side of Stults Road get narrower as they are located farther south down the street. This allows larger rear additions on the northern lots, which now exist on some of those homes. This also pushes the garage structure closer to the rear of the house, again, restricting the property to a greater degree than others up the street. We feel the smaller lot creates a hardship for 24 Stults that does not exist for others along the street.

Another hardship for our family is the lack of space, and, in particular, shaded exterior space. This has become increasingly important as we move into the second year of pandemic stay-at-home requirements. With growing children, we require more space. For many of the houses along the street, rear additions have been the solution to that need. Some additions have two story structures. We feel expanding on just the first floor will be less obtrusive and create more usable space as we stay in the house long term. We would also like to note that most of the proposed addition is for a screened-in porch and deck, not an interior space. We realize this distinction does not affect how the code evaluates the lot area or setbacks but feel it will essentially be an exterior room that allows us to expand our home without creating an enclosed structure.

We have lived in Belmont for 13 years and truly love our home and the neighborhood. Kristen works in Belmont as well. Our two children have grown up here and are both enrolled in the Belmont School system. We have no plans to move. We do have the support of neighbors for this project and we both feel there will be no detrimental effect to the neighborhood or surrounding properties.

Thank you for considering our case,

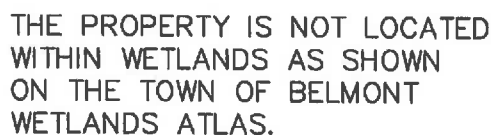
Marc and Kristen Becker

24 Stults Road

Belmont, MA



77.85% OF BASEMENT UNDERGROUND
THEREFOR BASEMENT IS NOT A STORY



OWNER: MARC & KRISTEN BECKER
51334/85
ASSESSORS MAP 3 – PARCEL 91

A circular seal for a Professional Land Surveyor in the Commonwealth of Massachusetts. The outer ring contains the text "COMMONWEALTH OF MASSACHUSETTS" at the top and "REGISTERED PROFESSIONAL LAND SURVEYOR" at the bottom. The center of the seal contains the name "CLIFFORD E. ROBER" and the number "NO. 33189". The seal is surrounded by a decorative border of small triangles. The letters "S.F." are visible in the top left corner of the page.

DWG. NO. 5084PP2.DWG

DATE _____

Zoning Compliance Check List

Properties Located within the SR-C Districts
(To be Completed by a Registered Land Surveyor)



