



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: 10/20/2021
RE: Docket 3672 – 43 Cutter Hill Rd; Special Permit under Zoning Bylaw Section 5.3.9
Projections into Minimum Yards (A)

The applicant, Sai Lee, seeks a Special Permit in accordance with Section 5.3.9 (Projections into Minimum Yards (A)). The applicant seeks to construct a covered front porch and replace an existing front stairway in the front yard setback of an existing structure. The proposed porch is approximately 105 square feet, which exceeds the maximum 25 square foot projection into a minimum yard allowable by right in the zoning bylaw. The purpose of the project is to improve the convenience and safety of the front primary entrance to the dwelling and provide shelter from inclement weather.

The structure is on a corner lot in the R1 zoning district and is nonconforming with the Zoning Bylaw's front yard setback on the Cutter Hill façade. The proposed porch would project forward five feet into the front yard setback, and the new entry stair would project forward another 4.75 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-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 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

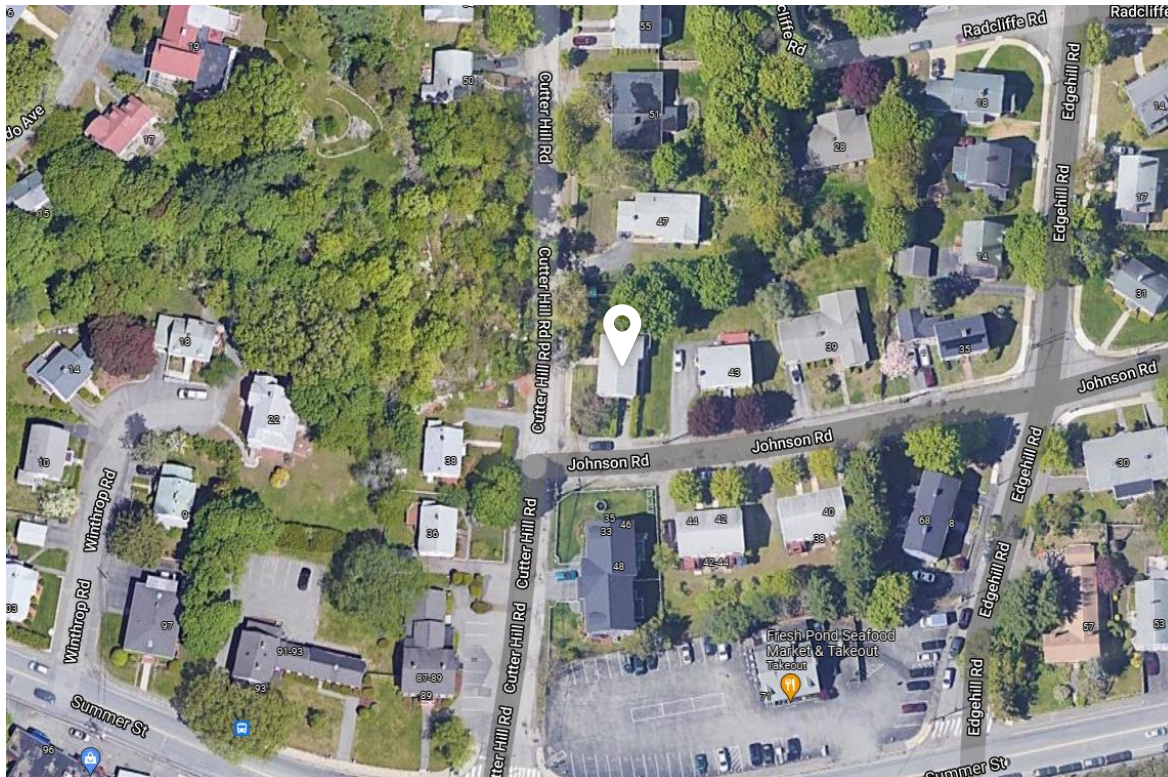
The area includes a mix of old and new construction; no single architectural style predominates. Most older structures along Johnson Road and Cutter Hill Road lack a front porch or covered entry, and while new construction and additions to structures on Cutter Hill Road typically features porches and covered entries. Additionally, this property is visually separated from others along Cutter Hill Road by a thick stand of trees and a road narrowing in the area where the private way transitions to a public way. While the proposed deck exceeds the maximum square footage allowable by right, the overall proposal is not substantially more detrimental to the neighborhood than the existing structure.

The proposed covered porch is both functional and adds visual interest to the front façade of the existing structure. The features will introduce human-scaled architectural variation to the overall streetscape and add visual interest to the front façade of the structure¹. 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:



¹ 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.