



Town of Arlington
Zoning Board of Appeals
23 Maple Street
Arlington, Massachusetts 02476
781-316-3396
www.arlingtonma.gov

LEGAL NOTICE

Notice is herewith given in accordance with the provisions of Section 3.2.3A of the Zoning Bylaws that there has been filed by **Ayse Ozgur Aytar and Charles Cagri Aydin** of Arlington, Massachusetts on August 11, 2022, a petition seeking permission to alter their property located at **70-72 Oxford Street- Block Plan 027.0-0002-0010.0** Said petition would require a Special Permit under **Section 8.1.3 (B) (Nonconforming Single-Family or Two-Family Dwellings)** of the Zoning Bylaw for the Town of Arlington.

A hearing in regards to the petition will be conducted on **Tuesday evening September 27, 2022 at 7:30 P.M** or as soon thereafter as the petitioner may be heard.

For the location and or "Zoom" information, visit the ZBA website at www.arlingtonma.gov/zba. This information will be posted within 48 hours of the hearing.

DOCKET NO 3716

Zoning Board of Appeals
Christian Klein, RA, Chair

Please direct any questions to: ZBA@town.arlington.ma.us

REQUEST FOR SPECIAL PERMIT

TOWN OF ARLINGTON

In the matter of the Application of Ayse Ozgur Aytar & Charles Cagri Aydin
to the Zoning Board of Appeals for the Town of Arlington:

Application for a Special Permit is herewith made, in accordance with Section 3.3 of the Zoning Bylaw of the Town of Arlington, Massachusetts, seeking relief from the following specific provisions of the Zoning Bylaw, and as described fully in the attached form, *Special Permit Criteria*:

The applicants are seeking relief from Section 5.4.2. Dimensional and Density Requirements with regards to the Usable Open Space (UOS) to Gross Floor Area (GFA) ratio

The Applicant states he/she/they is/are the owner/occupant of the land in Arlington located at 70-72 Oxford Street, Arlington MA with respect to such relief is sought; that no unfavorable action has been taken by the Zoning Board of Appeals upon a similar petition regarding this property within the two (2) years next immediately prior to the filing hereof. The applicant expressly agrees to full compliance with any and all conditions and qualifications imposed upon this permission, whether by the Zoning Bylaw or by the Zoning Board of Appeals, should the same be granted. The Applicant represents that the grounds for the relief sought are as follows:


The applicants are recent owners of the 2-Family home at 70-72 Oxford St. and residents of Arlington for nearly 10 years. They have acquired a permit to renovate the property, in accordance with the construction plans, dated 3/25/22. The project involves two dormers in the attic to create two additional bedrooms at 72 Oxford Street - formerly a 2-bedroom unit, to accommodate their multigenerational family and remote working needs. The planned remodel work will change the GFA merely by roughly 300SqFt.


Other than the two modest dormers, planned renovations do not change the building envelope of the house. As the existing property is non-conforming with regards to the minimum UOS requirements outlined in the Table of Dimensional and Density Regulations, the slight increase in GFA will further reduce the UOS/GFA ratio.

The applicants are seeking relief from this requirement so that they don't need to demolish the functional detached garage or the roof of the upper deck to continue with the planned renovation.

Emails: charles.aydin@gmail.com, ozguraytar@gmail.com
Telephones: 617-459-7978 (Charles), 202-210-7701 (Ayse)
Address: 19 Newton Rd, Apt. 2, Arlington, MA 02474

Signatures


Charles Aydin
08/10/2022


Ayse Aytar
09/2020
8/10/2022

Special Permit Criteria: Per Section 3.3.3 of the Zoning Bylaw, a Special Permit shall only be granted upon the Board’s determination that the benefits of the proposed project will outweigh its adverse effects. The responses provided below will inform the Board as to whether the standards for approval have been met.

A). Indicate where the requested use is listed in the Table of Use Regulations as allowed by Special Permit in the district for which the application is made or is so designated elsewhere in the Zoning Bylaw.

Existing home is Zoned R-2. Use will not change with the addition of the proposed dormer. Duplex is an allowed use in the R-2 Zoning district, according to the Table of Use Regulations for Residential Districts (5.4.3)

B). Explain why *the requested use is essential or desirable to the public convenience or welfare.*

The added floor within the existing structure will not create any additional units, and there will not be any changes to the existing use, parking requirements or traffic patterns. All changes are within the existing footprint

C). Explain why *the requested use will not create undue traffic congestion, or unduly impair pedestrian safety.*

The added floor within the existing structure will not create any additional units, and there will not be any changes to the existing use, parking requirements or traffic patterns. All changes are within the existing footprint

D). Explain why *the requested use will not overload any public water, drainage or sewer system, or any other municipal system to such an extent that the requested use or any developed use in the immediate area or any other area of the Town will be unduly subjected to hazards affecting health, safety or the general welfare.*

The requested use remains the same as the existing (a two-family dwelling) and will not be adding any additional load to required municipal work.

E). Describe how any special regulations for the use, as may be provided in the Zoning Bylaw, including but not limited to the provisions of Section 8 are fulfilled.

The requested use meets the criteria of the Bylaw outlined in the table of Use Regulations for Residential Districts, and therefore does not need to meet any special regulations.

F). Explain why the requested use will not impair the integrity or character of the district or adjoining districts, nor be detrimental to the health or welfare.

Dormers have been used to increase 3 rd floor (attic) space on most homes on Oxford Street, where the property is located, as well as surrounding Grafton and Winter Streets, and throughout Arlington at large. Great care has been taken to ensure that the proposed dormers are tastefully designed and in-line with the original architecture of the home as well as the neighborhood.

G). Explain why *the requested use will not, by its addition to a neighborhood, cause an excess of the use that could be detrimental to the character of said neighborhood.*

The neighborhood consists of similar two-family dwellings with dormers on the 3rd floors, similar lot sizes and similar usable open space challenges. The proposed project will not create an excess of the use. The renovation plan does not have any changes in the footprint of the house.

TOWN OF ARLINGTON
Dimensional and Parking Information
For Applications to the Zoning Board of Appeals

1. Property Location: 70-72 Oxford Street, Arlington, MA 02474 Zoning District: R2

2. Present Use/Occupancy: 2-family residential No. of dwelling units 2

3. Existing Gross Floor Area (refer to Section 5.3.22 of the Zoning Bylaw and provide supporting documentation [worksheet and drawings] showing dimensions of GFA by floor):
3,979 Sq. Ft.

4. Proposed Use/Occupancy: 2-family residential No. of dwelling units 2

5. Proposed Gross Floor Area (refer to Section 5.3.22 of the Zoning Bylaw and provide supporting documentation [worksheet and drawings] showing dimensions of GFA by floor):
4,231 Sq. Ft.

	Present Conditions	Proposed Conditions	Min. or max Required by Zoning
6. Lot size (Sq. Ft.)	4,950	No Change	min. 6000 (Existing non-conforming)
7. Frontage (Ft.)	55	No Change	min. 60 (Existing non-conforming)
8. Floor area ratio	N/A	N/A	max.
9. Lot Coverage (%)	N/A	N/A	max 35%
10. Lot Area per Dwelling Unit (Sq. Ft.)	N/A	N/A	min.
11. Front Yard Depth (Ft.)	9.2	No Change	min. 20 (Existing non-conforming)
12. Left Side Yard Depth (Ft.)	22.2	No Change	min. 10 (Conforming)
13. Right Side Yard Depth (Ft.)	6.9	No Change	min. 10 (Existing non-conforming)
14. Rear Yard Depth (Ft.)	21.2	No Change	min. 20 (Conforming)
15. Height (Stories)	2.5	No Change	max. 2.5 (Conforming)
16. Height (Ft.)	33'6"	No Change	max. 35
17. Landscaped Open Space (Sq. Ft.) Refer to Section 2 in the Zoning Bylaw.	700	No Change	
17A. Landscaped Open Space (% of GFA)	17.6%	16.5%	min. 10% (Conforming)
18. Usable Open Space (Sq. Ft.) Refer to Section 2 in the Zoning Bylaw.	0	No Change	
18A. Usable Open Space (% of GFA)	0	No Change	min. 30% (Existing non-conforming)
19. Number of Parking Spaces	4	No Change	min. 2 (Conforming)
20. Parking area setbacks (if applicable)	N/A	N/A	min.
21. Number of Loading Spaces (if applicable)	N/A	N/A	min.
22. Type of construction	Timber frame concrete foundation	No Change	N/A
23. Slope of proposed roof(s) (in. per ft.)	--	No Change	min.

TOWN OF ARLINGTON
Open Space / Gross Floor Area Information
For Applications to the Zoning Board of Appeals

Refer to Section 2: *Definitions*, and Section 5: *District Regulations* in the Zoning Bylaw of the Town of Arlington before completing this form.

Address: 70-72 Oxford Street, Arlington Zoning District: R2

<u>OPEN SPACE*</u>	EXISTING	PROPOSED
Total lot area	<u>4,950</u>	<u>No Change</u>
Open Space, Usable	<u>0</u> <small>Non-conforming due to minimum dimensions</small>	<u>No Change</u>
Open Space, Landscaped	<u>700</u>	<u>No Change</u>

* Refer to the Definitions in Section 2 of the Zoning Bylaw.

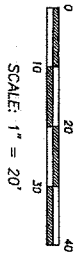
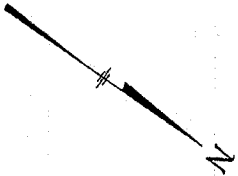
<u>GROSS FLOOR AREA (GFA) †</u>		
Accessory Building	<u>0</u>	<u>No Change</u>
Basement or Cellar (meeting the definition of Story, excluding mechanical use areas)	<u>1,170</u>	<u>No Change</u>
1 st Floor	<u>1,180</u>	<u>No Change</u>
2 nd Floor	<u>1,196</u>	<u>1,290</u>
3 rd Floor	<u> </u>	<u> </u>
4 th Floor	<u> </u>	<u> </u>
5 th Floor	<u> </u>	<u> </u>
Attic (greater than 7'-0" in height, excluding elevator machinery, or mechanical equipment)	<u>293</u>	<u>591</u>
Parking garages (except as used for accessory parking or off-street loading purposes)	<u> </u>	<u> </u>
All weather habitable porches and balconies	<u>140</u>	<u>0</u>
Total Gross Floor Area (GFA)	<u>3,979</u>	<u>4,231</u>

† Refer to Definition of Gross Floor Area in Section 2 and Section 5 of the Zoning Bylaw.