Property Address: 24 Stults Road

Surveyor Signature and Stamp: *Clifford E. Rober*

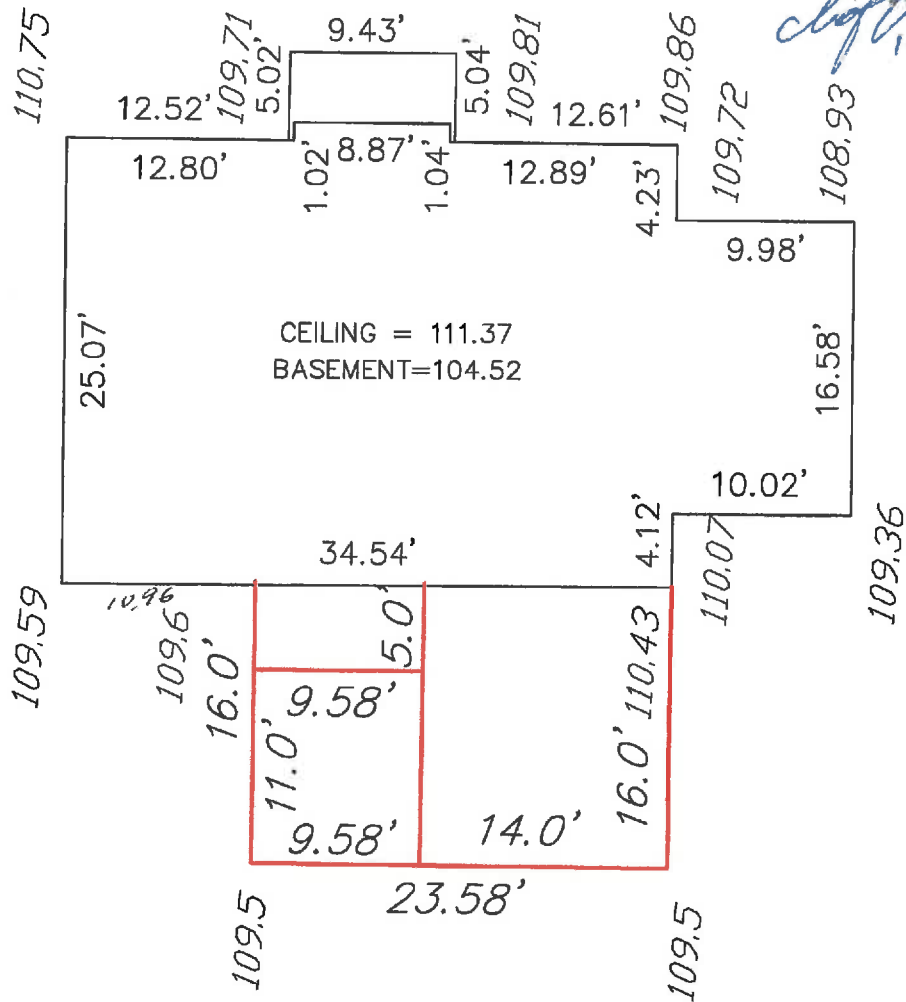
Date: 12/21/2020

Per §4.2 of the Zoning By-Law							
		REQUIRED		EXISTING		PROPOSED	
Lot Area (sq. ft.)		9,000		5,491		—	
Lot Frontage (feet)		75'		70.'		—	
Lot Coverage (% of lot)		25%		29.5%		36.1%	
Open Space (% of lot)		50%		60.9%		54.3%	
Setbacks: (feet)	➤ Front ^(a)	19.77'		20.0'		—	
	➤ Side/Side	10'	10'	13.2'	12.1'	23.3'	22.9'
	➤ Rear	23.72'		31.9'		15.9'	
Building Height:	➤ Midpoint (feet)	30'		23.4'			
	➤ Ridge (feet)			28.3'			
	➤ Stories	2½		2		1	
1/2 Story (feet) (Per §1.4)	➤ Perimeter (50%)						
	➤ Area (60%)						
	➤ Length (75%)						
HVAC ^(b)		Prohibited in Front Yard and Side and Rear Setbacks and shall be screened					

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

(b) Includes all outdoor mechanical equipment and fuel storage systems.

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



Segment	Ceiling Elevation	Elevation From	Elevation To	Ceiling Length	Ceiling Height	Square Footage	Exposed Square Footage	% Covered
A	111.37	109.59	110.43	34.54	6.85	236.60	46.97	80.15%
B	111.37	110.43	110.07	4.12	6.85	28.22	4.61	83.65%
C	111.37	110.07	109.36	10.02	6.85	68.64	16.58	75.84%
D	111.37	109.36	108.93	16.58	6.85	113.57	36.89	67.52%
E	111.37	108.93	109.73	9.98	6.85	68.36	20.36	70.22%
F	111.37	109.73	109.86	4.23	6.85	28.9755	6.66225	77.01%
G	111.37	109.86	109.81	12.89	6.85	88.2965	19.78615	77.59%
H	111.37	109.81	109.81	1.04	6.85	7.124	1.6224	77.23%
I	111.37	109.81	109.71	8.87	6.85	60.7595	14.2807	76.50%
J	111.37	109.71	109.71	1.02	6.85	6.987	1.6932	75.77%
K	111.37	109.71	110.75	12.8	6.85	87.68	14.592	83.36%
L	111.37	110.75	109.59	25.07	6.85	171.73	30.084	82.48%
	111.37			141.16	6.85	966.95	214.14	77.85%

Ceiling Height:	6.85	<- enter
Basement Floor Elevation	104.52	<- enter
Ceiling Elevation	111.37	
Perimeter Total Length	141.16	
Total Perimeter Square Foot	966.95	
Exposed Square Footage	214.14	
% Covered	77.85%	<- result

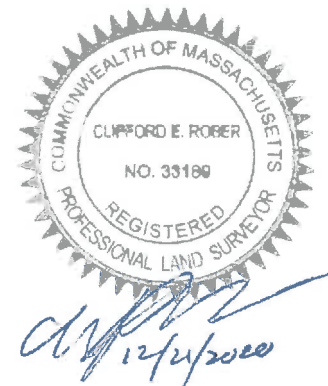
North	South	East	West
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0.00	0.00	0.00	0.00
0.00	0.00	0.00	0.00
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#REF!	#REF!	#REF!	#REF!
#REF!	#REF!	#REF!	#REF!
#REF!	#REF!	#REF!	#REF!



Segment	Segment To		Existing Grade	Segment To New Grade	Segment Length	Avg		Difference
	Segment From Existing Grade	Segment From New Grade				Existing	Avg New	
AA	109.5	109.5	110.43	110.43	16	1759.44	1759.44	0.00
BB	110.43	110.43	110.07	110.07	4.12	454.23	454.23	0.00
CC	110.07	110.07	109.36	109.36	10.02	1099.344	1099.344	0.00
DD	109.36	109.36	108.93	108.93	16.58	1809.624	1809.624	0.00
EE	108.93	108.93	109.73	109.73	9.98	1091.113	1091.113	0.00
FF	109.73	109.73	109.86	109.86	4.23	464.4329	464.4329	0.00
GG	109.86	109.86	109.81	109.81	12.89	1415.773	1415.773	0.00
HH	109.81	109.81	109.81	109.81	1.04	114.2024	114.2024	0.00
II	109.81	109.81	109.71	109.71	8.87	973.5712	973.5712	0.00
JJ	109.71	109.71	109.71	109.71	1.02	111.9042	111.9042	0.00
KK	109.71	109.71	110.75	110.75	12.8	1410.944	1410.944	0.00
LL	110.75	110.75	109.59	109.59	25.07	2761.962	2761.962	0.00
	109.95	109.95	109.6	109.6	10.96	1203.134	1203.134	0.00
	109.6	109.6	109.5	109.5	16	1752.8	1752.8	0.00
	109.5	109.5	109.5	109.5	23.58	2582.01	2582.01	0.00
					173.16	19004.49	19004.49	0

Ceiling Height: 6.85
 Basement Floor Elevation 104.52
 Ceiling Elevation 111.37
 Perimeter Total Length 173.16
 Total Perimeter Square Foot 1186.15
 Average Existing Grade 109.75
 New Average Grade 109.75
 Difference in Grade in feet 0.00

