ZONING BOARD OF APPEALS
PETITION
(Please use ink: type or print)

Name of Petitioner

Kevin Cote

Petitioner's Address

586 George Hannum ST

Petitioner’s Telephone #

413-388-8283

Petitioner’s E-Mail:

KCote8754@gmail.com

Name of Owner

Kevin Cote

Owner’s Address

586 George Hannum ST

Owner’s Telephone #

413-388-8283

Petitioner’s relationship to the land? Owner (i.e. what is their standing?)

Location of Work/Address

586 George Hannum ST Map 242 Parcel/Lot 1, 01 Zoning District AE-B

Hampshire County registry of Deeds: Book 1146 Page 56 Date of land acquisition on title Sept 5, 2014

Year House was Built

2001

Is subject property part of a larger parcel which was/is being subdivided by the applicant/property owner? NO

The application is made for (Please circle one)

Special Permit

Appeal decision of Building Inspector

Comprehensive Permit

Variance

*What SECTION and PAGE of the Zoning By-law(s) are you petitioning the Board*

Board will reject application if section and page of the Zoning By-Law(s) are not specified

§ 145 § 16

Has there been a previous appeal involving these premises? YES NO ✔

Cite Zoning reference and relevant sections of Zoning Bylaw involved Regulatons established

Type of building or structure George addition Existing structure dimensions 28’ x 56’

Proposed dimensions 28’ x 30’

Describe proposed work/ variance/ special use: (Attach additional pages if necessary)
<table>
<thead>
<tr>
<th></th>
<th>REQUIRED</th>
<th>EXISTING</th>
<th>PROPOSED</th>
</tr>
</thead>
<tbody>
<tr>
<td>Area</td>
<td>40,000 sq ft</td>
<td>435,600 sq ft</td>
<td></td>
</tr>
<tr>
<td>Frontage</td>
<td>140'</td>
<td>143.97'</td>
<td></td>
</tr>
<tr>
<td>Depth</td>
<td>40'</td>
<td>113.78'</td>
<td></td>
</tr>
<tr>
<td>Front Yard Setback</td>
<td>40'</td>
<td>85'</td>
<td></td>
</tr>
<tr>
<td>Side Yard Setback</td>
<td>20'</td>
<td>46'</td>
<td></td>
</tr>
<tr>
<td>Side Yard Setback Right</td>
<td>20'</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Side Yard Setback Left</td>
<td>20'</td>
<td>42'</td>
<td>6'</td>
</tr>
<tr>
<td>Rear Yard Setback</td>
<td>40'</td>
<td>1024'</td>
<td></td>
</tr>
<tr>
<td>Building Coverage</td>
<td></td>
<td>1560 sq ft</td>
<td>2540 sq ft</td>
</tr>
<tr>
<td>Building Height</td>
<td>30'</td>
<td>30'</td>
<td>30'</td>
</tr>
</tbody>
</table>

Set forth all reasons petitioner believes the requested relief should be granted.

For Special Permits and Variances, refer to information submitted with the application (e.g., plans, photos, maps, reports); explain how the conditions required for Special Permit or Variance are present.
(Attach additional pages if necessary)

The undersigned certifies that the information provided on this application and any attached plans are a true and accurate representation of facts pertinent to the subject parcel of land, and acknowledges that all representations are made under the pains and penalties of perjury. The Zoning Board of Appeals is entitled to rely on this representation as being the full and complete statement of the applicant(s) / owner.

Applicants Signature [Signature] Date 2-11-2020

Owner's Signature [Signature] Date 2-11-2020
Please give reasons below, in as much detail as possible.

Article XIII Administration §145-68 Board of Appeals.

B. Variances. To authorize upon appeal, upon petition with respect to particular land or structures, a variance from the terms of this chapter.