<u>REQUIRED MINIMUM OPEN SPACE AREA</u>		
Landscaped Open Space (Sq. Ft.)	<u>700</u>	<u>No Change</u>
Landscaped Open Space (% of GFA)	<u>17.6%</u>	<u>16.5%</u>
Usable Open Space (Sq. Ft.)	<u>0</u>	<u>No Change</u>
Usable Open Space (% of GFA)	<u>0</u>	<u>No Change</u>

This worksheet applies to plans dated 03/25/2022 designed by MDS Design & Development

Reviewed with Building Inspector: _____ Date: _____



CURRENT OWNER: AYSE O AYTAH & CHARLES C AYDIN
TITLE REFERENCE: BK 79618 PG 551
PLAN REFERENCE: PLAN No. 458

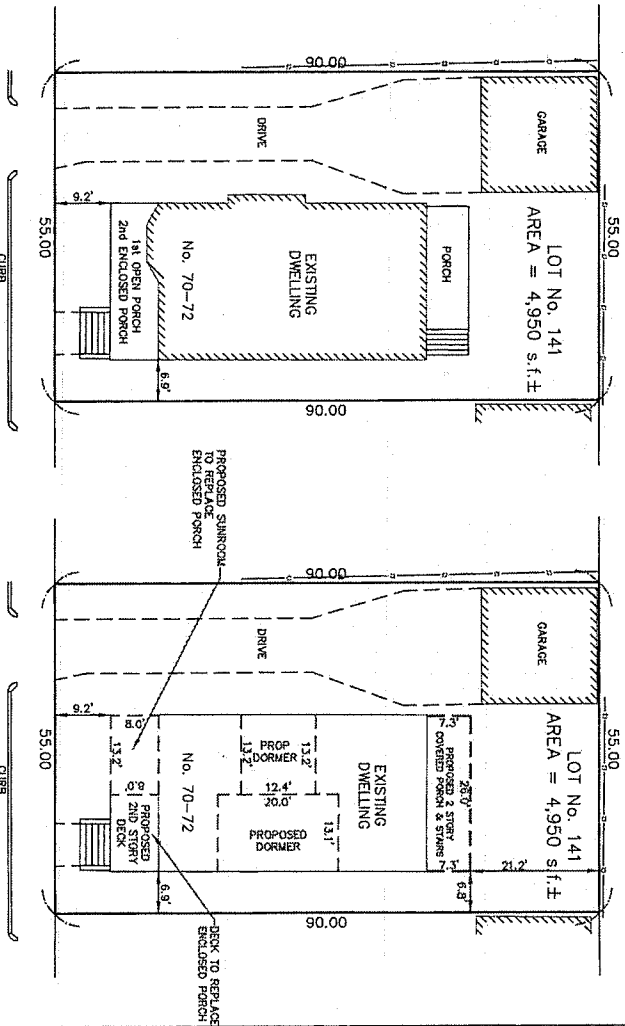
THIS PLAN WAS PREPARED WITHOUT A FULL TITLE EXAMINATION AND IS NOT A CERTIFICATION TO THE TITLE OF THE LANDS SHOWN. THE OWNERSHIP OF ABUTTING PROPERTIES IS ACCORDING TO ASSESSORS RECORDS. THIS PLAN MAY OR MAY NOT SHOW ALL ENCUMBRANCES WHETHER EXPRESSED, IMPLIED OR PRESCRIPTIVE.

SURVEYOR'S CERTIFICATION:

TO: AYSE O AYTAH & CHARLES C AYDIN

I CERTIFY THAT THIS PLAN AND THE SURVEY ON WHICH IT IS BASED WERE MADE IN ACCORDANCE WITH THE GENERALLY ACCEPTABLE PRACTICES OF LAND SURVEYING IN THE COMMONWEALTH OF MASSACHUSETTS FOR A PLAN AND SURVEY OF THIS TYPE. THIS CERTIFICATION IS MADE ONLY TO THE ABOVE NAMED INDIVIDUAL(S) AND IS NULL AND VOID UPON ANY FURTHER CONVEYANCE OF THIS PLAN.

THE FIELD WORK WAS COMPLETED ON: APRIL 29, 2022
DATE OF PLAN: MAY 1, 2022



RICHARD J. WEDER, JR., P.L.S. 05/01/2022 DATE:



OXFORD STREET

OXFORD STREET

PREPARED FOR:

AYSE O AYTAH

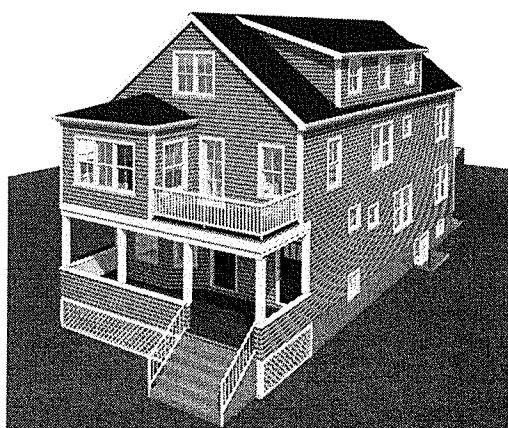
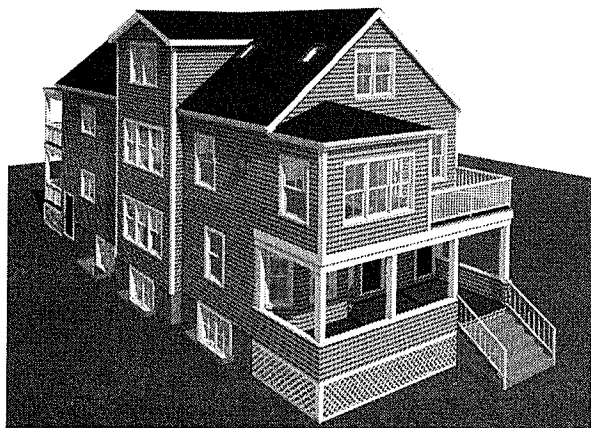
DRAWN	CHECKED	FILE No.
CAV	RJM	21558

PREPARED BY:



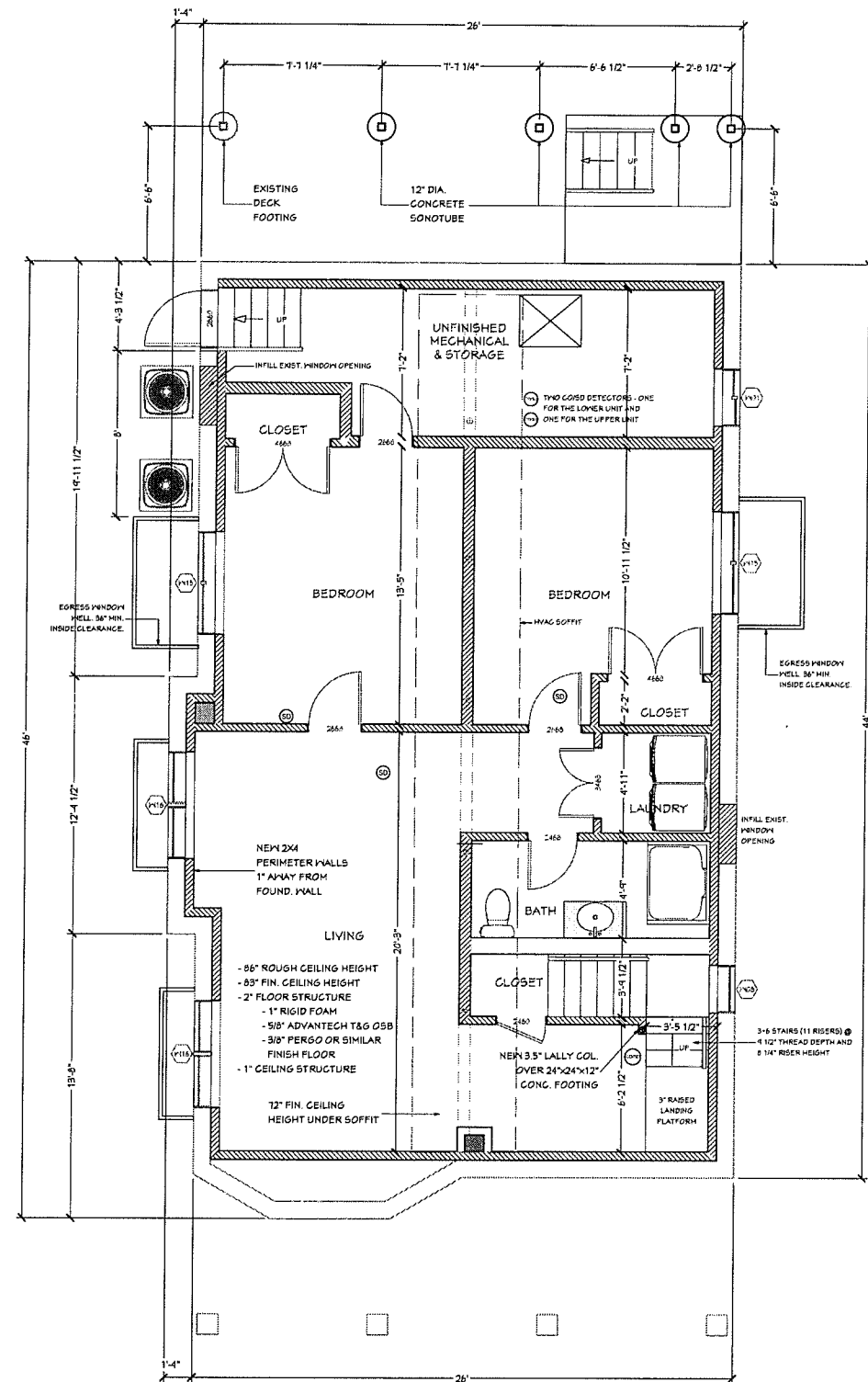
CERTIFIED PLOT PLAN
70-72 OXFORD STREET
ARLINGTON, MA.
(MIDDLESEX COUNTY)