% Covered using Avg Grade 76.37%



BECKER RESIDENCE

HOUSE + SITE RENOVATIONS

Marc & Kristen Becker
24 Stults Road, Belmont MA 02478



Location Map

VARIANCE AND SPECIAL PERMIT SUBMISSION



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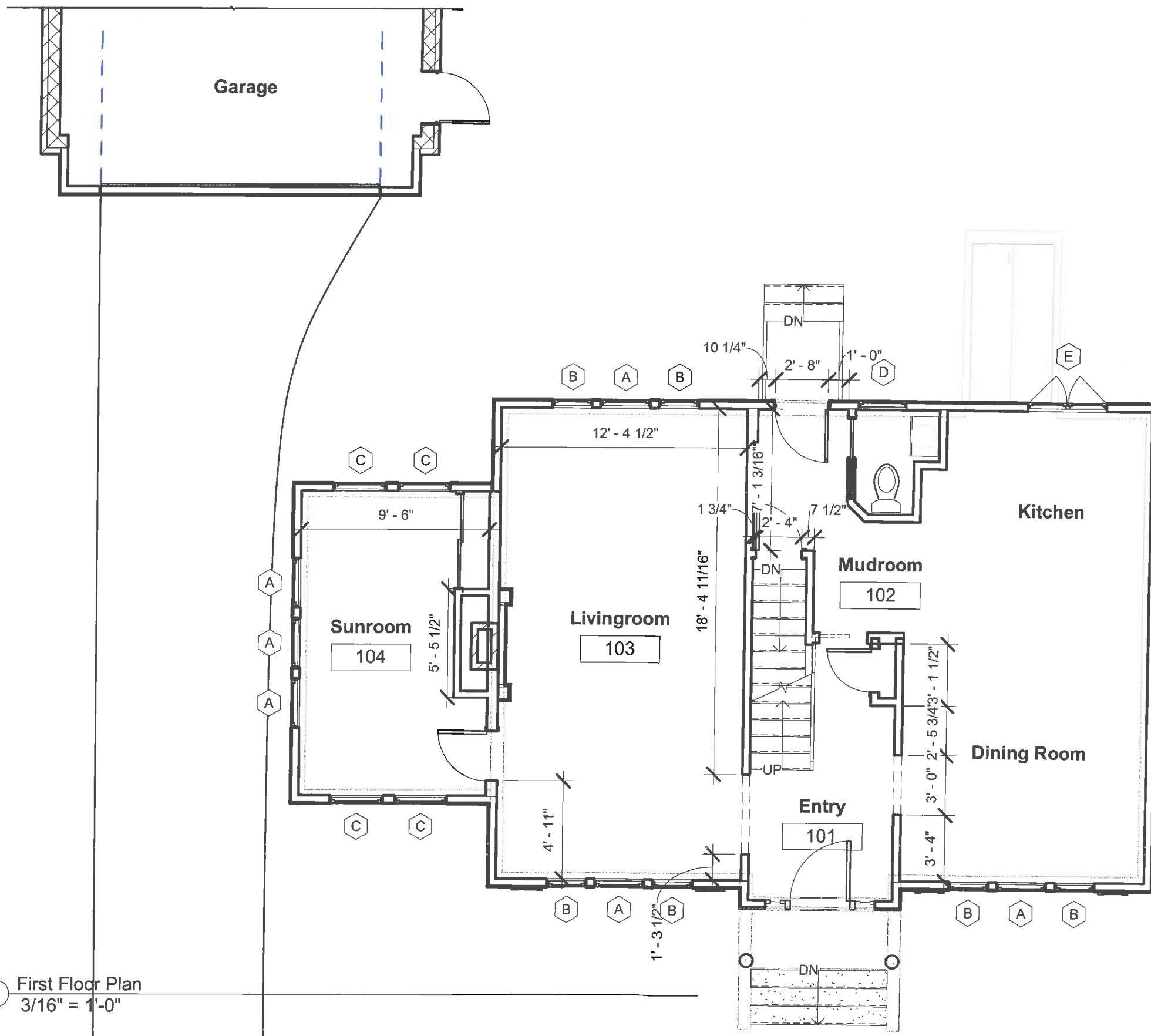
Becker Residence
24 Stults Road
Belmont, MA 02478

