



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
Kelly Lynema, Assistant Director
Date: 1/6/2022
RE: Docket 3686 – 238 Park Avenue; Special Permit under Zoning Bylaw Section 5.4.2
(Dimensional and Density Requirements)

The applicants, Nate and Johanna Wood, seek a Special Permit in accordance with Section 5.4.2 (Dimensional and Density Requirements) of the Zoning Bylaw. While the applicants request a Special Permit regarding dimensional requirements of side yard setbacks and private garage, staff note that due to the size of the requested addition a Special Permit is also needed for a large addition under Section 5.4.2(B)(6) (Large Additions). The applicants seek to construct a one-story large addition in the rear yard setback of their single-family home, extending the building footprint 37 feet into the rear side yard. The proposal would result in an increase in square footage from 2,759 to 4,604 square feet (+1,845 square feet). The applicants also seek to replace an existing accessory building with a two-stall garage, increasing the square footage of the accessory structure from 420 square feet to 1,456 square feet (+1,036 square feet). Under both proposals, lot coverage would increase from 15.6% to 28.1% (+12.5%).

The existing structure, which is in the R1 Zoning District, is nonconforming with the Zoning Bylaw's left and right side yard requirements. The proposed addition would increase the nonconformity of the right side yard setback by reducing it from 7.4 to 7.2 feet (-0.2 feet). Because the addition extends the exterior wall of the principal structure along the same line, under Section 8.1.3(C) of the Zoning Bylaw, the Board may grant a Special Permit provided it finds that the extension is not substantially more detrimental to the neighborhood than the existing nonconforming dwelling. Regarding the garage, the applicants have not provided dimensional details of the existing garage nor have they provided the construction type to be used, so it cannot be determined if there is an existing nonconformity or if a nonconformity would be created or increased. 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 through a Special Permit in the R1 zoning district.

Criterion #2: Public Convenience/Welfare

This proposal would provide additional living space.

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

The Engineering Division should review the application's stormwater analysis report to determine whether the addition will increase the surface water runoff rate relative to the predevelopment runoff rate, as per Article 15 of the Town Bylaw.

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 addition will expand the footprint of the structure 37 feet into the rear side yard of the property and replace the existing garage with a larger, two-story garage. Given the location of the tree in the rear yard of the property (see aerial image), the applicants may need to receive approval of a Tree Plan from the Tree Warden prior to commencing work on the property per Article 16 of the Town Bylaw.

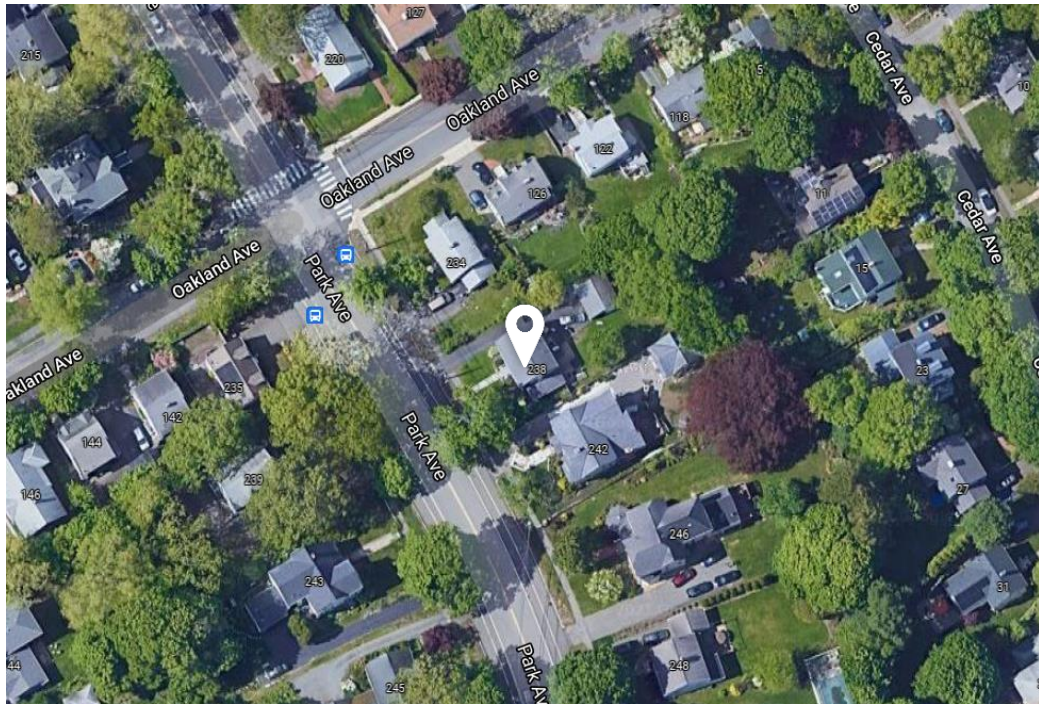
Both the garage and the addition will be entirely in the rear yard of the property and are designed to complement the style of the existing structure and adjacent homes in the neighborhood. Additional garage door detailing and second story window details provide visual details that improve the compatibility of the structure with the surrounding neighborhood.¹ This proposal does not threaten neighborhood character, nor is it detrimental to health, morals, or welfare.

Criterion #7: Detrimental Excess in Particular Use

There would not be any detrimental excesses.

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

¹ Residential Design Guidelines, Principles A-1, A-2, A-3, B-1, and B-3
<https://www.arlingtonma.gov/home/showpublisheddocument?id=54518>



Recommendation:

The Department of Planning and Community Development (DPCD) recommends that the Zoning Board of Appeals request additional information about the existing garage and the intended garage construction type to ensure that the proposal does not increase or create any nonconformities. Should the garage location and construction type be consistent with the dimensional requirements of the Zoning Bylaw, DPCD maintains that the proposal is consistent with the Special Permit criteria and therefore recommends that the Zoning Board of Appeals approve this application.

Related Dockets:

- #3656: 53 Pine Ridge Rd – Applicant sought a special permit to create a large addition of 1,822 square feet to their single-family home, citing a desire to expand, improve, and update it as a residence for their growing family long into the future. Approved on 5/11/21.
- #3603: 34 Governor Rd – Applicants sought a special permit to create a large addition of 1,575 square feet to their single-family home, citing a desire to accommodate a growing family and love for the neighborhood. Approved on 9/27/19.