Proposed Remodel of 70-72 Oxford St, Arlington MA 02474



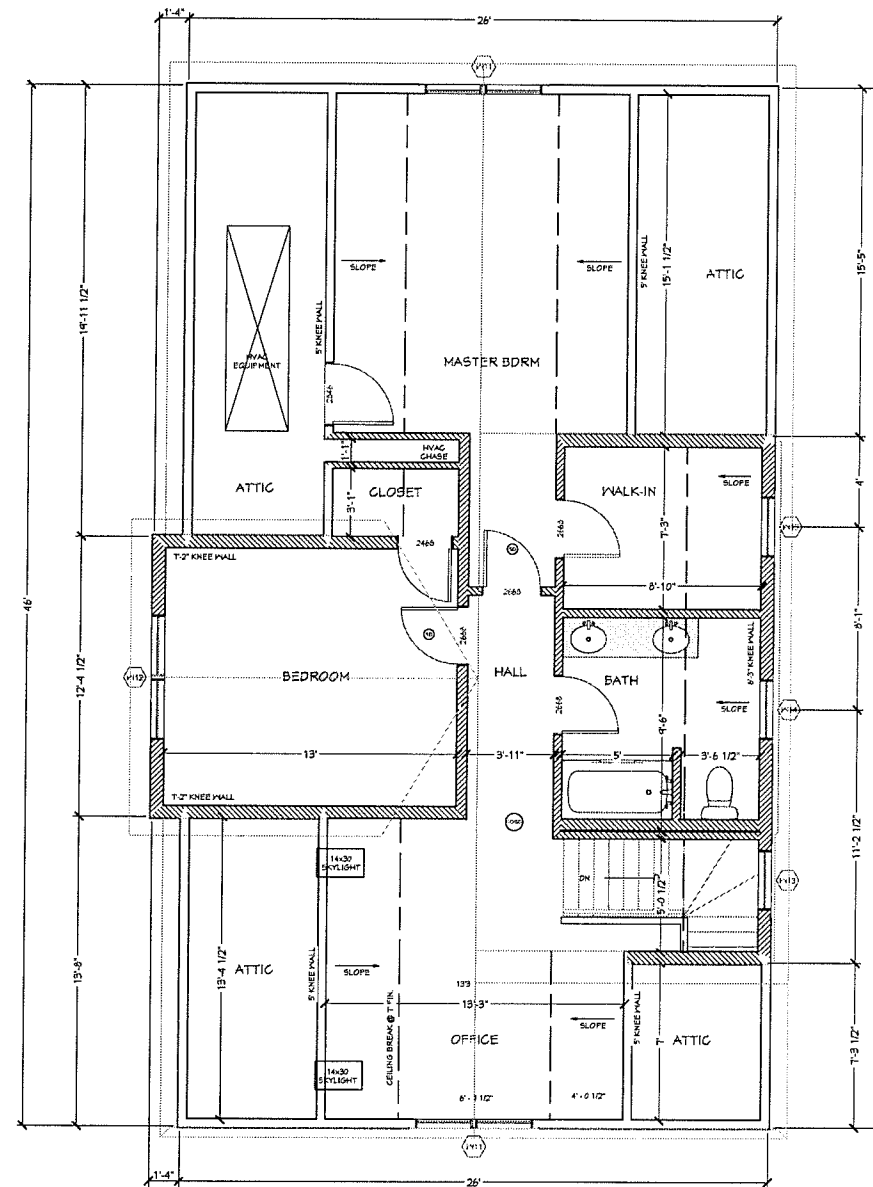
BUILDING SQUARE FOOTAGE

FLOOR	GFA	LIVING AREA	DECKS/ PORCHES
BASEMENT	1,180	860	0
FIRST	1,180	1,180	314
SECOND	1,290	1,290	203
ATTIC	591	867	0
TOTAL	4,241	4,197	517

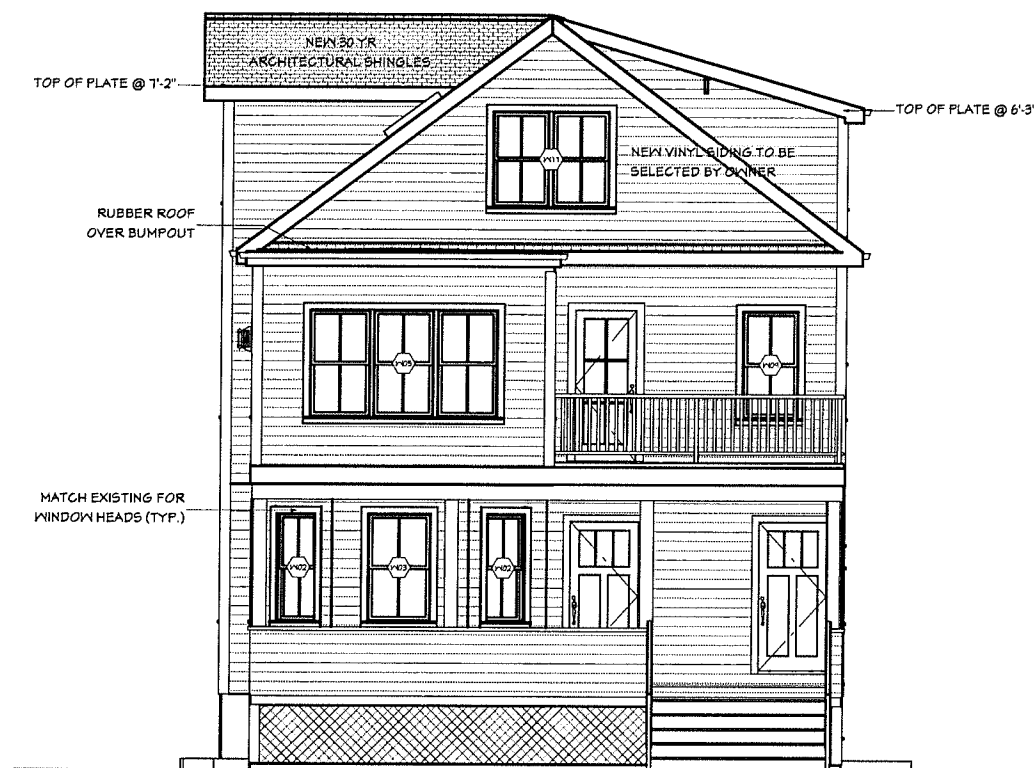


A BASEMENT FLOOR PLAN
3/16" = 1'

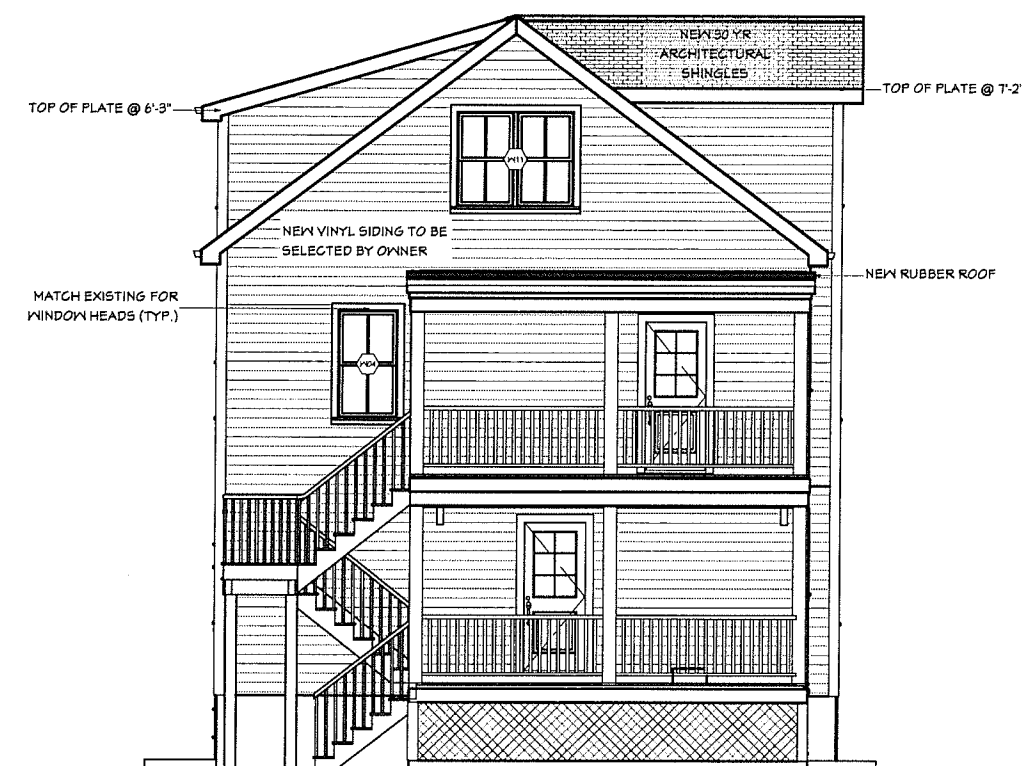




A **THIRD FLOOR PLAN**
3/16" = 1'



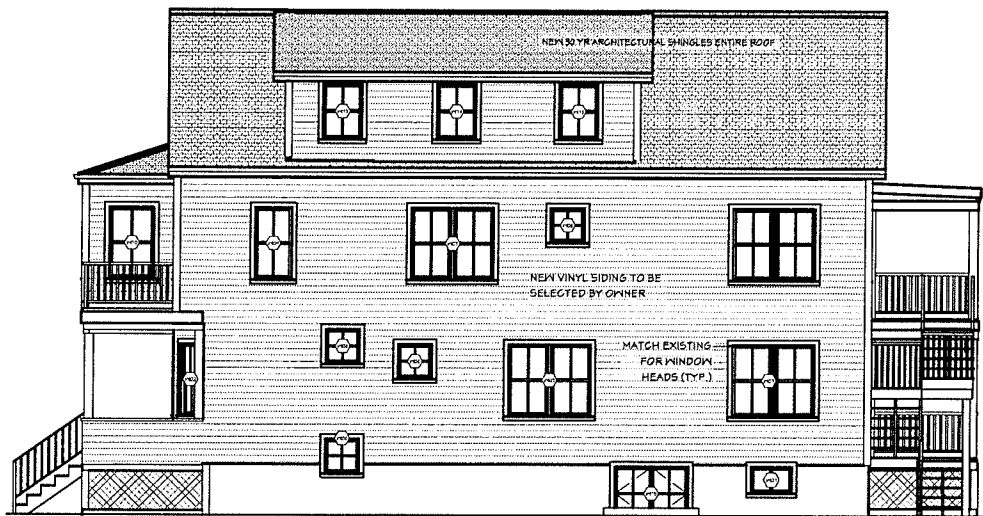
A FRONT ELEVATION
3/16" = 1'