Cover Sheet

Permit Set
Date
01/06/2021
Scale

TS

1 First Floor Plan
3/16" = 1'-0"



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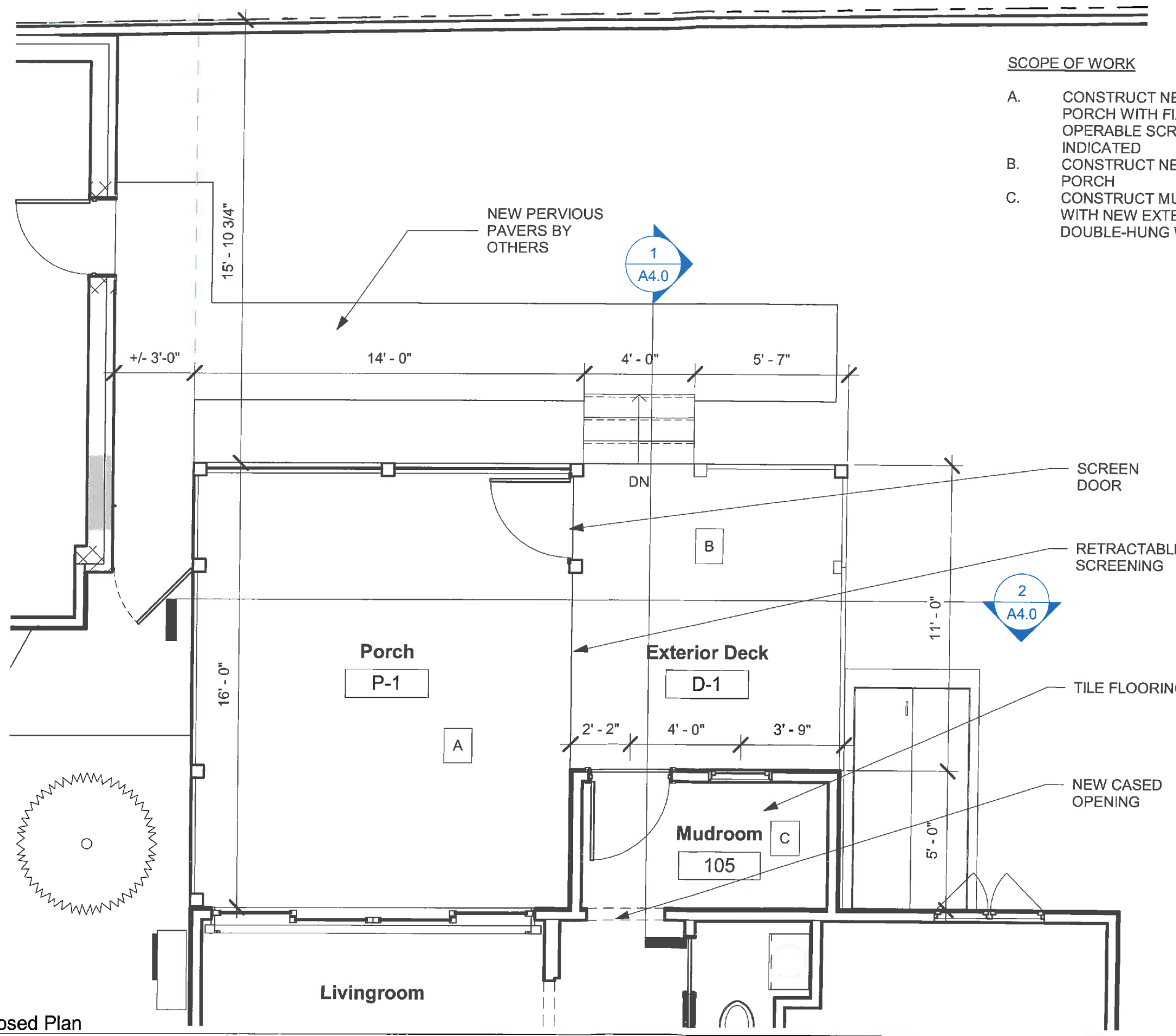
24 Stults Road
Belmont, MA 02478

Existing Floor Plan

19001
Date
12/30/2019
Scale
3/16" = 1'-0"

A002

1 Proposed Plan
1/4" = 1'-0"



SCOPE OF WORK

- A. CONSTRUCT NEW SCREENED IN PORCH WITH FIXED SCREENS AND OPERABLE SCREEN WHERE INDICATED
- B. CONSTRUCT NEW OPEN REAR PORCH
- C. CONSTRUCT MUDROOM ADDITION WITH NEW EXTERIOR DOOR AND DOUBLE-HUNG WINDOW

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Becker Residence

24 Stults Road
Belmont, MA 02478

Enlarged Floor
Plan - Porch/
Deck/Mudroom

Permit Set

Date
01/06/2021

Scale
1/4" = 1'-0"

A2.1



1 South Elevation
1/4" = 1'-0"



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24 Stults Road
Belmont, MA 02478

