



SP-24-1

Special Use Permit
Application (ZBA)

Status: Active

Submitted On: 1/23/2024

Primary Location

9 MORTON RD
Arlington, MA 02476

Owner

GREGORIO ANTHONY J;
GREGORIO KATHARINE M
9 MORTON ROAD
ARLINGTON, MA 02476

Applicant

 Kate Gregorio
 +1 315-382-0559
 @ katemgregorio@gmail.com
 9 Morton Rd
Arlington, MA 02476

Special Permit Criteria

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.*

Sections 5.3.13 and 5.9.2

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

The primary use will be as an extended office space for the current occupants of the existing home, reducing traffic and emissions required for commuting to an office elsewhere. Secondary use will be as a living space for one of our parents, should they fall ill or unable to care for themselves, allowing our parents to age in place with us.

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

Neither the primary or secondary use would include any additional vehicles, and would in fact reduce traffic congestion. As far as pedestrian safety, the access point will be through our primary home's back door -- which should not impact public pedestrian traffic in any way.

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.*

Our home currently houses 4 occupants in 4 bedrooms. This additional structure would not increase the occupancy unless one of our parents moves in, in which case the occupancy for the entire property would remain capped at 5 people, which is well within the load intended for a single family house in R1 zoning.

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.*

Section 8.1.6 : Reduction or Increase

We are requesting a variance in setback regulations, from 6 feet to 3.5 feet. Our property boundary has a unique shape which tapers toward the back, and has a number of mature trees/plantings that result in limited space available for construction. The irregular shape of our lot restricts our ability to meet the standard 6' setbacks required by the Zoning Bylaw.

Strict enforcement of the 6' setbacks would create substantial hardship for our plans. Adhering to these setback requirements would force us to significantly reduce the size of the accessory dwelling unit or even prevent us from constructing it altogether. This reduction in living space could negatively impact the functionality and long-term usability of the ADU.

Granting this variance would not be detrimental to the public good. The proposed ADU will comply with all other aspects of the Zoning Bylaw, including height, lot coverage, and design standards. Furthermore, it aligns with the town's encouragement of ADU development (Section 5.9.2 A). Our neighbors have expressed support for the project, and we have taken steps to ensure that the ADU's design is in harmony with the surrounding properties.

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.*

The main purpose of the setback requirements is to ensure adequate spacing between structures for safety and aesthetics. The proposed "ADU" structure will maintain a reasonable distance from adjacent properties and will not compromise safety or the aesthetic character of the neighborhood. Additionally, it supports the town's policy to promote accessory dwelling units as a means to address housing needs while respecting the existing neighborhood context.

In more detail:

- We will still have 3.5'+ setbacks on all sides which is more than some other ADUs in Arlington (which have either been granted Variance Permits or Special Use Permits).
- Many of our neighbors have out-buildings within 3' of our property lines.
- This structure would still be more than 100' away from any other dwellings due to the lot sizes of the neighboring properties.
- Most neighbors wouldn't be able to see it at all due to the trees and privacy property fence already in place.

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 primary use will be as an extended office space for the current occupants of the existing home. Secondary use will be as a living space for one of our parents, should they fall ill or unable to care for themselves. Neither of these use cases will substantially impact the number of occupants of the property as a whole, or change the character of how we use our property in any way.