(1) Such a variance shall be granted only if all of the following conditions have been met:

(a) Circumstances exist which relate to the soil conditions, shape or topography of the land or structures and especially affect such land or structures but do not generally affect the zoning district in which they are located:

The topography of my land allows my proposed garage to be at Basement level on the left side. Which also allows me to add above and have it meet up with the first floor. The soil on the left side is free of tree roots. The right side has trees close which will have to be removed in order to pour a footing. The last reason is building on the right with a room above with Not be as Aesthetically Pleasing. For that I hope. Being able to build on the left will tie the house in with the Community.

(b) Literal enforcement of this chapter will result in a substantial hardship, financial or otherwise:

The right side of my house has several financial hardships in order to attach a garage 1) my electric meter and service drop. 2) my air conditioner. 3) my septic tank is located right of my back deck which would be in the way to wrap around the back corner of the house. Last several trees would have to be removed + roots filled to pour footing + slab. Also building on the right also puts my house close to my neighbor with out much separation around 40'-45'.

(c) Desirable relief may be granted without substantial detriment to the public good and without nullifying or substantially derogating from the intent or purpose of this chapter.

Building on the left might be closer to my property line than 50', but it is still 14' away even with the granted variance. I hope will still be over 100' or further to my neighbor on the left. Building on the left will also make the house fit in, Not stand out. I also believe adding a garage to a property without one will add property value to my house as well as surrounding neighbors benefiting not only me but all abutting neighbors.
DECLARATION OF HOMESTEAD
Pursuant to MGL Chapter 188 § 3
(For Homes Owned by Natural Person(s))

I, Kevin M. Cote, hereby declare homestead pursuant to M.G. L. c. 188, § 3, with respect to the herein-described premises and state as follows:

1. I am an owner of the premises at 586 George Hannum Road, Belchertown, Hampshire County, MA by virtue of deed from Cheryl A. Smith dated Sept. 5, 2014 and recorded in the Hampshire County Registry of Deeds recorded herewith which I occupy said premises as my principal residence.

2. I am:
   [X] unmarried
   [ ] married to ____________________________, who is a co-owner of the premises and:

   [ ] who also occupies or intends to occupy the premises as his/her principal residence and who has the benefit of a declaration of homestead under M.G. L. c. 188, § 2 recorded with said Registry of Deeds in Book ______, Page ______.

Signed under the penalties of perjury this 5th day of September, 2014.

   ____________________________  
   Kevin M. Cote

Hampden, ss.  
September 5, 2014

On this 5th day of September, 2014, then personally appeared the above-named Kevin M. Cote and proved to me through satisfactory evidence of identification being (check whichever applies): ☑ driver’s license or other state or federal governmental document bearing a photographic image, ☐ oath or affirmation of a credible witness known to me who knows the above signatory, or ☐ my own personal knowledge of the identity of the signatory, to be the persons whose names are signed on the preceding document, and acknowledged to me that they signed it voluntarily for its stated purpose and his/her/their signature was his/her/their free act and deed.

   ____________________________  
   THOMAS E. ARGENIO  
   Notary Public  
   Commonwealth of Massachusetts  
   My Commission Expires 04/20/2018

ATTEST: HAMPShIRE, ____________________________  
   MARY R. ALBERDING, REGISTER
MASSACHUSETTS QUITCLAIM DEED

KNOW ALL PERSONS BY THESE PRESENTS, that I, CHERYL A. SMITH, being unmarried, of Belchertown, Hampshire County, Massachusetts, for consideration paid and in full consideration of TWO HUNDRED THIRTY THOUSAND ($230,000.00) AND 00/100 DOLLARS, grant to KEVIN M. COTE, of 129 Fletcher Circle, Chicopee, Hampden County, Massachusetts with QUITCLAIM COVENANTS the land situated at 586 George Hannum Road, Belchertown, Hampshire, Massachusetts, bounded and described in Exhibit "A" attached hereto and incorporated herein.

WITNESS my hand and seal this 5th day of September, 2014.