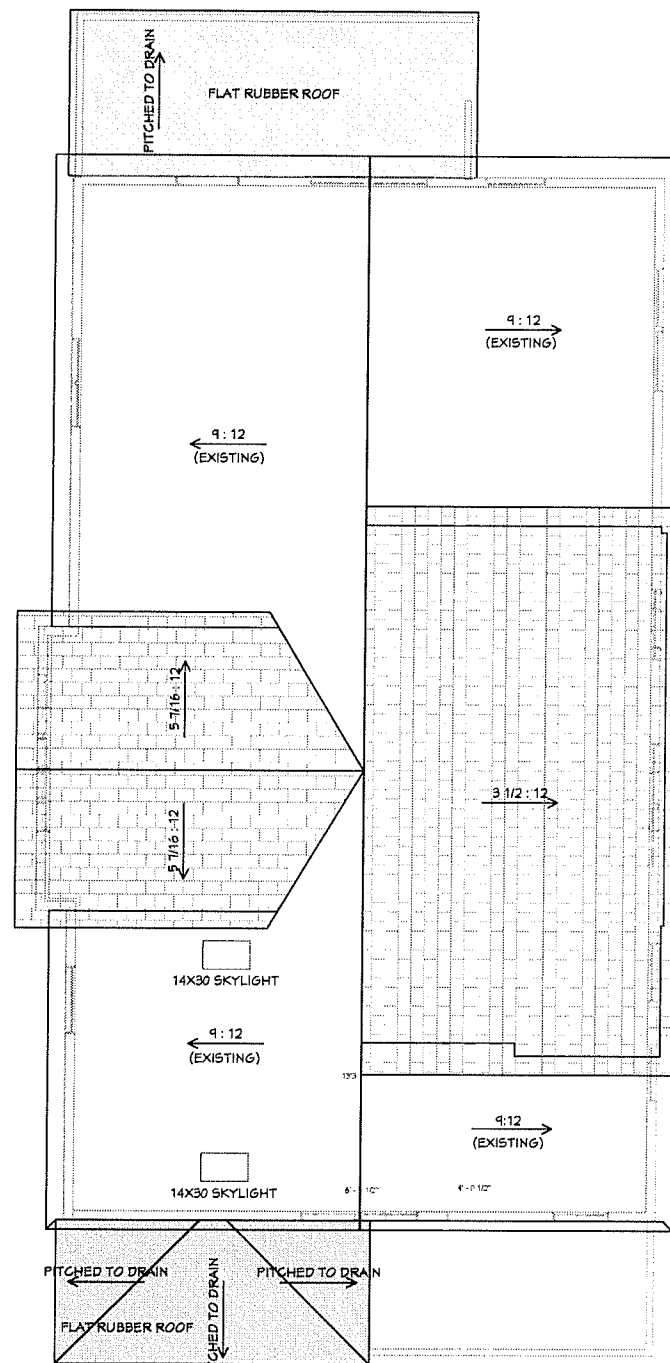
B REAR ELEVATION
3/16" = 1'



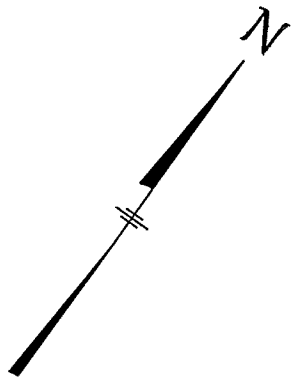
A LEFT ELEVATION
1/8" = 1'



B RIGHT ELEVATION
1/8" = 1'



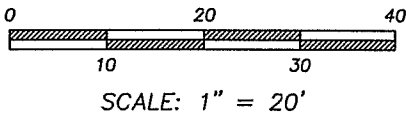
A **ROOF PLAN**
 3/16" = 1'



ZONE: R2

MAX LOT COVERAGE
USABLE OPEN SPACE(MIN)
LANDSCAPE OPEN SPACE(MIN)

REQUIRED	EXISTING	PROPOSED
35%	38.4%	38.1%
30%	0%	0%
10%	53.5%	49.8%



CURRENT OWNER: AYSE O AYTA & CHARLES C AYDIN
TITLE REFERENCE: BK 79618 PG 551
PLAN REFERENCE: PLAN No. 458

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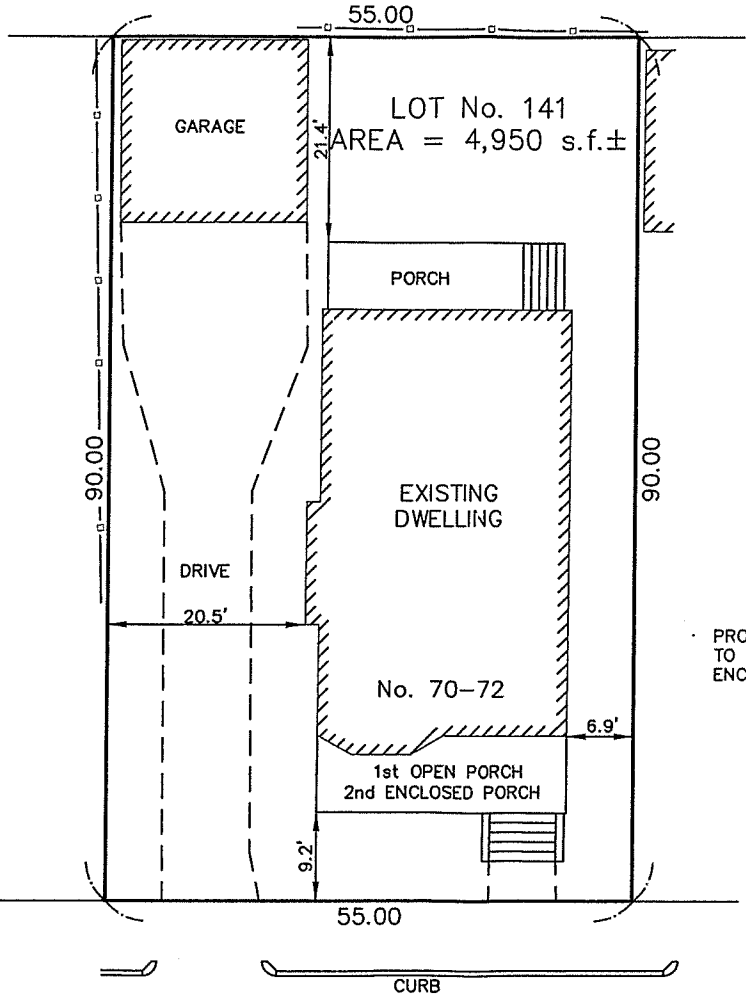
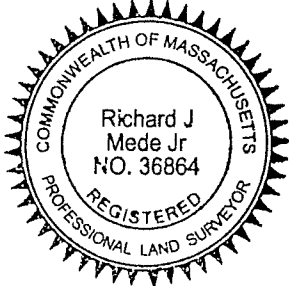
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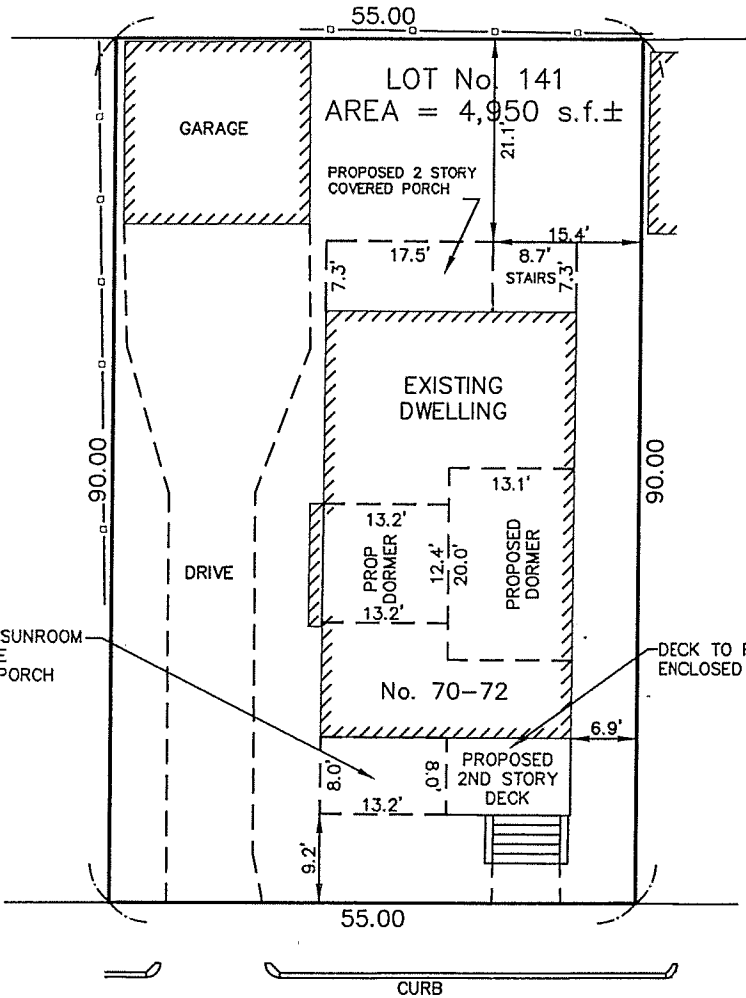
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RICHARD J. MEDE, JR. P.L.S.

05/01/2022
DATE:



OXFORD STREET



OXFORD STREET

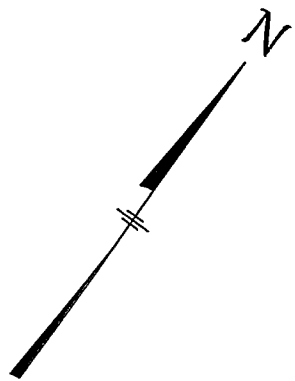
PREPARED BY:

MEDFORD ENGINEERING & SURVEY
ANGELO B. VENEZIANO ASSOCIATES
15 HALL STREET, MEDFORD, MA 02155
781-396-4466 fax: 781-396-8052

PREPARED FOR:

AYSE O AYTA

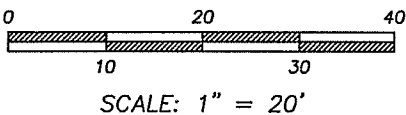
DRAWN	CHECKED	FILE No.
CAV	RJM	21558



ZONE: R2

MAX LOT COVERAGE
USABLE OPEN SPACE(MIN)
LANDSCAPE OPEN SPACE(MIN)