Dimensional and Parking Information

Present Use/Occupancy *

SF Residential

Proposed Use/Occupancy *

Residential

Existing Number of Dwelling Units*

1

Proposed Number of Dwelling Units*

2

Existing Gross Floor Area (Sq. Ft.)*

2250

Proposed Gross Floor Area (Sq. Ft.)*

2450

Existing Lot Size (Sq. Ft.)*

7744

Proposed Lot Size (Sq. Ft.)* 

7744

Minimum Lot Size required by Zoning*

6000

Existing Frontage (ft.)*

80

Proposed Frontage (ft.)*

80

Minimum Frontage required by Zoning*

60

Existing Floor Area Ratio*

0.29

Proposed Floor Area Ratio*

0.31

Max. Floor Area Ratio required by Zoning*

0.35

Existing Lot Coverage (%)*

0.145

Proposed Lot Coverage (%)*

0.158

Max. Lot Coverage required by Zoning*

0.35

Existing Lot Area per Dwelling Unit (Sq. Ft.)*

7740

Proposed Lot Area per Dwelling Unit (Sq. Ft.)*

3872

Minimum Lot Area per Dwelling Unit required by Zoning*

0

Existing Front Yard Depth (ft.)*

30

Proposed Front Yard Depth (ft.)*

30

Minimum Front Yard Depth required by Zoning*

0

Existing Left Side Yard Depth (ft.)*

0

Proposed Left Side Yard Depth (ft.)*

3.5

Minimum Left Side Yard Depth required by Zoning*

6

Existing Right Side Yard Depth (ft.)*

0

Proposed Right Side Yard Depth (ft.)*

3.5

Minimum Right Side Yard Depth required by Zoning*

6

Existing Rear Yard Depth (ft.)*

0

Proposed Rear Yard Depth (ft.)*

3.5

Minimum Rear Yard Depth required by Zoning*

6

Existing Height (stories)

0

Proposed Height (stories)*

1

Maximum Height (stories) required by Zoning*

2.5

Existing Height (ft.)*

0

Proposed Height (ft.)*

10

Maximum Height (ft.) required by Zoning*

35

For additional information on the Open Space requirements, please refer to Section 2 of the Zoning Bylaw.

Existing Landscaped Open Space (Sq. Ft.)*	Proposed Landscaped Open Space (Sq. Ft.)*
5780	5580
Existing Landscaped Open Space (% of GFA)*	Proposed Landscaped Open Space (% of GFA)*
74	72
Minimum Landscaped Open Space (% of GFA) required by Zoning*	Existing Usable Open Space (Sq. Ft.)*
0	4875
Proposed Usable Open Space (Sq. Ft.)*	Existing Usable Open Space (% of GFA)*
4409	63
Proposed Usable Open Space (% of GFA)*	Minimum Usable Open Space required by Zoning*
57	0
Existing Number of Parking Spaces*	Proposed Number of Parking Spaces*
4	4
Minimum Number of Parking Spaces required by Zoning*	Existing Parking area setbacks
0	0
Proposed Parking area setbacks *	Minimum Parking Area Setbacks required by Zoning*
0	0

Existing Number of Loading Spaces

0

Proposed Number of Loading Spaces*

0

Minimum Number of Loading Spaces required by Zoning*

0

Existing Slope of proposed roof(s) (in. per ft.)*

0

Proposed Slope of proposed roof(s) (in. per ft.)*

0.2

Minimum Slope of Proposed Roof(s) required by Zoning*

0

Existing type of construction*

0

Proposed type of construction*

V

Open Space Information

Existing Total Lot Area*

7740

Proposed Total Lot Area*

7740

Existing Open Space, Usable*

4875

Proposed Open Space, Usable*

4409

Existing Open Space, Landscaped*

5780

Proposed Open Space, Landscaped*

5580

Gross Floor Area Information

Accessory Building, Existing Gross Floor Area

0

Accessory Building, Proposed Gross Floor Area

200

Basement or Cellar, Existing Gross Floor Area ?

1125

Basement or Cellar, Proposed Gross Floor Area

1125

1st Floor, Existing Gross Floor Area

1125

New Field

—

1st Floor, Proposed Gross Floor Area

1125

2nd Floor, Existing Gross Floor Area

—

2nd Floor, Proposed Gross Floor Area

—

3rd Floor, Existing Gross Floor Area

—

3rd Floor, Proposed Gross Floor Area

—

4th Floor, Existing Gross Floor Area

—

4th Floor, Proposed Gross Floor Area

—

5th Floor, Existing Gross Floor Area

—

5th Floor, Proposed Gross Floor Area

—

Attic, Existing Gross Floor Area ?

—

Attic, Proposed Gross Floor Area

—

Parking Garages, Existing Gross Floor Area ?

—

Parking Garages, Proposed Gross Floor Area

—

All weather habitable porches and balconies,
Existing Gross Floor Area

—

All weather habitable porches and balconies,
Proposed Gross Floor Area

—

Total Existing Gross Floor Area

2250



Total Proposed Gross Floor Area

2450

