



TOWN OF ARLINGTON
DEPARTMENT OF PLANNING and
COMMUNITY DEVELOPMENT

TOWN HALL, 730 MASSACHUSETTS AVENUE
ARLINGTON, MASSACHUSETTS 02476
TELEPHONE 781-316-3090

MEMORANDUM

To: Zoning Board of Appeals
From: Jennifer Raitt, Director, Dept. of Planning and Community Development/kl
Date: 1/11/2021
RE: Docket 3641 – 69 Epping Street; Special Permit under Zoning Bylaw Section 5.3.9
Projections into Minimum Yards (A)

The applicants, Derek and Emina Kelly, seek a Special Permit in accordance with Section 5.3.9 (Projections into Minimum Yards (A)). The applicants are seeking to construct an addition of an enclosed, single-story mudroom and portico within the front yard setback of their single-family home, which is in the R1 Zoning District. The petitioners seek to construct a 57 square foot mudroom on the front façade of the structure, which exceeds the maximum 25 square foot projection into a minimum yard allowable by right in the zoning bylaw (Section 5.3.9 – Projections into Minimum Yards (A)). The purpose of the project is to improve the convenience and safety of the front primary entrance to the dwelling.

The pre-existing home is nonconforming with the Zoning Bylaw's lot area and front yard depth requirements. The proposal would increase the existing nonconformance of the front yard setback by reducing it from 23.5 feet to 18.9 feet. Note: The applicants did not submit frontage, landscaped open space, or usable open space information, so it is unclear whether any other dimensional aspects of the property would become nonconforming through the proposal.

The following is an application of the Special Permit criteria (Zoning Bylaw Section 3.3.3):

Criterion #1: Requested Use

The requested use is permitted in the R-1 Zoning District through the granting of a special permit.

Criterion #2: Public Convenience/Welfare

This proposal would improve the convenience and safety of the owners' and occupants' entrance to their home.

Criterion #3: Undue Traffic Congestion/Impairment of Public Safety

There would not be an increase in traffic congestion or an impairment of public safety.

Criterion #4: Undue Burden on Municipal Systems

There would not be an undue burden on municipal systems.

Criterion #5: Special regulations

This proposal would not result in the need for special regulations.

Criterion #6: Integrity/Character of District; Detrimental to Health, Morals, Welfare

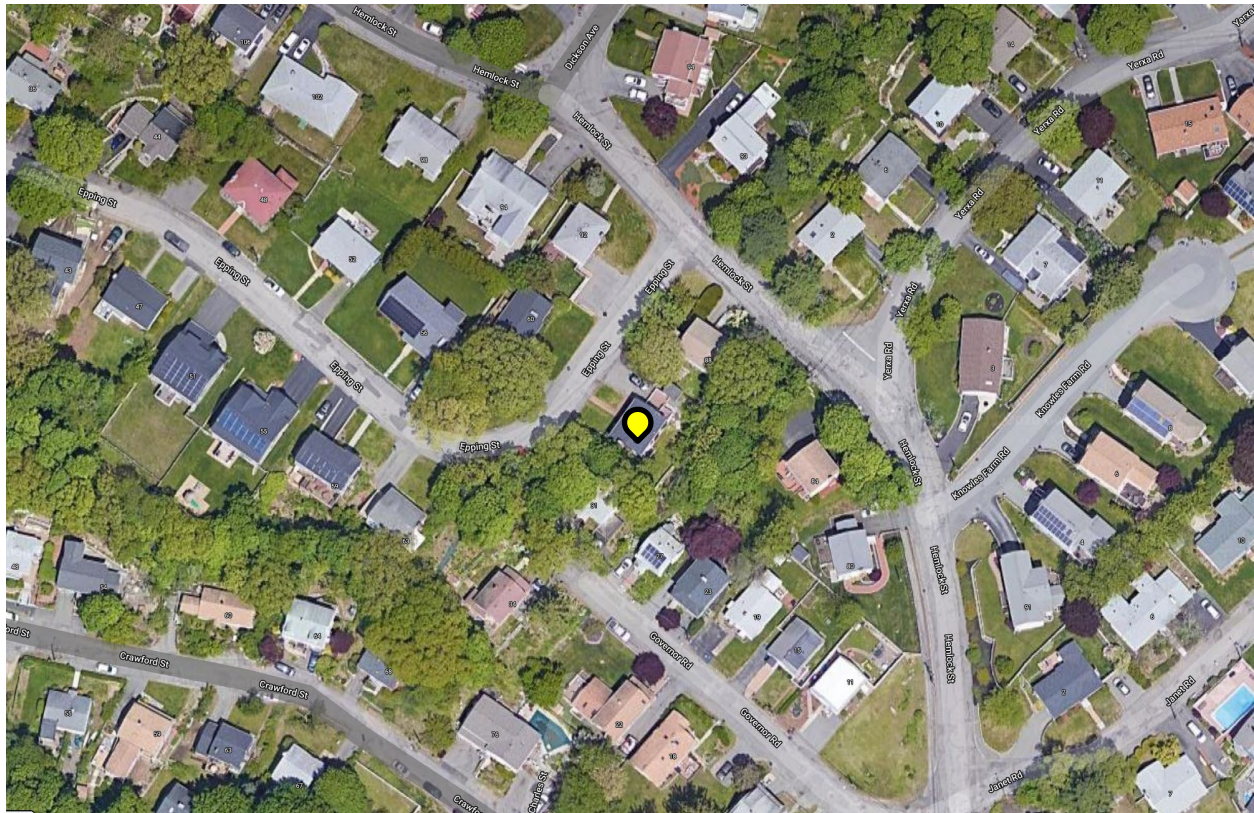
While the proposed porch exceeds the maximum square footage allowable by right, the overall proposal is not substantially more detrimental to the neighborhood than the existing nonconforming dwelling. A number of structures along Epping and Hemlock Streets have enclosed entries that project into the front yard setback, although whether those entries exceed the allowable dimensional requirements is unknown.

The application materials note that the siding and roofing will be selected to match the materials on the remainder of the structure. Overall, this proposal would not detrimentally impact the neighborhood character of the district or adjoining districts, nor will it be detrimental to the health, morals, or welfare of the neighbors of the property.

Criterion #7: Detrimental Excess in Particular Use

This proposal would not cause any detrimental excesses.

Below are aerial and street-based photos of the current building:





Recommendation:

The Department of Planning and Community Development maintains that this proposal is consistent with the Zoning Bylaw, and recommends that the Zoning Board of Appeals approve this application.