REQUIRED	EXISTING	PROPOSED
35%	38.4%	38.1%
30%	0%	0%
10%	53.5%	49.8%



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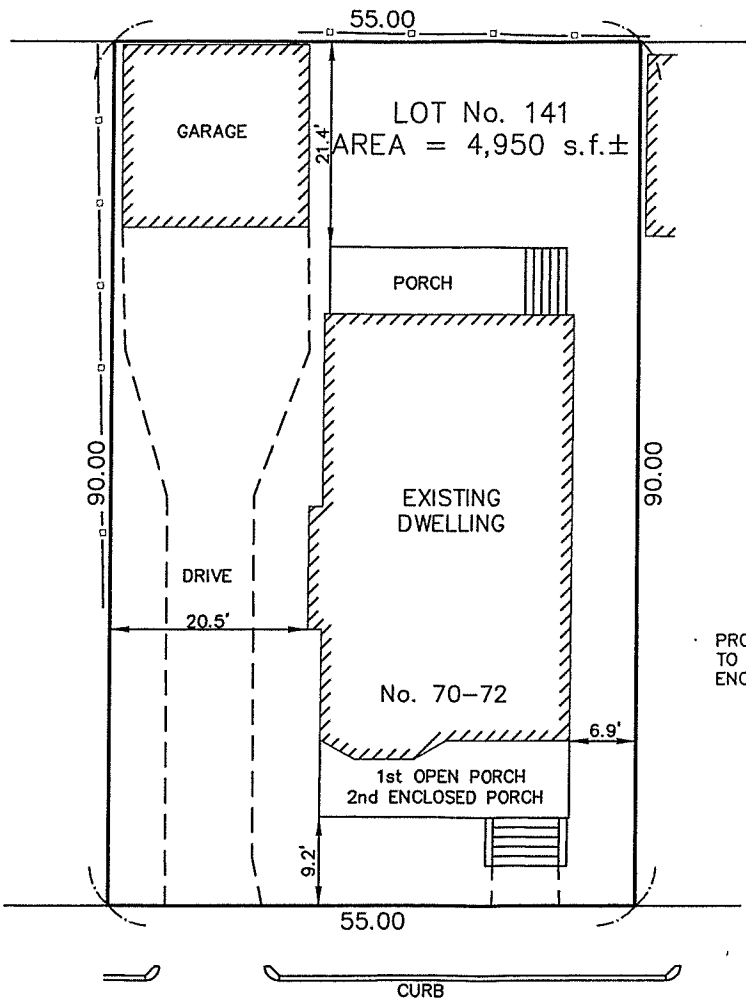
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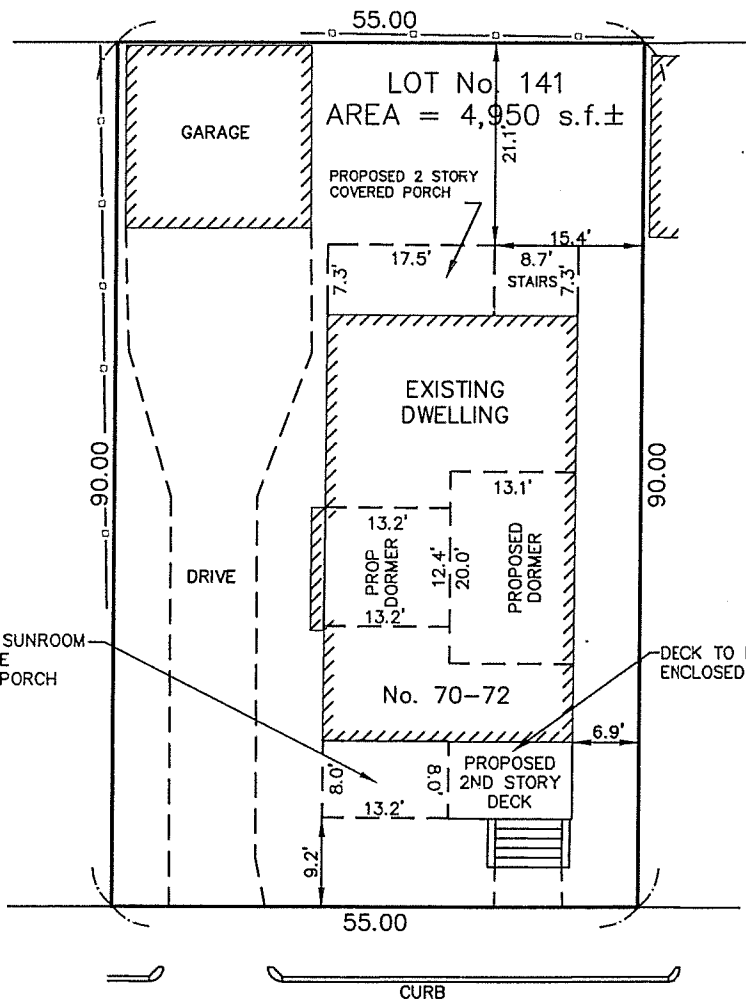
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OXFORD STREET



OXFORD STREET

CERTIFIED PLOT PLAN
70-72 OXFORD STREET
ARLINGTON, MA.
(MIDDLESEX COUNTY)

PREPARED BY:

**MEDFORD
ENGINEERING
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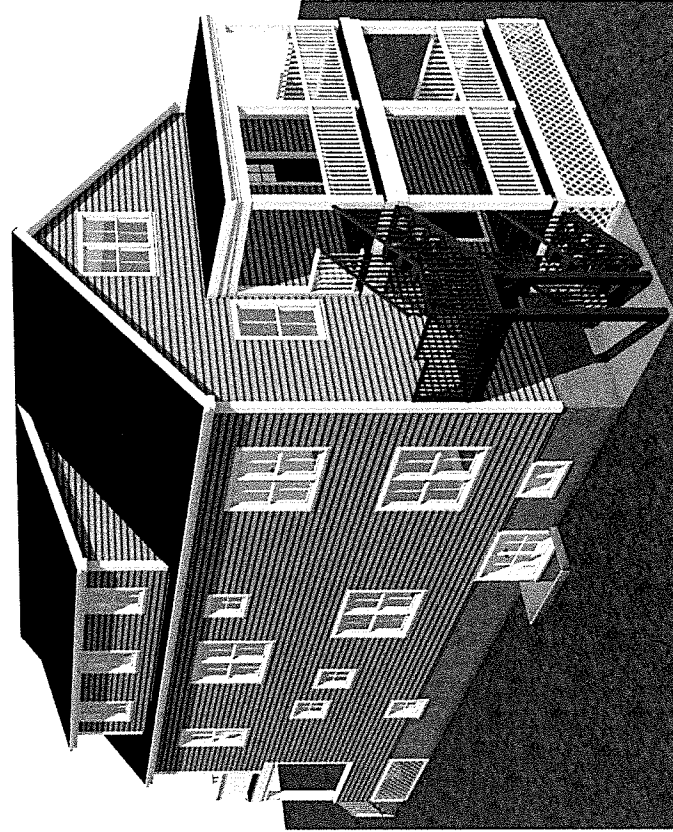
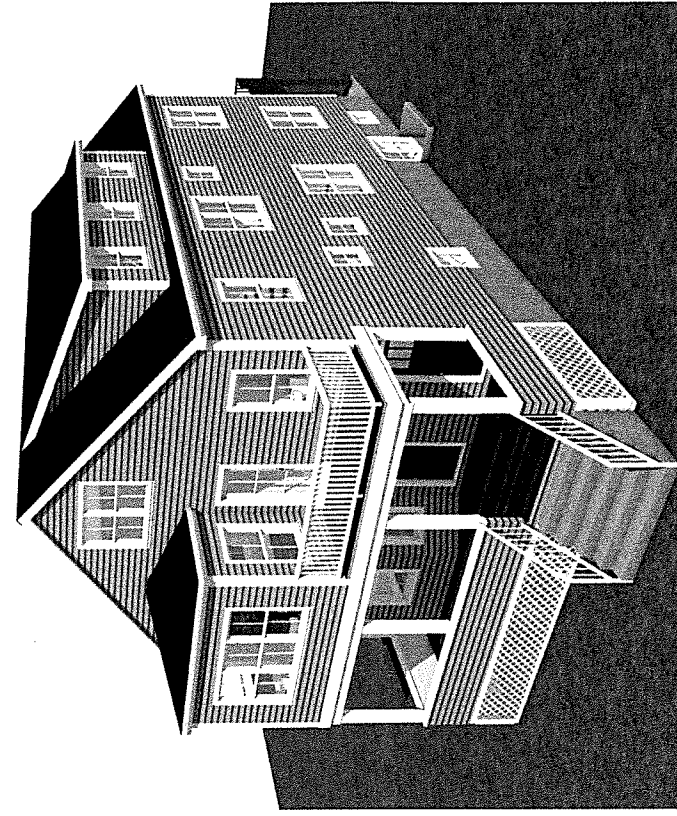
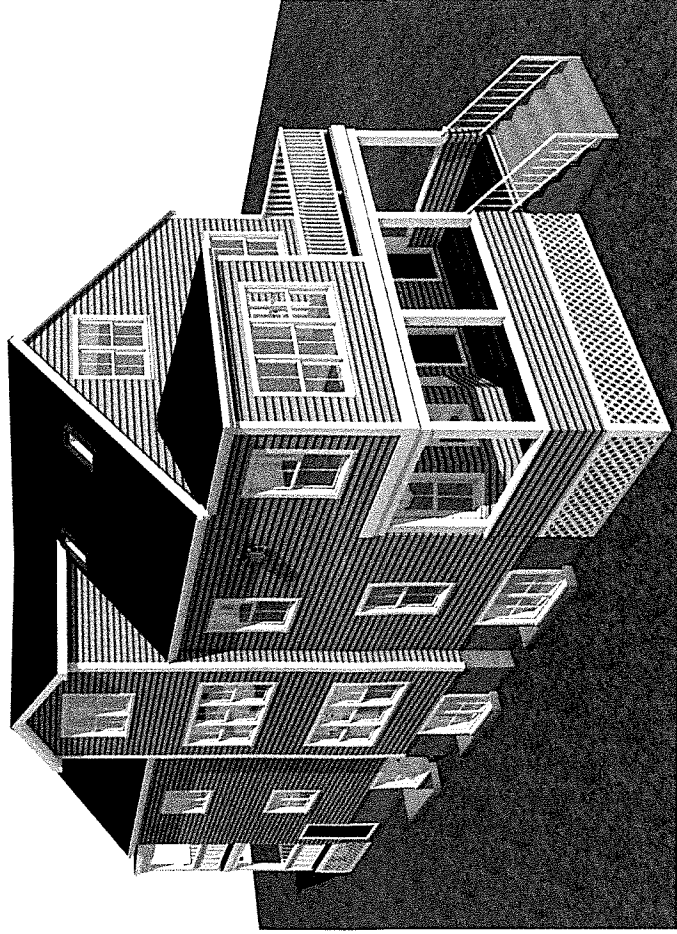
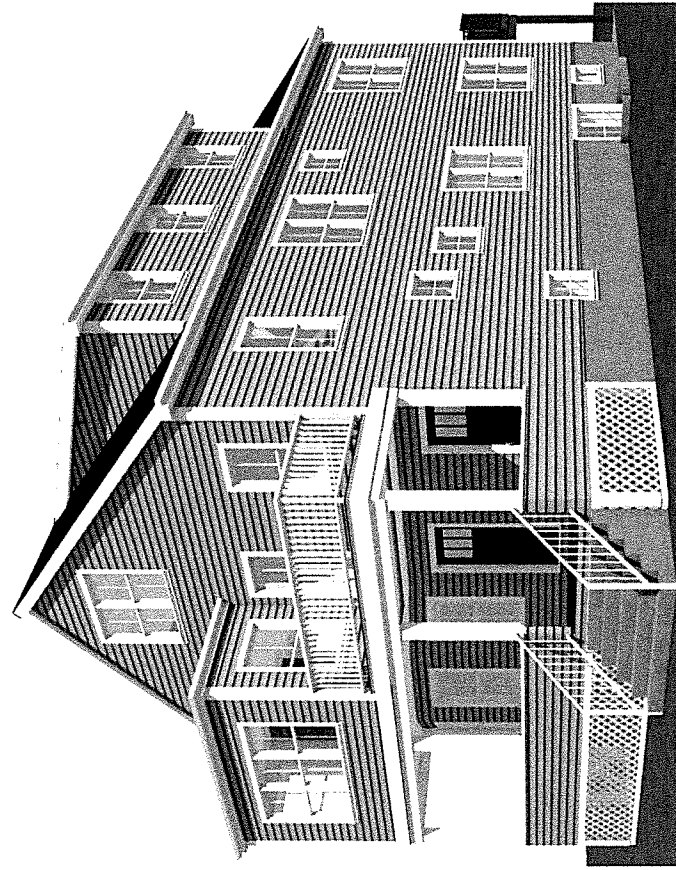
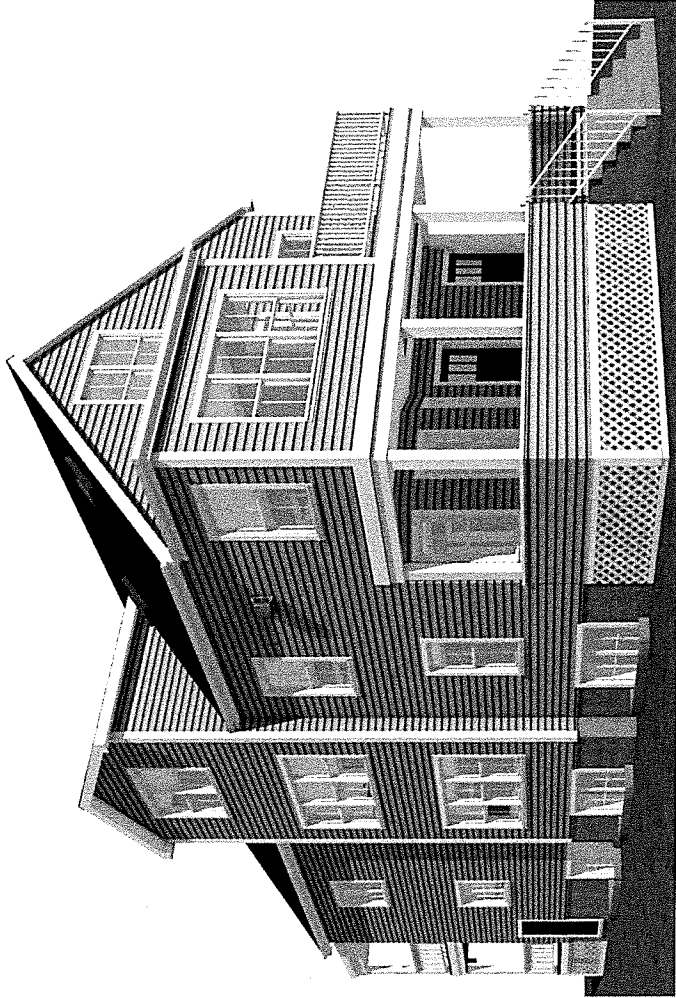
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PREPARED FOR:

