



**TOWN OF ARLINGTON**  
DEPARTMENT OF PLANNING and  
COMMUNITY DEVELOPMENT

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**MEMORANDUM**

To: Zoning Board of Appeals  
From: Jennifer Raitt, Director, Dept. of Planning and Community Development/kl  
Date: 10/6/2021  
RE: Docket 3669 – 43 Foxmeadow Lane; Special Permit under Zoning Bylaw Section 5.3.9  
Projections into Minimum Yards (A)

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The applicant, Benjamin Hathaway, seeks a Special Permit in accordance with Section 5.3.9 (Projections into Minimum Yards (A)). The applicant seeks to construct an addition of a front porch extending the width of a to-be renovated house on a corner lot in the R0 Zoning District. The proposed covered decks and foyer are approximately 189 square feet, 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, while also providing additional design detail to improve the aesthetics of the structure.

The structure is nonconforming with the Zoning Bylaw's front yard setback. The proposed decks and porch would project forward 5.2 feet into the front yard setback, reducing it from 25.6 feet to 20.3 feet.

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-0 Zoning District through the granting of a special permit.

Criterion #2: Public Convenience/Welfare

This proposal would improve the convenience and safety of the owner's 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

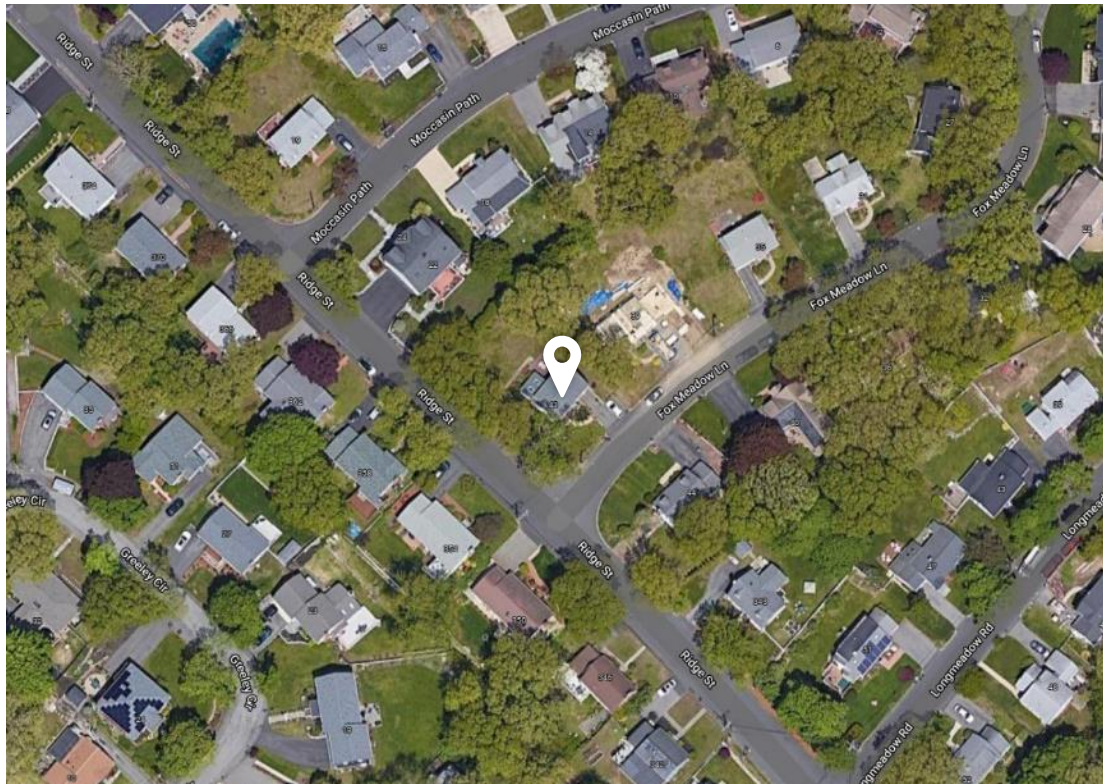
While the proposed deck and foyer exceeds the maximum square footage allowable by right, the overall proposal is not substantially more detrimental to the neighborhood than the existing structure. Covered entries are a common feature of structures in the surrounding neighborhood, although none of the homes in the immediate area have a porch that spans the full width of the structure.

The proposed open decks and foyer complement the architecture of the principal structure, which has yet to be constructed. The features will introduce human-scaled architectural variation to the overall streetscape and add visual interest to the front façade of the structure<sup>1</sup>. 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:



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<sup>1</sup> Principle B-1 (pg. 26) and C-1 (pg. 34), Residential Design Guidelines (pg. 34), available at <https://www.arlingtonma.gov/home/showpublisheddocument/54518/637472609831970000>





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.

Related Dockets:

- #3654: 14 Nicod St—Applicant sought a special permit to add a front porch extending the width of a newly constructed house in the R1 Zoning District, citing convenience, safety, and improved design aesthetics.
- #3641: 69 Epping St—Applicant sought a special permit to add a mudroom and portico within the minimum front yard setback in an R1 district, citing safety and weather concerns. Approved on 1/12/21.
- #3608: 68 Margaret St—Applicant sought a special permit to increase the size of the existing entryway to 43 square feet, citing the need for weather protection and other structures on their street with entryways larger than 25 square feet. Approved on 10/29/19.