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BELMONT, MA

CASE NO. 18-33

2018 AUG 28 AM 10:22

NOTICE OF PUBLIC HEARING BY THE
BELMONT ZONING BOARD OF APPEALS

ON APPLICATION FOR 1 SPECIAL PERMIT

Notice is hereby given that the Belmont Zoning Board of Appeals will hold a public hearing on Monday September 10, 2018 at 7:00 PM in the Art Gallery, 3rd floor, Homer Municipal Building, 19 Moore St., to consider the application of David and Kimberly Scheltz at 293 Cross Street located in a Single Residence C (SRC) Zoning District for a Special Permit under Section 1.5 of the Zoning Bylaw to Replace an existing Deck with new. Special Permit -1. Maximum allowed lot coverage is 25%. The existing and proposed lot coverage is 29.8%.

ZONING BOARD OF APPEALS



Town of Belmont
Zoning Board of Appeals

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APPLICATION FOR A SPECIAL PERMIT

Date: 7/24/18

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 293 Cross 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 replacement of an existing back yard deck with a new deck that will have the same area but different dimensions as the existing.

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

Signature of Petitioner

David Scheltz

Print Name

David Scheltz

Address

293 Cross St

Belmont MA 02478

Daytime Telephone Number

617-816-7874



**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

May 7, 2018

David and Kimberly Scheltz
293 Cross Street
Belmont, MA 02478

RE: Denial to Replace an Existing Deck.

Dear Mr. and Mrs. Scheltz,

The Office of Community Development is in receipt of your building permit application for your proposal to Replace an Existing Deck with a new configuration at 293 Cross Street 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 4.2.2 of the Zoning By-Law Dimensional Regulations allows maximum lot coverage of 25%.

1. The existing and proposed lot coverage is 29.8%.

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

July 25, 2018

Dear Members of the Zoning Board of Appeals,

We are replacing our existing back-yard deck with a new deck. The existing deck is beginning to splinter and rot. The stairs will soon become unsafe to walk on. The existing deck also has a stair on the side of the house next to the driveway. We feel this stair is unnecessary and reduces the usable square footage of the deck so the proposed deck eliminates this stair. Eliminating the stair will also make the deck more private and we intend to add landscaping along the driveway side of the deck to provide additional screening. With the square footage gained by eliminating the side stair, we propose extending a portion of the new deck back into the rear yard by approximately 4 feet, such that the total area of the proposed deck is 217 SF. The existing deck is 218 SF.

Because we are keeping the area of the new deck virtually the same as the area of the old deck, we are not increasing our non-conforming lot coverage of 29.8%. We believe that the new deck will be an improvement to the neighborhood because:

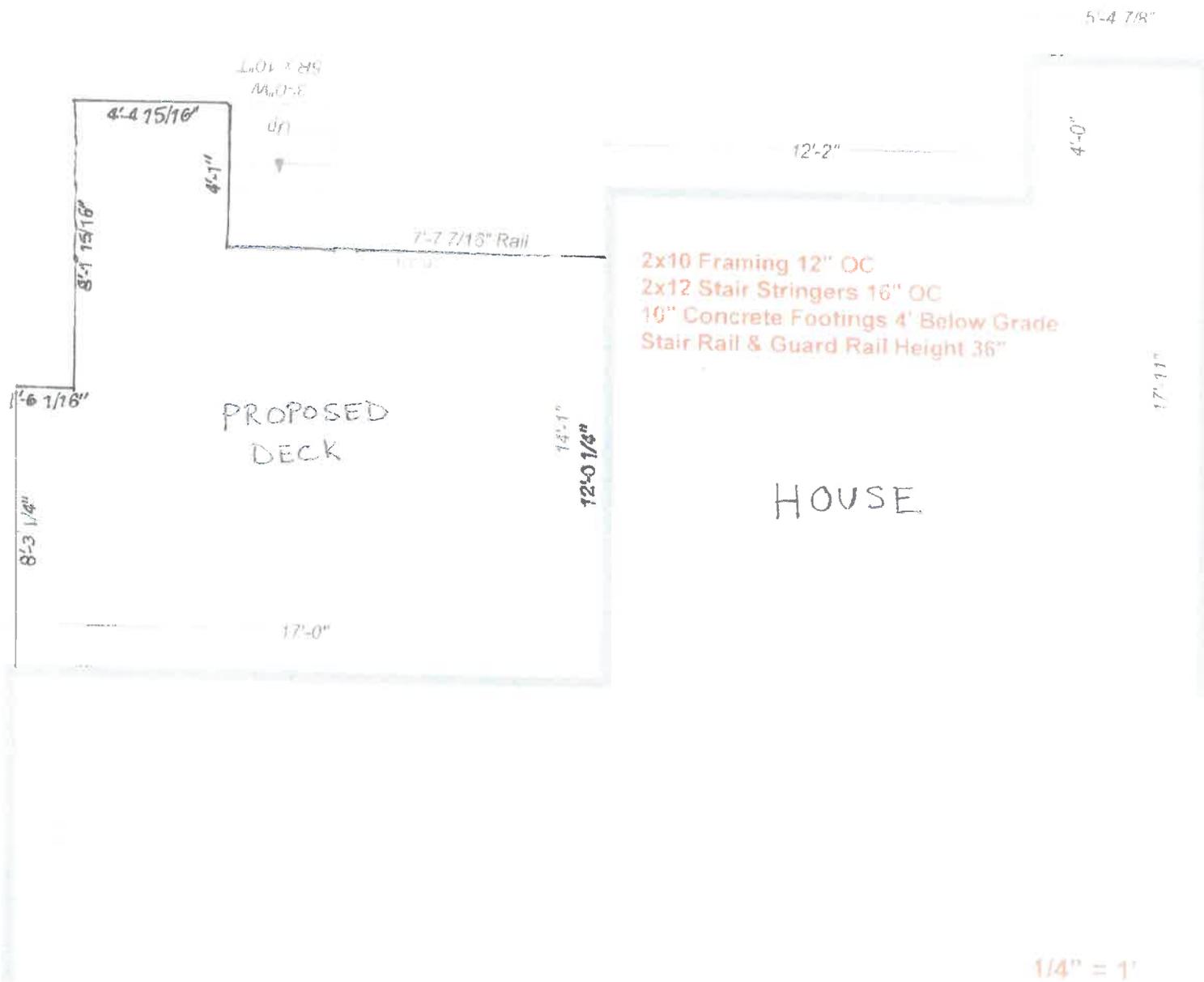
1. It will be built with high-quality materials – Azek synthetic decking, cable rails, and lighted posts and staircase
2. It will be more private – there will no longer be a staircase visible from the front of the house

Sincerely,



David Scheltz

293 CROSS ST



Zoning Compliance Check List

(To Be Completed By Registered Land Surveyor)

Property Address: 293 Cross Street

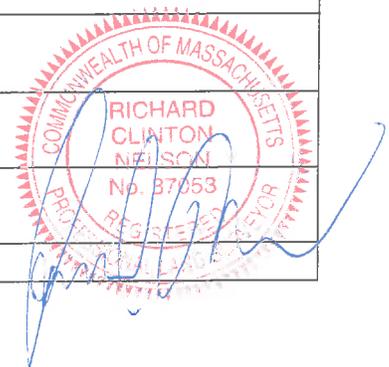
Zone: SRC

Date: April 5, 2018

Surveyor Signature & Stamp: Colonial Surveying Co., Inc., Richard C. Nelson, PLS

	REQUIRED	EXISTING	PROPOSED
Lot Area	9,000 s.f.	5,160 s.f.	5,160 s.f.
Lot Frontage	75'	60.0'	60.0'
FAR	-	-	-
Max. lot coverage	25%	29.8%	29.8%
Min. open space	50%	56.3%	56.3%
Front set back	17.0'	12.3'	12.3'
Side set back	10.0'	10.4'	10.4'
Side set back	10.0'	11.4'	15.0'
Rear set back	25.8'	26.3'	26.3'
Building Height	-	-	-
No. of stories	-	-	-
Yz Story Calculation	-		

NOTES:
§4.2.2 A.4 - Front setback Calc $(17.9+16.1)/2 = 17.0'$ Front Setback
§4.2.2 A.6 - Rear Yard setback Calc $(86.0'*30\%) = 25.8'$ Rear Setback