AYSE O AY TAR

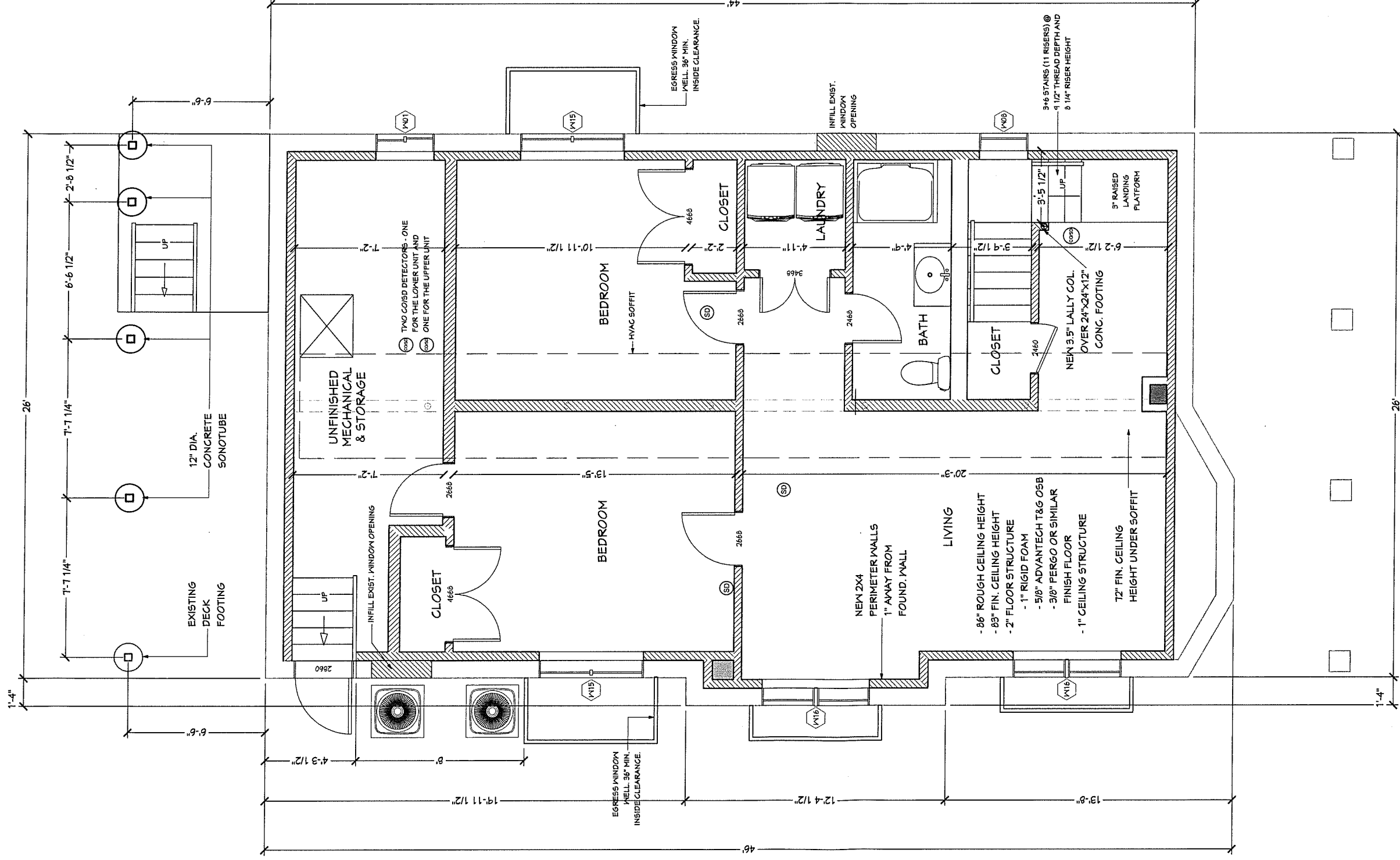
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Proposed Remodel of 70-72 Oxford St, Arlington MA 02474




BUILDING SQUARE FOOTAGE

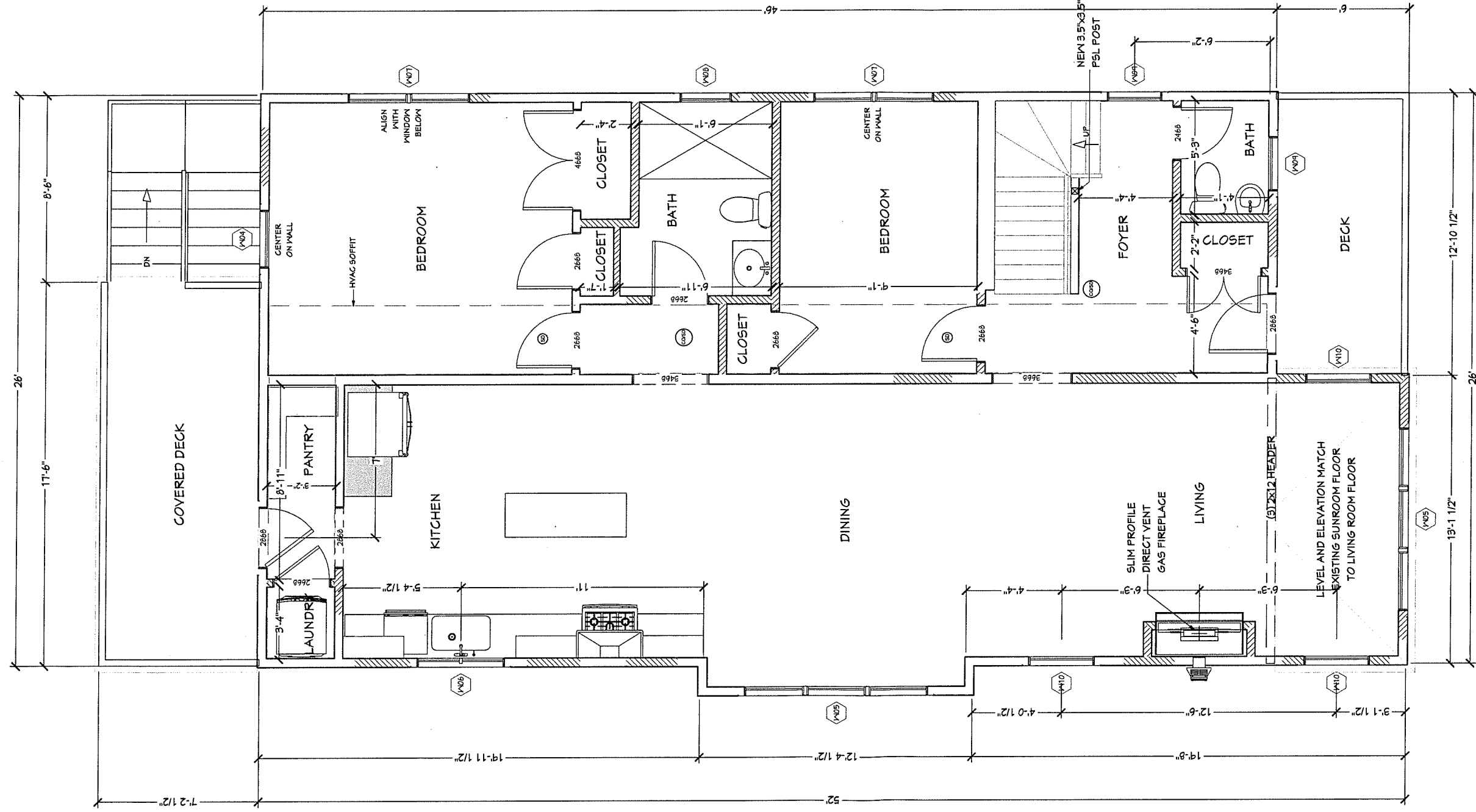
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FIRST	1,180	1,180	314
SECOND	1,290	1,290	203
ATTIC	591	867	0
TOTAL	4,241	4,197	517