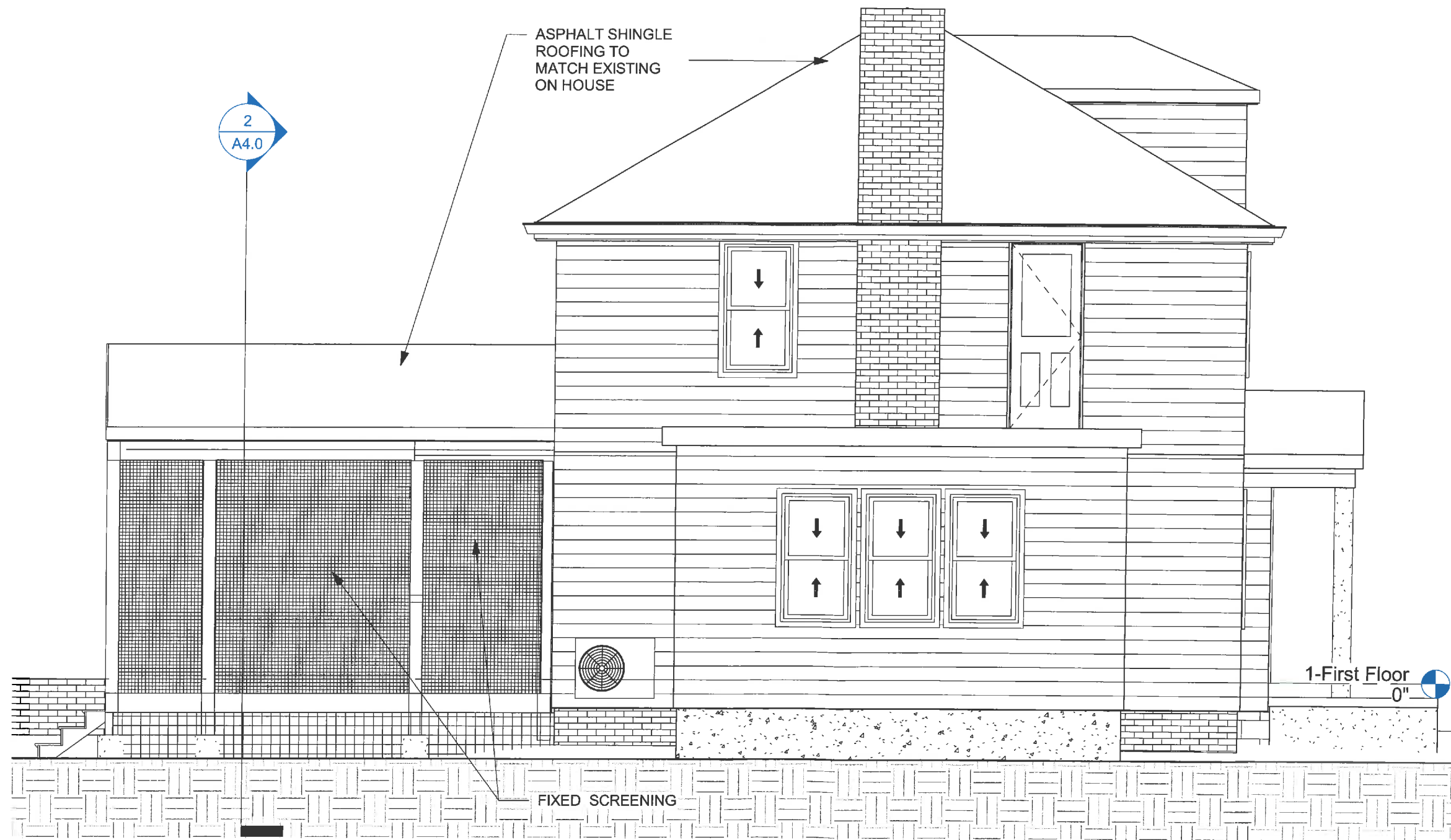
Exterior
Elevation

19001

Date
12/30/2019

Scale
1/4" = 1'-0"

A005



1 Proposed South Elevation
1/4" = 1'-0"

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Becker Residence
24 Stults Road
Belmont, MA 02478

Proposed Exterior
Elevation

Permit Set

Date
01/06/2021
Scale
1/4" = 1'-0"

A3.1



① North Elevation
1/4" = 1'-0"