§4.2.2 A.3

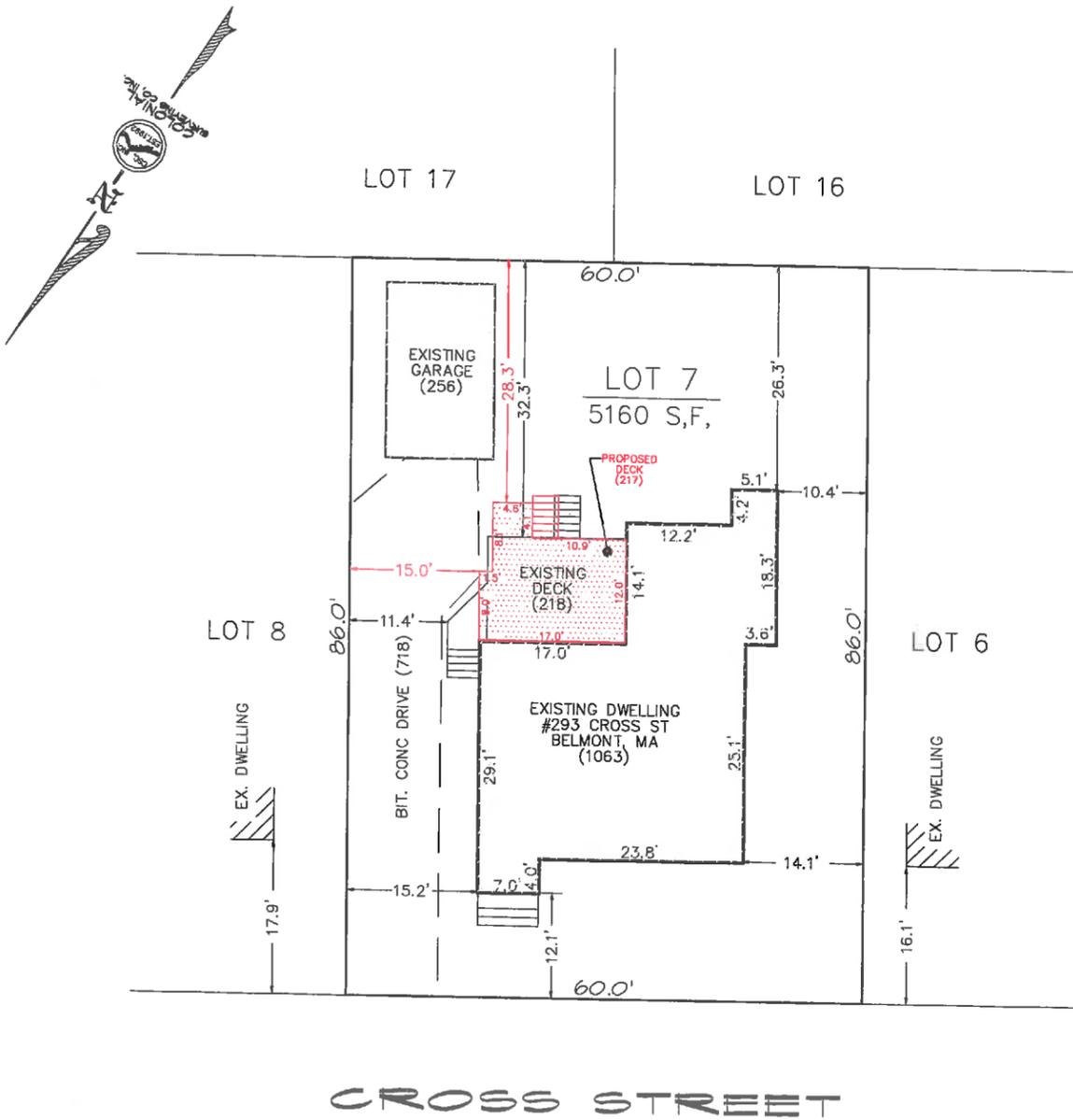
in a Single Residence B or C District, nor more than the average of the setbacks of the buildings on the lots contiguous thereto on either side

§4.2.2 A.4

Notwithstanding the front setback requirements listed in Section 4.2.2, the front setback for the Single Residence C Districts shall be the average of the front setbacks of the buildings on the lots contiguous thereto on either side

§4.2.2 A.6

On lots having depth of less than 100 feet, dwelling setback from the rear lot line shall equal not less than 30% of lot depth in Single Residence B and C Districts but in no event shall the rear setback equal less than 25 feet in Single Residence Districts



ZONING DISTRICT SC (SINGLE RESIDENCE C)

	REQ.	EXISTING	PROPOSED
FRONT SETBACK:	17.0'	12.3'	12.3'
SIDE SETBACK:	10'	10.4'/15.2'	10.4'/15.2'
REAR SETBACK:	25.8'	42.4'	42.4'
MAXIMUM LOT COVERAGE:	25%	29.8%	29.8%
MINIMUM OPEN SPACE:	50%	56.3%	56.3%

TOTAL LOT AREA: 5,160 S.F.

FLOOD BOUNDARY ZONE: C



Colonial Surveying Co, Inc.

3 OXFORD AVE
BELMONT, MA 02478
(617) 489-0880
www.colonialsurvey.com



Owner: David & Kimberly Scheltz
 Loc. House No. 293 Cross Street
 Lot No. 7
 App. No. _____
 Date Apr 5, 2018
 Scale 1" = 20'



