




Variance Permit Application (ZBA)**Applicant****Primary Location****V-23-1**

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40 DOROTHY RD
 Arlington, MA 02474

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Special Permit Criteria

Describe the circumstances relating to the soil conditions, shape, or topography especially affecting such land or structures but not affecting generally the Zoning District in which it is located that would substantiate the granting of a Variance.

We are requesting two variances for a net-zero ADU to be used as an affordable rental unit at 40-42 Dorothy Rd. This is related to our **special permit application SP-23-1** and is due to the fact the the property in question is a corner lot.

Variance 1: This is a corner lot and we are seeking a variance to place a parking driveway on the 'front yard' to replace the existing garage (will be demolished to build the ADU) that faces Parker St (dead-end street)

Variance 2: The ADU's gross floor area is 1008 sqft and exceeds the 900sqft in the zoning bylaw. We need the larger gross floor area to achieve our net-zero objectives with thicker exterior walls that have ~10" of insulation and to also meet the internal living space requirements.

Describe how a literal enforcement of the provisions of the Zoning Bylaw, specifically relating to the circumstances affecting the land or structure noted above, would involve substantial hardship, financial or otherwise, to the Petitioner or Appellant.

A literal enforcement of the provisions will create hardship in creating a net-zero affordable ADU which will further Arlington's objectives as listed in zoning bylaw 5.9.2. Without **variance 1** for the parking, we will be unable to solve for the zoning requirement to provide one parking spot per primary dwelling unit. Without **variance 2**, we will be unable to meet our net-zero energy requirements and satisfy the state's requirements for appropriate sizes for living and bedroom spaces.

Describe how desirable relief may be granted without substantial detriment to the public good.

The property already has an existing garage and parking on the 'front yard' on Parker St and replacing it with a driveway that is more concealed is beneficial for curb appeal. Additionally, the property across the street at 36 Dorothy Rd has a similar parking arrangement.

The variance for the ADU size will enable the Town of Arlington via the Housing Corporation of Arlington to increase the quality and supply of net-zero affordable housing.

Describe how desirable relief may be granted without nullifying or substantially derogating from the intent or purpose of the Zoning Bylaw of the Town of Arlington, Massachusetts.

The requested variances are minor in scale and scope and are related to the construction of a new ADU for affordable rental. We believe that granting these variances do not nullify the intent or purpose of the zoning bylaw and will be understood by the public as necessary due to the unique nature of the lot in question and the objectives of increasing net-zero affordable housing supply.

State Law (MGL Chapter 40a, Section 10) requires that the Zoning Board of Appeals must find that all four (4) criteria are met in order to be authorized to grant a Variance. If any one of the standards is not met, the Board must deny the Variance.

Dimensional and Parking Information

Present Use/Occupancy	Proposed Use/Occupancy
R2	R2
Existing Number of Dwelling Units	Proposed Number of Dwelling Units
2	3
Existing Gross Floor Area (Sq. Ft.)	Proposed Gross Floor Area (Sq. Ft.)
4483	4986
Existing Lot Size (Sq. Ft.)	Proposed Lot Size (Sq. Ft.)
4874	4874
Minimum Lot Size required by Zoning	Existing Frontage (ft.)
6000	139
Proposed Frontage (ft.)	Minimum Frontage required by Zoning
139	60
Existing Floor Area Ratio	Proposed Floor Area Ratio
0.91	1.02
Max. Floor Area Ratio required by Zoning	Existing Lot Coverage (%)
1	92

Proposed Lot Coverage (%)	Max. Lot Coverage required by Zoning
102	35
Existing Lot Area per Dwelling Unit (Sq. Ft.)	Proposed Lot Area per Dwelling Unit (Sq. Ft.)
2437	1624
Minimum Lot Area per Dwelling Unit required by Zoning	Existing Front Yard Depth (ft.)
0	21.75
Proposed Front Yard Depth (ft.)	Minimum Front Yard Depth required by Zoning
21.75	20
Existing Left Side Yard Depth (ft.)	Proposed Left Side Yard Depth (ft.)
5.3	3
Minimum Left Side Yard Depth required by Zoning	Existing Right Side Yard Depth (ft.)
6	0
Proposed Right Side Yard Depth (ft.)	Minimum Right Side Yard Depth required by Zoning
0	0
Existing Rear Yard Depth (ft.)	Proposed Rear Yard Depth (ft.)
23	0
Minimum Rear Yard Depth required by Zoning	Existing Height (stories)
6	2.5
Proposed Height (stories)	Maximum Height (stories) required by Zoning
2	2.5
Existing Height (ft.)	Proposed Height (ft.)
30	23
Maximum Height (ft.) required by Zoning	For additional information on the Open Space requirements, please refer to Section 2 of the Zoning Bylaw (https://www.arlingtonma.gov/town-governance/laws-and-regulations/zoning-bylaws#:~:text=Download%20the%20Entire%20Zoning%20Bylaw).
20	
Existing Landscaped Open Space (Sq. Ft.)	Proposed Landscaped Open Space (Sq. Ft.)
906	720
Existing Landscaped Open Space (% of GFA)	Proposed Landscaped Open Space (% of GFA)
20	15
Minimum Landscaped Open Space (% of GFA) required by Zoning	Existing Usable Open Space (Sq. Ft.)
10	1340
Existing Usable Open Space (% of GFA)	Proposed Usable Open Space (Sq. Ft.)
30	1480
Minimum Usable Open Space required by Zoning	Proposed Usable Open Space (% of GFA)
30	30
Proposed Number of Parking Spaces	Existing Number of Parking Spaces
2	2
Existing Parking area setbacks	Minimum Number of Parking Spaces required by Zoning
0	2
Minimum Parking Area Setbacks required by Zoning	Proposed Parking area setbacks
0	0
Proposed Number of Loading Spaces	Existing Number of Loading Spaces
0	0
Existing Slope of proposed roof(s) (in. per ft.)	Minimum Number of Loading Spaces required by Zoning
4	0
	Proposed Slope of proposed roof(s) (in. per ft.)
	1

Minimum Slope of Proposed Roof(s) required by Zoning

1

Existing type of construction

Type V

Proposed type of construction

Type V

Open Space Information**Existing Total Lot Area**

4874

Proposed Total Lot Area

4874

Existing Open Space, Usable

1340

Proposed Open Space, Usable

1480

Existing Open Space, Landscaped

906

Proposed Open Space, Landscaped

720

Gross Floor Area Information**Accessory Building, Existing Gross Floor Area**

505

Accessory Building, Proposed Gross Floor Area

1008

Basement or Cellar, Existing Gross Floor Area

1242

Basement or Cellar, Proposed Gross Floor Area

1242

1st Floor, Existing Gross Floor Area

1260

New Field

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1st Floor, Proposed Gross Floor Area

1260

2nd Floor, Existing Gross Floor Area

1284

2nd Floor, Proposed Gross Floor Area

1284

3rd Floor, Existing Gross Floor Area

0

3rd Floor, Proposed Gross Floor Area

0

4th Floor, Existing Gross Floor Area

0

4th Floor, Proposed Gross Floor Area

0

5th Floor, Existing Gross Floor Area

0

5th Floor, Proposed Gross Floor Area

0

Attic, Existing Gross Floor Area

0

Attic, Proposed Gross Floor Area

0

Parking Garages, Existing Gross Floor Area

0

Parking Garages, Proposed Gross Floor Area

0

All weather habitable porches and balconies, Existing Gross Floor Area

192

All weather habitable porches and balconies, Proposed Gross Floor Area

192

Total Existing Gross Floor Area

4483

Total Proposed Gross Floor Area

4986