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Becker Residence

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Belmont, MA 02478

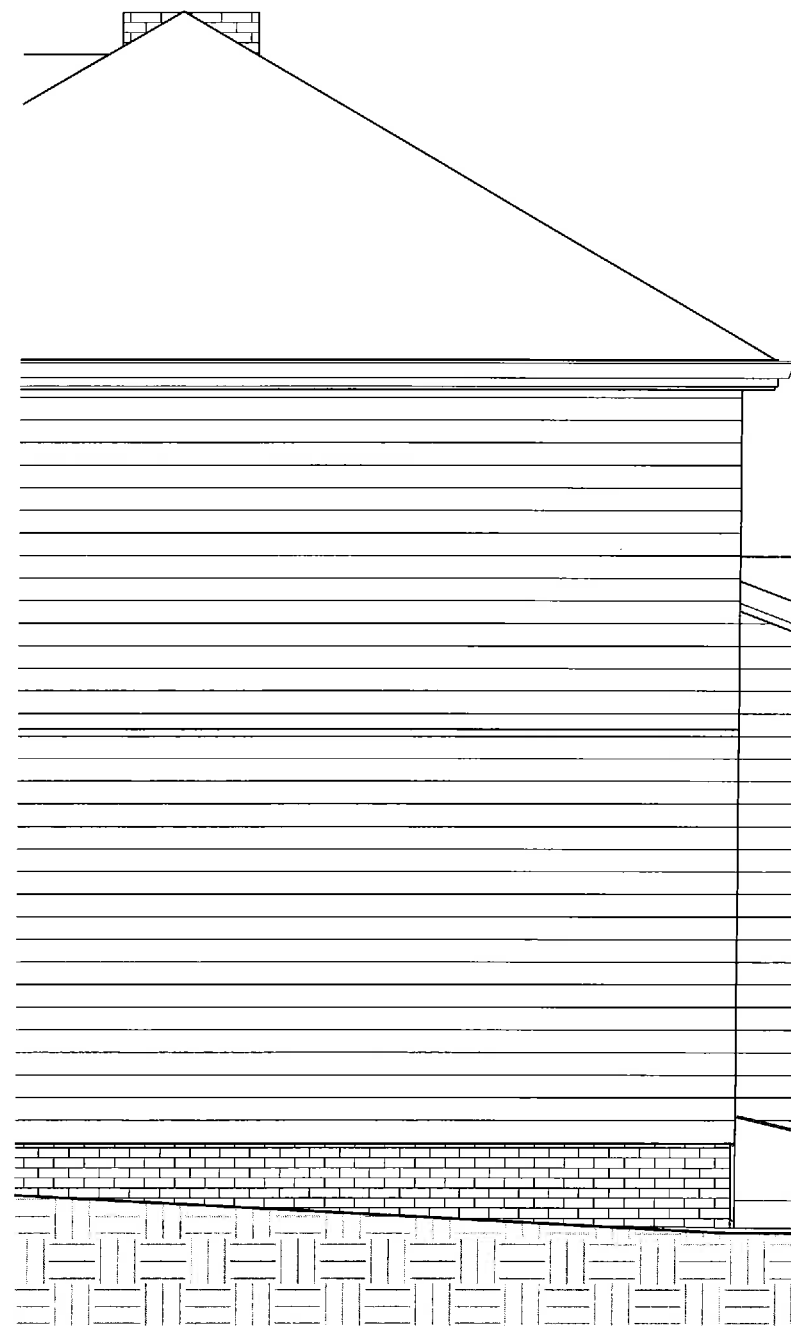
Exterior
Elevation

19001

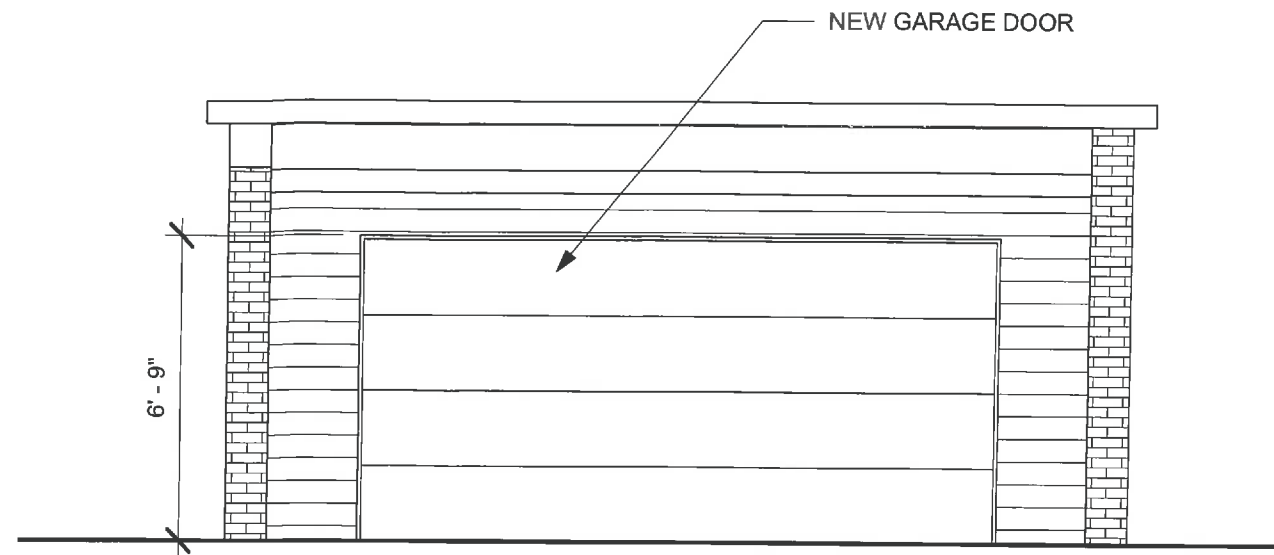
Date
12/30/2019

Scale
1/4" = 1'-0"

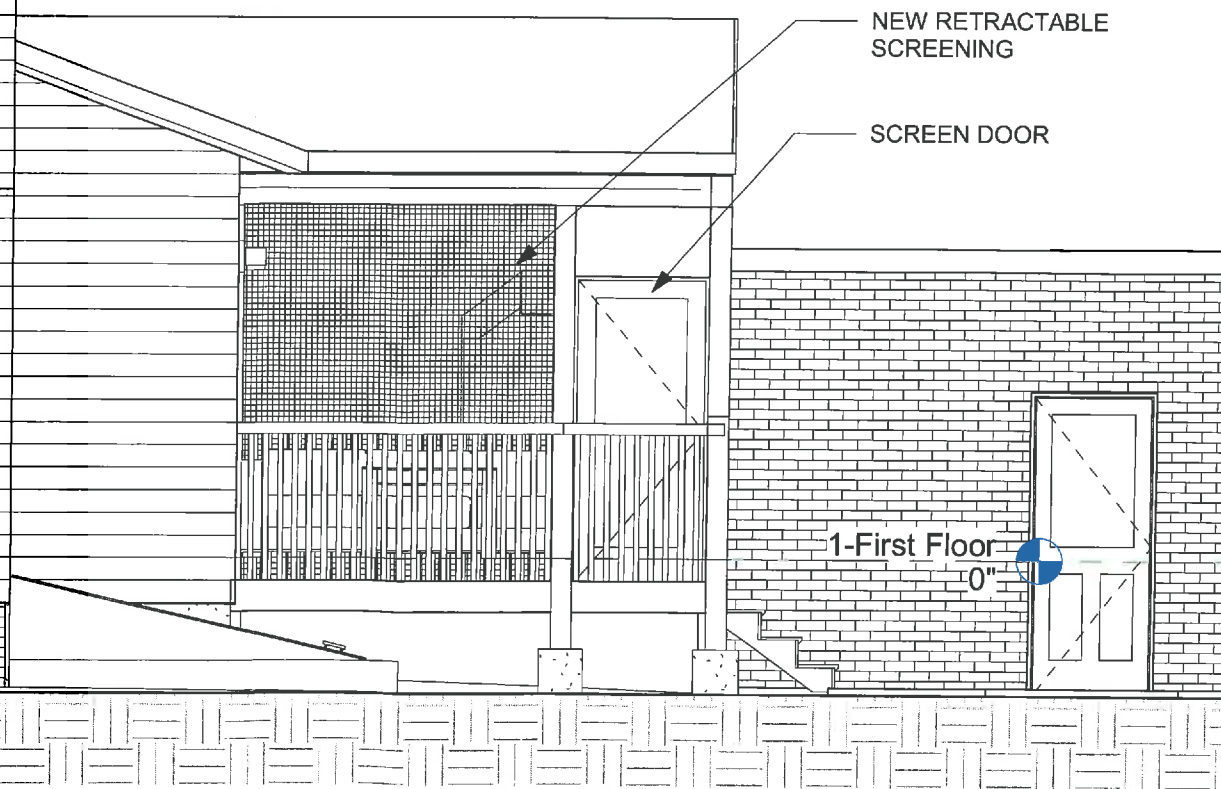
A006



1 Proposed North Elevation A
1/4" = 1'-0"



2 Garage Elevation
1/4" = 1'-0"



NEW GARAGE DOOR

NEW RETRACTABLE
SCREENING

SCREEN DOOR

1-First Floor
0"

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Becker Residence

24 Stults Road
Belmont, MA 02478

Proposed Exterior
Elevation

Permit Set

Date
01/06/2021

Scale
1/4" = 1'-0"