Carolyn Wrenches
Witness

Cheryl A. Smith

QuitclaimDeed.001
MORTGAGE INSPECTION PLAN

NAME: KEVIN M. CORE

LOCATION: 586 GEORGE HANNUM ROAD
BELCHERTOWN, MA

SCALE: 1"=300’ DATE: 8/12/2014

REGISTRY: HAMPshire

BASED UPON DOCUMENTATION PROVIDED, REQUIRED MEASUREMENTS WERE MADE OF THE FRONTAGE AND BUILDING(S) SHOWN ON THIS MORTGAGE INSPECTION PLAN. IN OUR JUDGMENT ALL VISIBLE EASEMENTS ARE SHOWN AND THERE ARE NO VIOLATIONS OF ZONING REQUIREMENTS REGARDING DWELLING STRUCTURES TO PROPERTY LINE OFFSETS (UNLESS OTHERWISE NOTED IN DRAWING BELOW). NOTE: NOT DEFINED ARE ABOVE GROUND POOL, ENTRANCES, OR SHEDS WITH NO FOUNDATIONS, ETC.

THIS IS A MORTGAGE INSPECTION PLAN; NOT AN INSTRUMENT SURVEY. DO NOT USE TO EXIST FENCES, OTHER BOUNDARY STRUCTURES, OR TO PLANT SHRUBS. LOCATION OF THE STRUCTURE(S) SHOWN HEREON IS EITHER IN COMPLIANCE WITH LOCAL ZONING FOR PROPERTY LINE OFFSET REQUIREMENTS, OR IS EXEMPT FROM VIOLATION ENFORCEMENT ACTION UNDER MASS. G.L. TITLE VII, CHAP. 40A SEC. 7, UNLESS OTHERWISE NOTED. THIS CERTIFICATION IS NON-TRANSFERABLE. THE ABOVE CERTIFICATIONS ARE MADE WITH THE PROVISION THAT THE INFORMATION PROVIDED IS ACCURATE AND THAT THE MEASUREMENTS USED ARE ACCURATELY LOCATED IN RELATION TO THE PROPERTY LINES.

CERTIFY TO: MORTGAGE MASTER, INC.

DEED REFERENCE: 10014/345
PLAN REFERENCE: 198/60

WE CERTIFY THAT THE BUILDING(S) ARE NOT WITHIN THE SPECIAL FLOOD HAZARD AREA. SEE MAP
25015700138 DTD: 09/02/1981

FLOOD HAZARD ZONE HAS BEEN DETERMINED BY SCALE AND IS NOT NECESSARILY ACCURATE. UNTIL DEFINITIVE PLANS ARE ISSUED BY HUD AND/OR A VERTICAL CONTROL SURVEY IS PERFORMED, PRECISE ELEVATIONS CANNOT BE DETERMINED.

LOT 1.01
444,182 SF ±

907.40'

143.47'

GEORGE HANNUM ROAD

REQUESTED BY: GOLDSMITH KATZ & ARGENIO PC
DRAWN BY: AAD
CHECKED BY: CES
FILED: 14MIP7691

SCALE: 1"=300’
LOT 1.01
10.197± AC.

CONCRETE FOUNDATION

58±

42±

85± DRIVE NOT EVIDENT

GEORGE HANNUM RD.

594

AS BUILT
BUILDING PERMIT PLAN OF LAND IN
BELCHERTOWN, MA
SURVEYED FOR
ALBERT SMITH

SCALE 1"=60'       JUNE 28, 2001

LEWIS & COOK SURVEYORS, INC.
BELCHERTOWN - PALMER, MA
D. System Information (cont.)

Sketch Of Sewage Disposal System: Provide a view of the sewage disposal system, including ties to at least two permanent reference landmarks or benchmarks. Locate all wells within 100 feet. Locate where public water supply enters the building. Check one of the boxes below:

- hand-sketch in the area below
- drawing attached separately

[Diagram showing George Hanum Road, points labeled A to D, distances in feet, and annotations such as "Well 710' to S15".]