BASEMENT FLOOR PLAN


A 3/16" = 1'

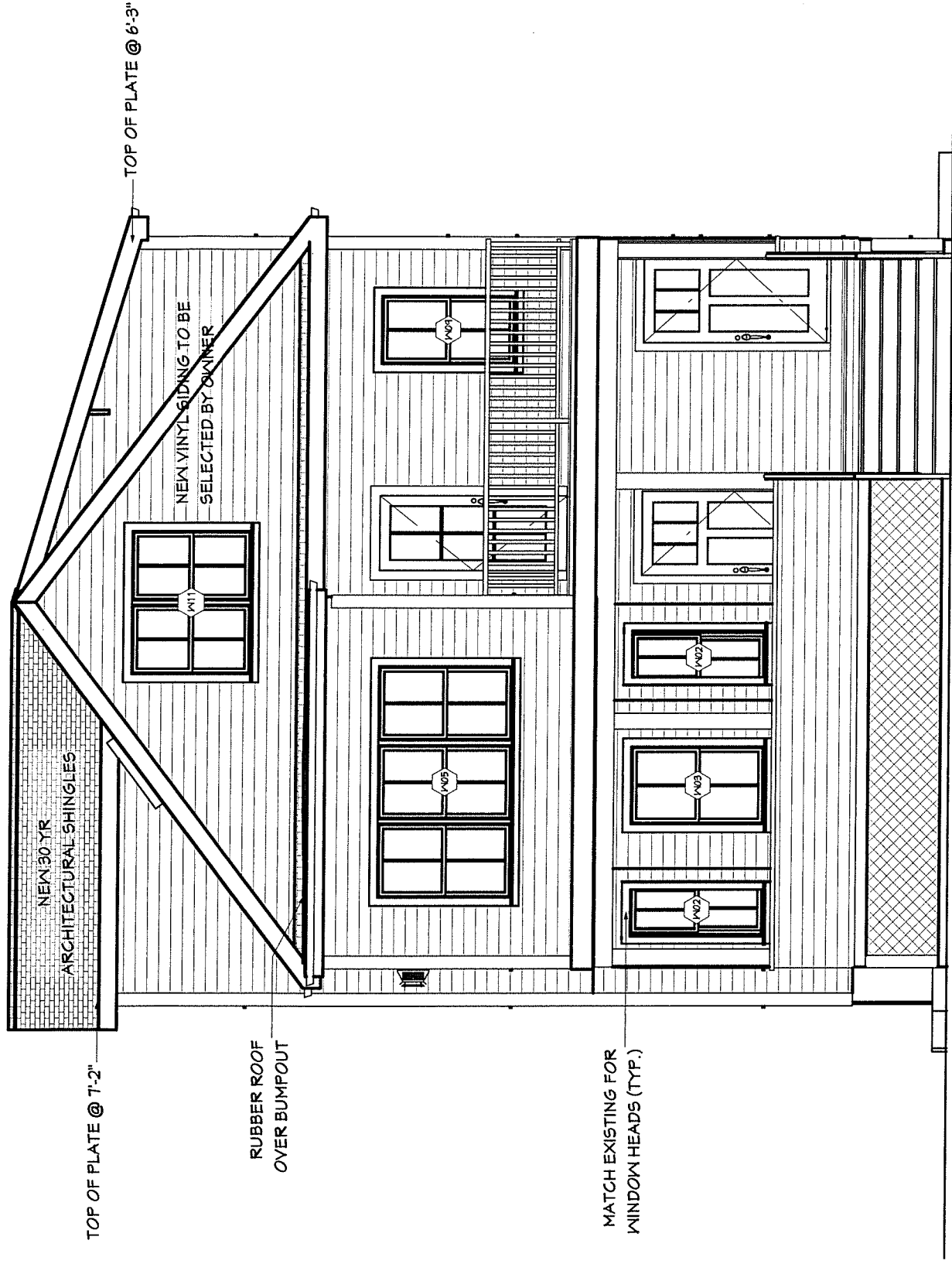
 MDS Design - Custom Homes -	19 Cabot St. Winchester, MA 01890 617 - 872 - 4497 contact@mdsdesign.com	REMODEL OF EXISTING TWO-FAMILY RESIDENCE 70-72 OXFORD ST ARLINGTON, MA 02474		Basement Plan	DATE: 7/20/22	SHEET: 2
					SCALE: AS NOTED	



SECOND FLOOR PLAN

A 3/16" = 1'

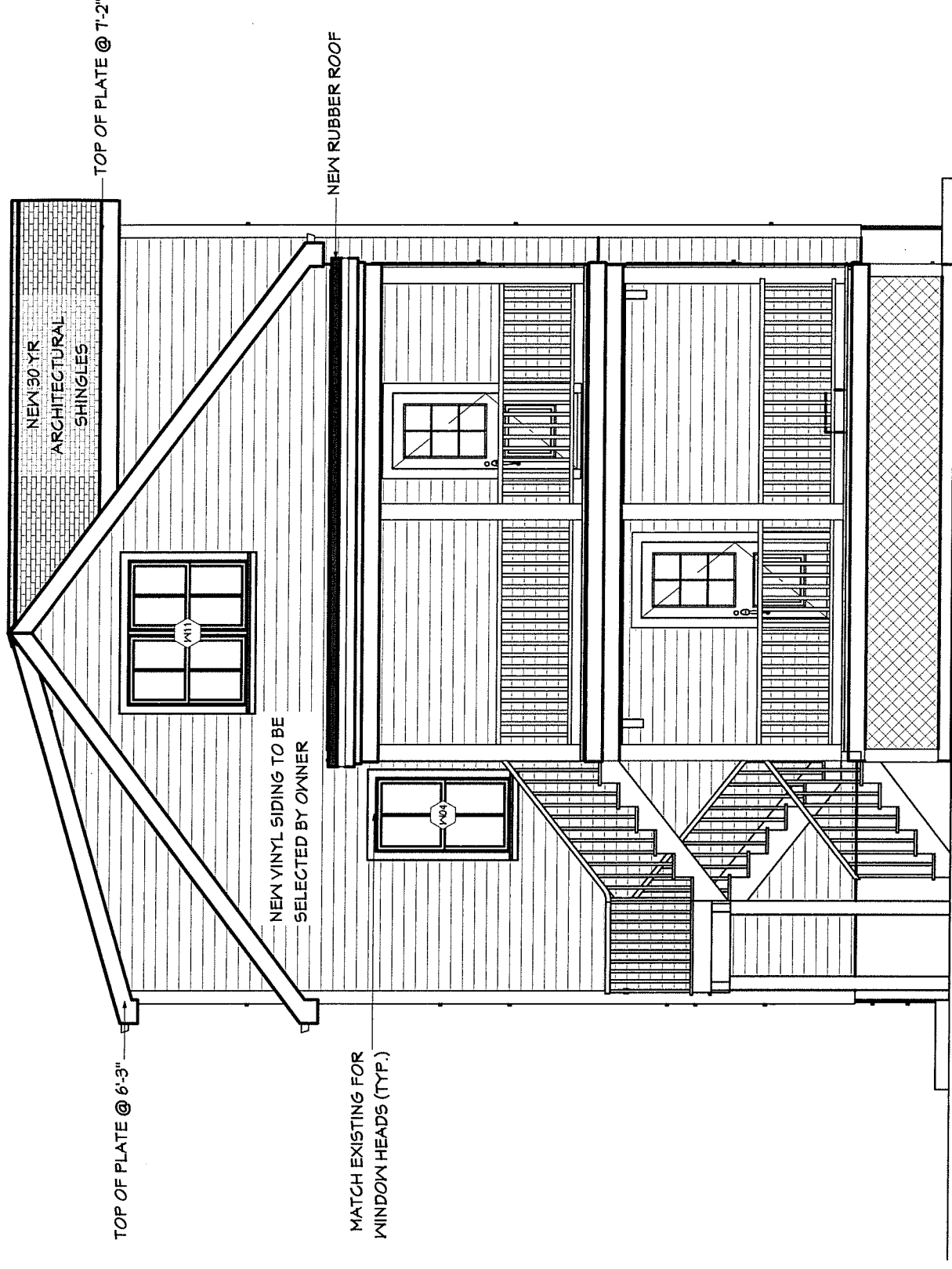
 MDS Design - Custom Homes -	REMODEL OF EXISTING TWO-FAMILY RESIDENCE 70-72 OXFORD ST ARLINGTON, MA 02474		Second Floor Plan	DATE: 7/20/22	SHEET: 4
				SCALE: AS NOTED	



