

**TOWN OF BELMONT
ZONING BOARD OF APPEALS**

2025 APR 10 AM 10: 54

CASE NO. 25-12

APPLICANT: Caroline and Adam Hensley

PROPERTY: 14 Linden Ave.

DATE OF PUBLIC HEARING: April 7, 2025

MEMBERS SITTING: Casey Williams, Chair
Elliot Daniels, Vice Chair
Teressa MacNutt
David Stiff
Daniel Barry
Alexandra Danahy, Associate Member

MEMBERS VOTING: Casey Williams
Elliot Daniels
David Stiff
Daniel Barry
Alexandra Danahy, Associate Member

Introduction

This matter came before the Board of Appeals (“Board”) of the Town of Belmont (“Town”) acting as Variance and Special Permit Granting Authority under the Zoning By-Law of the Town of Belmont, Massachusetts (“By-Law”) and Chapter 40A of the Massachusetts General Law (“Zoning Act”). The Applicants, Caroline and Adam Hensley (“Applicants”), requests one (1) SPECIAL PERMIT under Section 4.2 of the Zoning By-Law to construct an addition at 14 Linden Ave located in Single Residence C zoning district.

- (1) Special Permit 4.2 of the Zoning By-law, requires a minimum rear setback of 30.0’, the existing rear setback is 27.1’ and the proposed setback is 16.6’.

Proposal

The Board held a duly noticed hearing on the application on April 7, 2024. The Applicant’s proposal included drawings of the existing front and back of the house along with pictures of the rear yards of neighbors who have similar lot conditions. Letters of support were submitted by neighbors Christine and David Pomer (40 Willow St) and Wei Zhang (27 Cushing Ave).

The applicants Caroline and Adam Hensley attended the hearing in person. Keith Miller of Miller Design made the presentation by Zoom to the Board. He explained that the goal of the project is to expand the home for the applicant’s growing family by adding a second floor addition. He explained that the irregular shape of the lot with one side at 65’ and the other at 124’ results in a backyard that is mostly non-conforming with rear setback requirements, and that the second floor addition is not otherwise increasing the existing nonconformity. There were no comments expressed from the public at the hearing.

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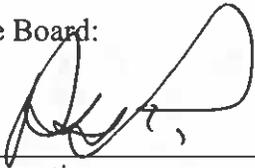
Decision

MGL 40A §6 provides in pertinent part: “Pre-existing nonconforming structures or uses may be extended or altered, provided, that no such extension or alteration shall be permitted unless there is a finding by the permit granting authority by ordinance or by-law that such change, extension or alteration shall not be substantially more detrimental than the existing nonconforming use to the neighborhood.”

The Board found that the proposed addition will not be detrimental to the neighborhood and is in keeping with the character of the neighborhood.

Accordingly, upon motion duly made by Daniel Barry and seconded by Casey Williams the Board voted 5-0 to grant the Applicant the Special Permit.

For the Board:



Ara Yogurtian
Inspector of Buildings
Office of Community Development

Dated: April 9, 2025