



TOWN OF ARLINGTON
DEPARTMENT OF PLANNING and
COMMUNITY DEVELOPMENT

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MEMORANDUM

To: Zoning Board of Appeals
From: Marisa Lau, Senior Planner, Dept. of Planning and Community Development
Date: 5/23/2023
RE: Docket 3750 – 20 Martin Street; Variance under Zoning Bylaw Section 5.4.2
(Dimensional and Density Requirements)

The applicants, Asha Sharma and Albin Anthony, seek a Variance in accordance with Section 5.4.2 (Dimensional and Density Requirements) of the Zoning Bylaw. The applicants propose to construct a 505-square foot dormer addition to a single-family home for additional living space. The proposal would result in an increase in square footage from 1,931 to 2,104 square feet (+173 SF). Lot coverage would not increase under the proposal.

The structure is in the R1 zoning district and is nonconforming with the Zoning Bylaw's lot size, frontage, front yard, and usable open space requirements. The applicant is not increasing the footprint or height of the existing structure.

Per the definition of a half story in Section 2 (Definitions) of the Zoning Bylaw, "less than one half of the floor area measured from the underside of the roof framing to the finished floor below has a clear height of 7 feet 0 inches or more" where "the floor area is measured relative to the gross floor area of the story next below excluding porches and decks". Depending on the dimensions of the finished floor area of the third story, the proposal may create a new nonconformity. The addition would not increase any of the other nonconformities of the existing structure.

The following is an application of the Variance criteria (M.G.L. c. 40 §A.10):

Criterion #1: Soil Conditions, Shape, or Topography

The soil conditions, shape, or topography of the lot do not limit opportunities for expansion in a manner that conforms to the current dimensional requirements.

Criterion #2: Hardship

Although the slope of the lot limits opportunities for expansion into the side and rear yards, it is likely the proposal could be revised to comply with the dimensional requirements. However, substantial modifications to the existing structure may be necessary, which could be cost prohibitive.

Criterion #3: Without Substantial Detriment to the Public Good

Based on the definition of a half story, a 481-square foot dormer addition would be allowed by right. A 505-square foot dormer would be in character with the abutting homes. This property can accommodate the addition without compromising the public good.

Criterion #4: Without Nullifying or Substantially Derogating From the Intent

This proposal is consistent with the intent of the R1 Zoning District.

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



Summary of Analysis:

The Department of Planning and Community Development (DPCD) maintains that this proposal does not meet criterion #1. Additionally, it is unclear whether the proposal meets criterion #2.