FRONT ELEVATION

A

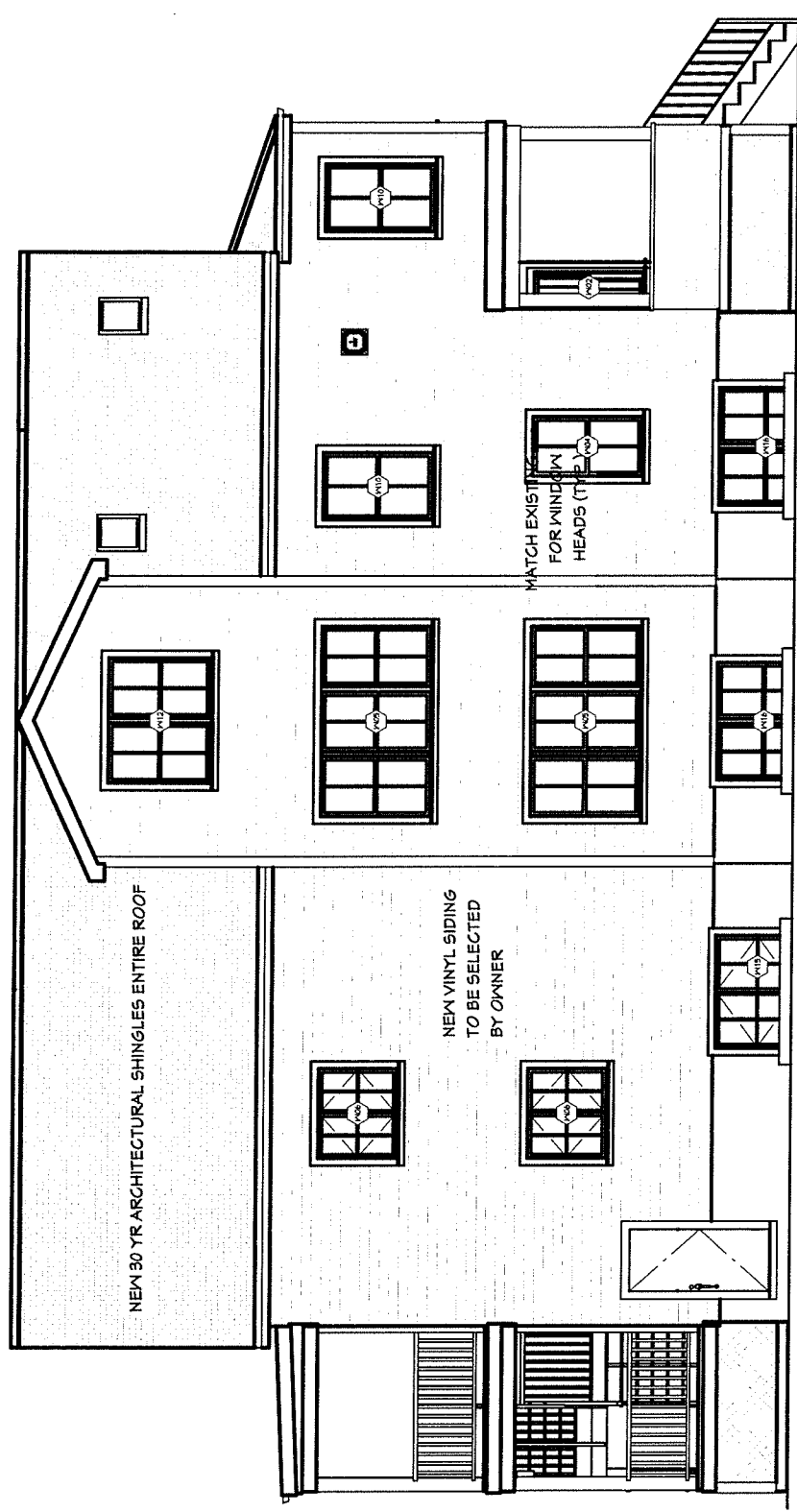
3/16" = 1'



REAR ELEVATION

B

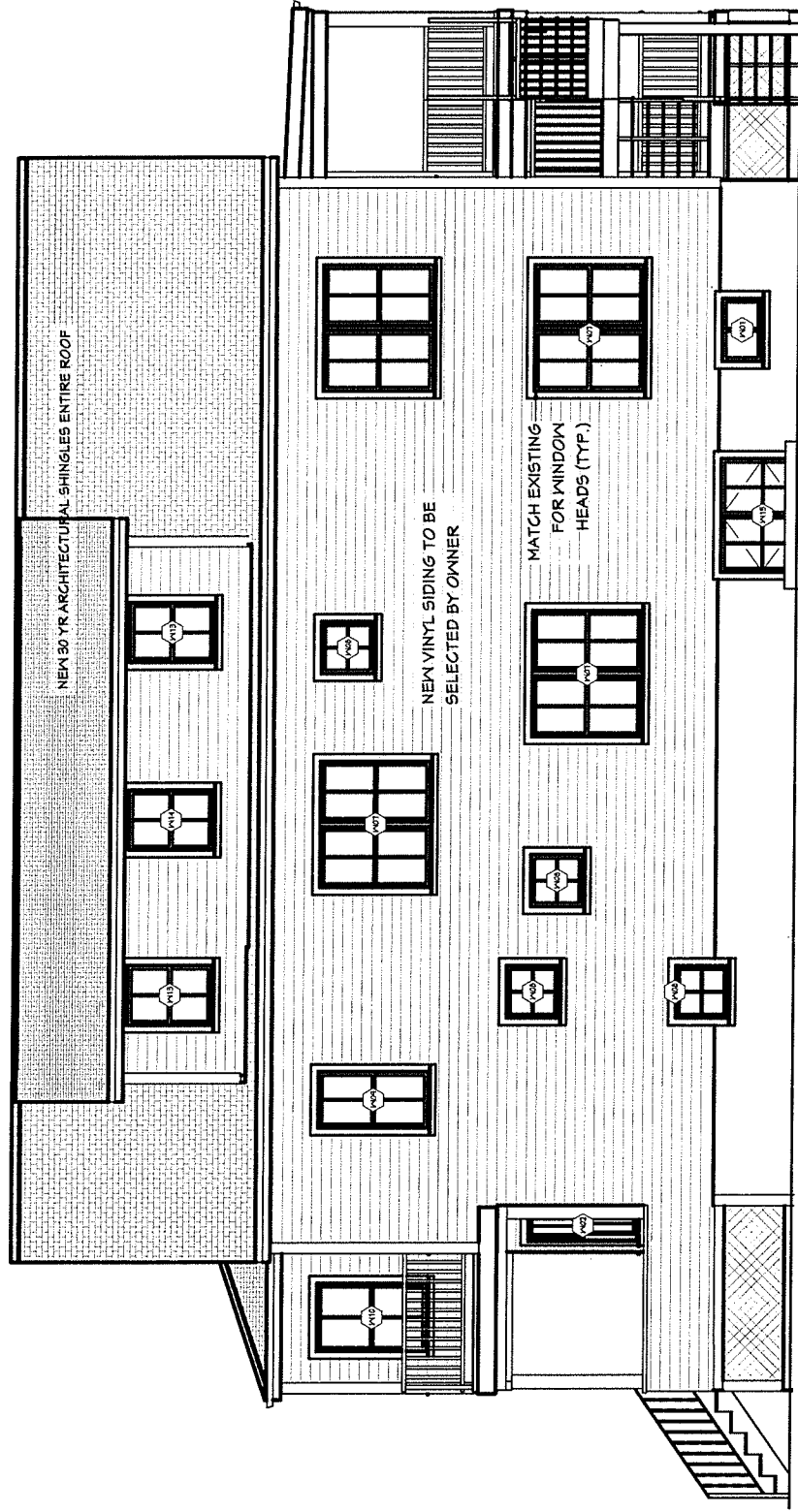
3/16" = 1'



LEFT ELEVATION

A

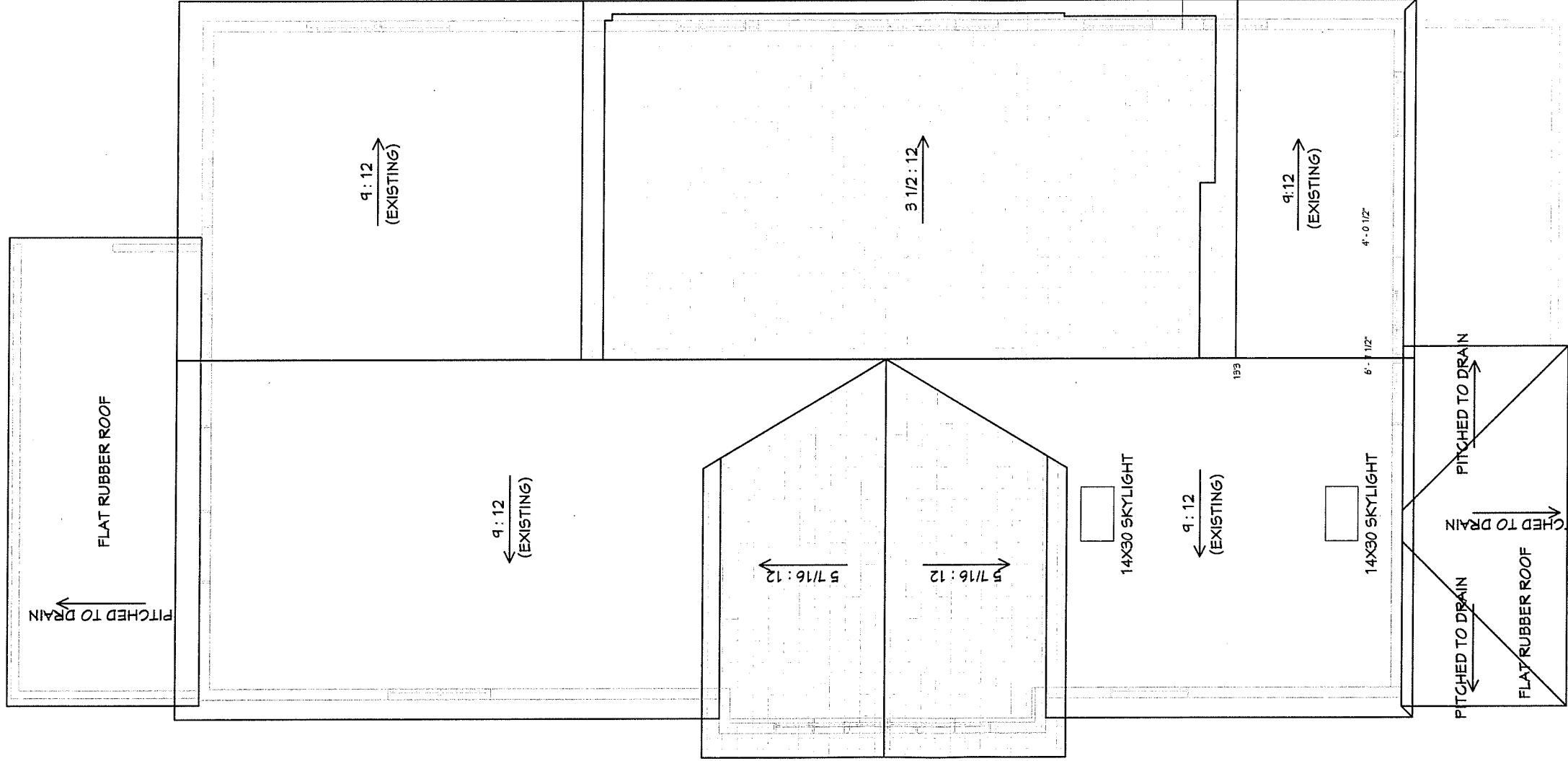
1/8" = 1'




RIGHT ELEVATION

B

1/8" = 1'



ROOF PLAN
A $\frac{3}{16}'' = 1'$

 MDS Design - Custom Homes -	19 Cabot St. Winchester, MA 01890 617 - 872 - 4497 contact@mdsdesign.com	REMODEL OF EXISTING TWO-FAMILY RESIDENCE 70-72 OXFORD ST ARLINGTON, MA 02474		Roof Plan	DATE: 7/20/22	SHEET: 8
					SCALE: AS NOTED	