



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

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**MEMORANDUM**

To: Zoning Board of Appeals  
From: Kelly Lynema, Assistant Director, Dept. of Planning and Community Development  
Date: 12/20/2021  
RE: Docket 3681 – 28 Ottawa Rd; Special Permit under Zoning Bylaw Section 5.3.9  
Projections into Minimum Yards (A)

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The applicant, Bryan Kate, seeks a Special Permit in accordance with Section 5.3.9 (Projections into Minimum Yards (A)). The applicant seeks to replace their current front porch with a new porch that extends the width of the principal structure. The proposed porch is approximately 142 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 safety and appearance of the existing structure by converting an uncovered landing to a larger covered porch and entry.

The structure is in the R1 zoning district, and is nonconforming with the Zoning Bylaw's lot size; frontage; and front, left, and right yard setbacks. The proposed porch would project forward 6 feet 7 inches from the front façade. The proposal would increase the nonconformity of the front yard setback by from 22.5 feet to 15.9 feet (+6.6 feet); because the structure is sited on an angle to the frontage, the nonconformity of the right side yard setback would be increased from 9.1 feet to 8.8 feet (+0.3 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-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

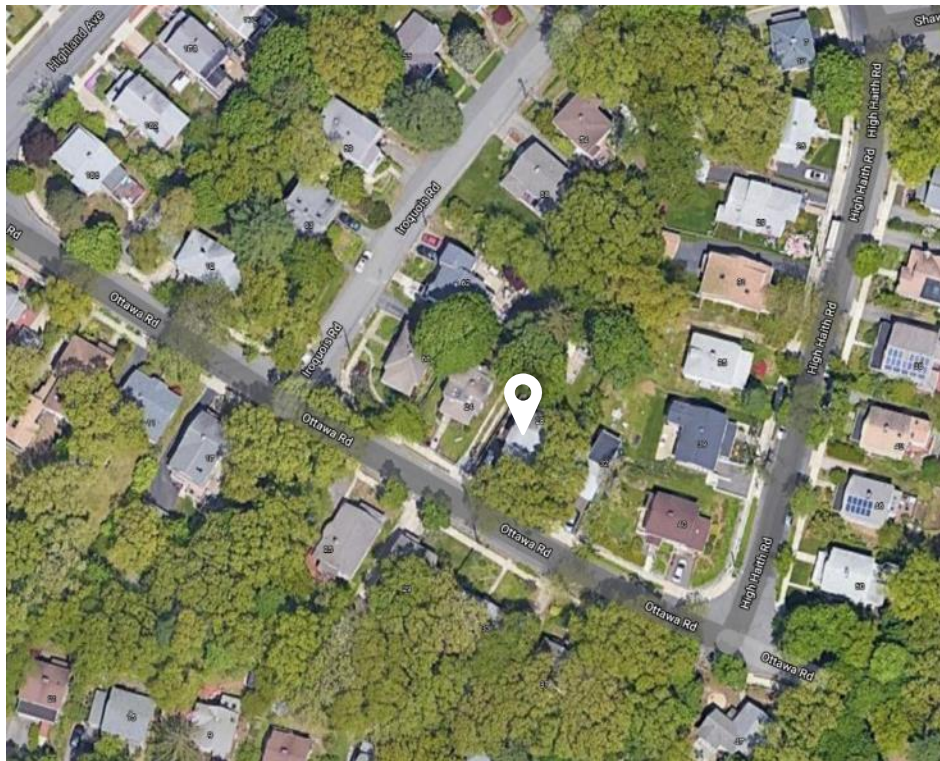
While the proposed front porch exceeds the maximum square footage allowable by right, the overall proposal is not substantially more detrimental to the neighborhood than the existing structure. A full front porch is not yet prevalent on other structures on Ottawa Road, however the ZBA approved a mudroom and porch addition on the neighboring property (Docket #3671, 24 Ottawa Rd) earlier in 2021, and most other abutting structures have unenclosed porticos or porches.

The proposed open deck complements the architecture of the principal structure. 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:

- #3671: 24 Ottawa Rd – Applicant sought a special permit to construct an addition, including an enclosed mudroom, on the front façade of the structure. Approved on 10/12/21.
- #3664: 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. Approved on 9/14/21.
- #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.