A3.2



① 4-Rear
1/4" = 1'-0"



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Becker Residence

24 Stults Road
Belmont, MA 02478

Exterior
Elevation

19001

Date

12/30/2019

Scale

1/4" = 1'-0"

A007

Becker Residence
24 Stults Road
Belmont, MA 02478

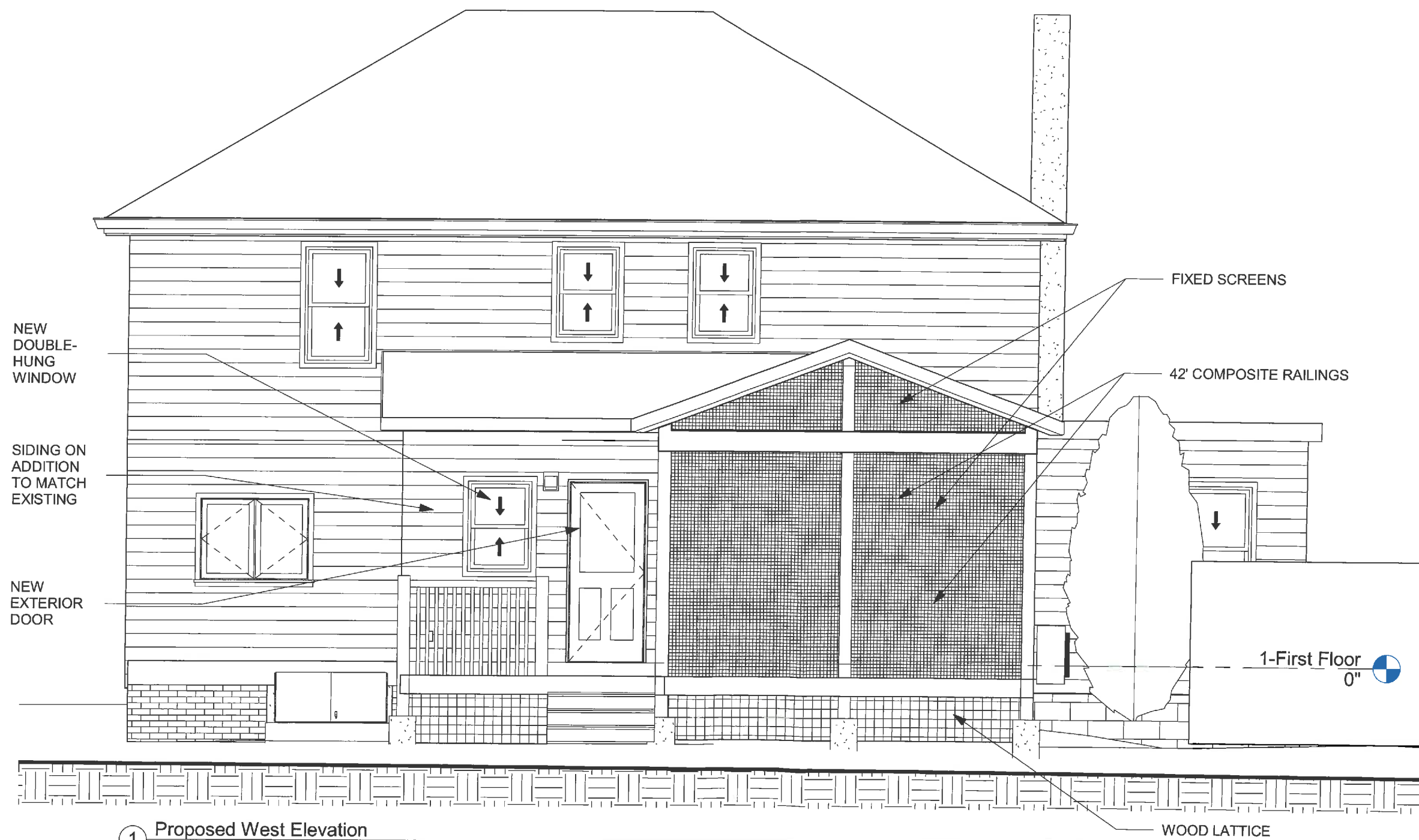
**Proposed Exterior
Elevation**

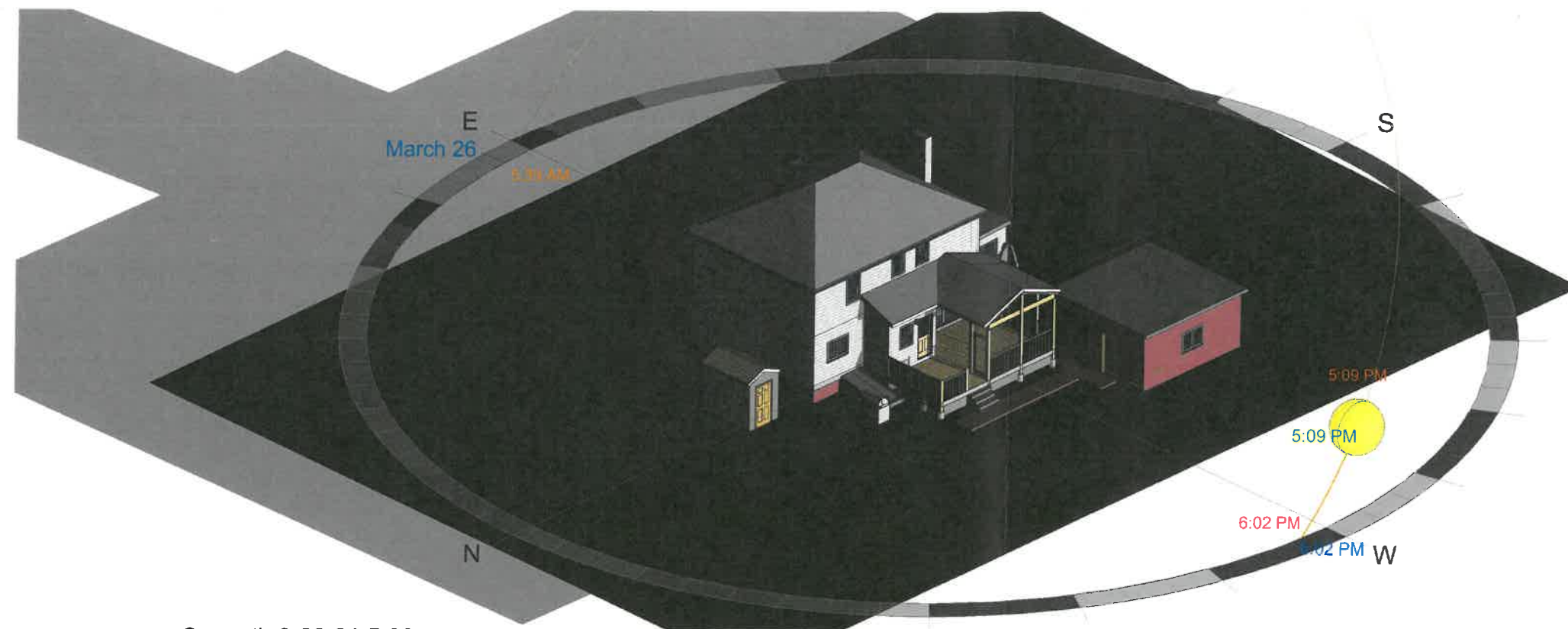
Permit Set

Date
01/06/2021

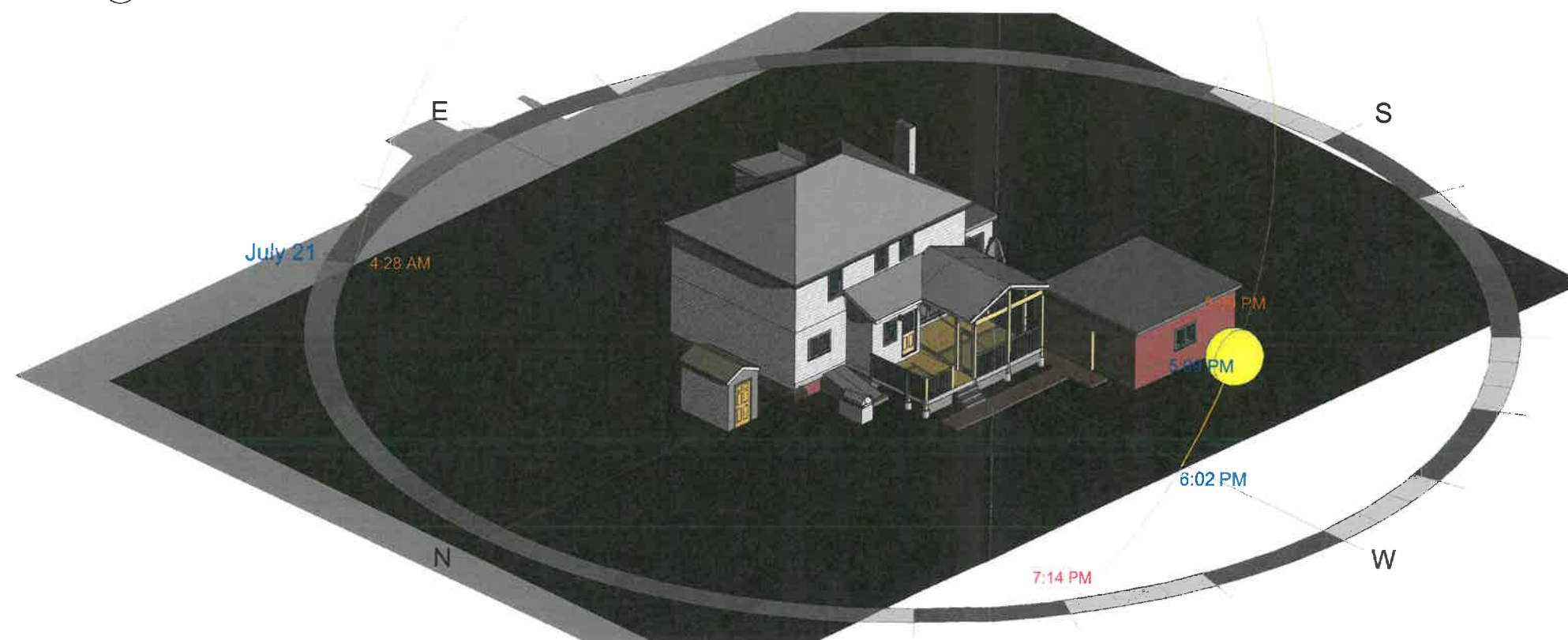
Scale
1/4" = 1'-0"

A3.0





① Sunpath 3-26-21 5-09



② Sunpath 7-21-21 5-09

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Becker Residence

24 Stults Road
Belmont, MA 02478

Solar Study

Permit Set

Date
03/22/2021

Scale

L1.0



EXTERIOR VIEW FROM DECK



INTEROR VIEW



INTEROR VIEW



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Becker Residence

24 Stults Road
Belmont, MA 02478

Images

Permit Set
Date
03/22/2021
Scale

L1.1