

III. NEW BUSINESS

- A.** The request of **Angela Davis and Katherine Nolte (Owners)**, for property located at **276 Aldrich Road** whereas relief is needed to construct a 5 foot by 4 foot landing which requires the following: 1) Variance from Section 10.521 to allow a) 3 foot secondary front yard where 30 feet is required; and b) 35% building coverage where 20% is allowed. 2) Variance from Section 10.321 to allow a nonconforming building or structure to be extended, reconstructed, or enlarged without conforming to the requirements of the Ordinance. Said property is located on Assessor Map 116 Lot 14 and lies within the Single Residence B (SRB) District. (LU-23-29)

Existing & Proposed Conditions

	<u>Existing</u>	<u>Proposed</u>	<u>Permitted / Required</u>
<u>Land Use</u>	Single family	Construct a porch	Primarily residential
<u>Lot area (sq. ft.):</u>	4,792	4,792	15,000 min.
<u>Lot Area per Dwelling Unit (sq. ft.):</u>	4,792	4,792	15,000 min.
<u>Lot depth (ft.):</u>	100	100	100 min.
<u>Street Frontage (ft.):</u>	150	150	100 min.
<u>Aldrich Front Yard (Primary)(ft.):</u>	25	25	30 min.
<u>Seawall Rd Front Yard (Secondary) (ft.):</u>	7.5 (previously granted)	3	30 min.
<u>Left Yard (ft.):</u>	7.5 (previously granted)	7.5	10 min
<u>Rear Yard (ft.):</u>	26	26	30 min.
<u>Height (ft.):</u>	<35	<35	35 max.
<u>Building Coverage (%):</u>	33 (previously granted)	35	20 max.
<u>Open Space Coverage (%):</u>	>40	>40	40 min.
<u>Parking:</u>	2	2	2
<u>Estimated Age of Structure:</u>	1910	Variance request(s) shown in red.	

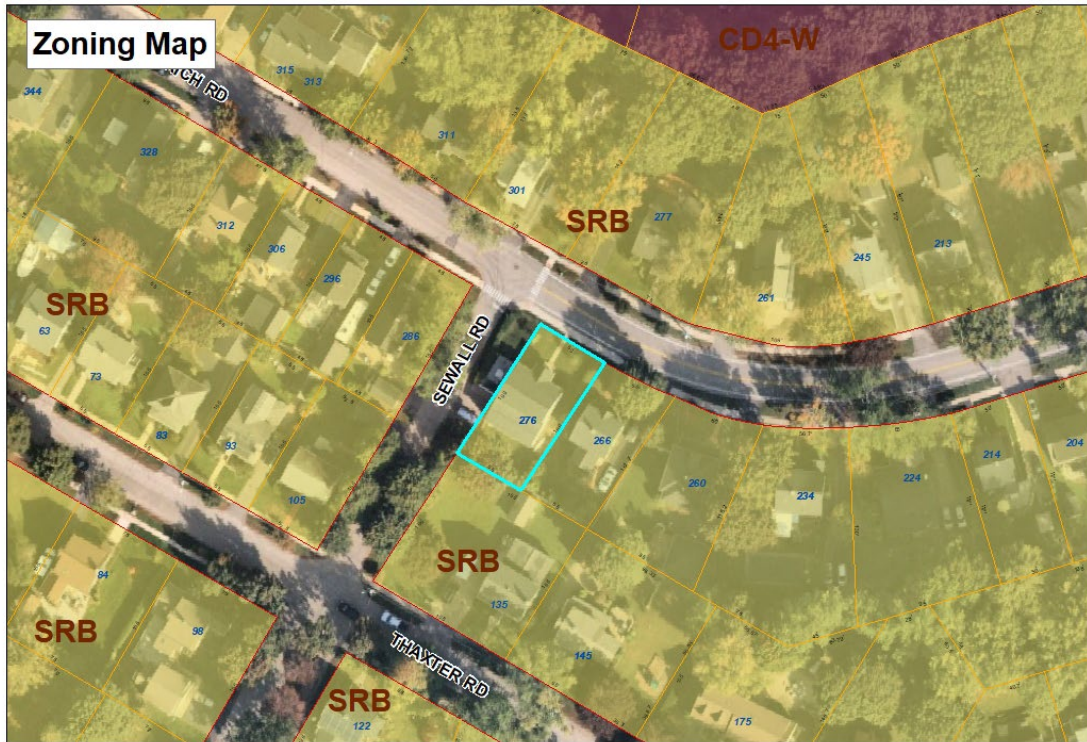
Other Permits/Approvals Required

- Building Permit

Neighborhood Context



Aerial Map



Zoning Map

0 35 70 140 Feet
1 inch = 66.7 feet

276 Aldrich Road



Planning Department Comments

The applicants are seeking to construct a 5' by 4' landing on the right side of the house. The house is nonconforming on the side and secondary front off of Sewall Road. The front yard is compliant per Section 10.516.10 for existing alignments of the averaging of houses within 200 feet on the same side of the street. The new porch will result in 35% building coverage where 20% is the maximum. On May 24, 2022 the applicants obtained relief for a new front porch which is currently under construction.

Review Criteria

This application must meet all five of the statutory tests for a **variance** (see Section 10.233 of the Zoning Ordinance):

1. *Granting the variance would not be contrary to the public interest.*
2. *Granting the variance would observe the spirit of the Ordinance.*
3. *Granting the variance would do substantial justice.*
4. *Granting the variance would not diminish the values of surrounding properties.*
5. *The "unnecessary hardship" test:*
 - (a) *The property has special conditions that distinguish it from other properties in the area.*
AND
 - (b) *Owing to these special conditions, a fair and substantial relationship does not exist between the general public purposes of the Ordinance provision and the specific application of that provision to the property; and the proposed use is a reasonable one.*
OR
Owing to these special conditions, the property cannot be reasonably used in strict conformance with the Ordinance, and a variance is therefore necessary to enable a reasonable use of it.

10.235 Certain Representations Deemed Conditions

Representations made at public hearings or materials submitted to the Board by an applicant for a special exception or variance concerning features of proposed buildings, structures, parking or uses which are subject to regulations pursuant to Subsection 10.232 or 10.233 shall be deemed conditions upon such special exception or variance.

276 Aldrich Rd.

Written Statement for Variances

We are proposing the construction of new stairs with landing to access the side of our home. This construction would consist of 6 stairs from the existing patio to a 61" x 48" landing to the entrance of the side of the home. The reason for our request to increase the landing larger than the maximum 36' requirement is to catch the 2 existing foundations with the support posts as shown in the attached drawing, eliminating the need to have posts and footings in the drive and walkways creating safety hazards. Also, due to being a corner home, this side entry is our main entry into the home. We are requesting relief and variances of secondary front yard and side yard set-backs as well as building coverage. We have improved and maintained the large easement/right of way on the corner of Aldrich and Sewall since owning our property in 2017. We would like you to consider the large easement when evaluating our relief of set-backs on the secondary front yard and building coverage.

10.233.21 The variance will not be contrary to the public interest: The side stairs and landing would not impede on abutting neighbors. Also, it would not alter the character of the neighborhood.

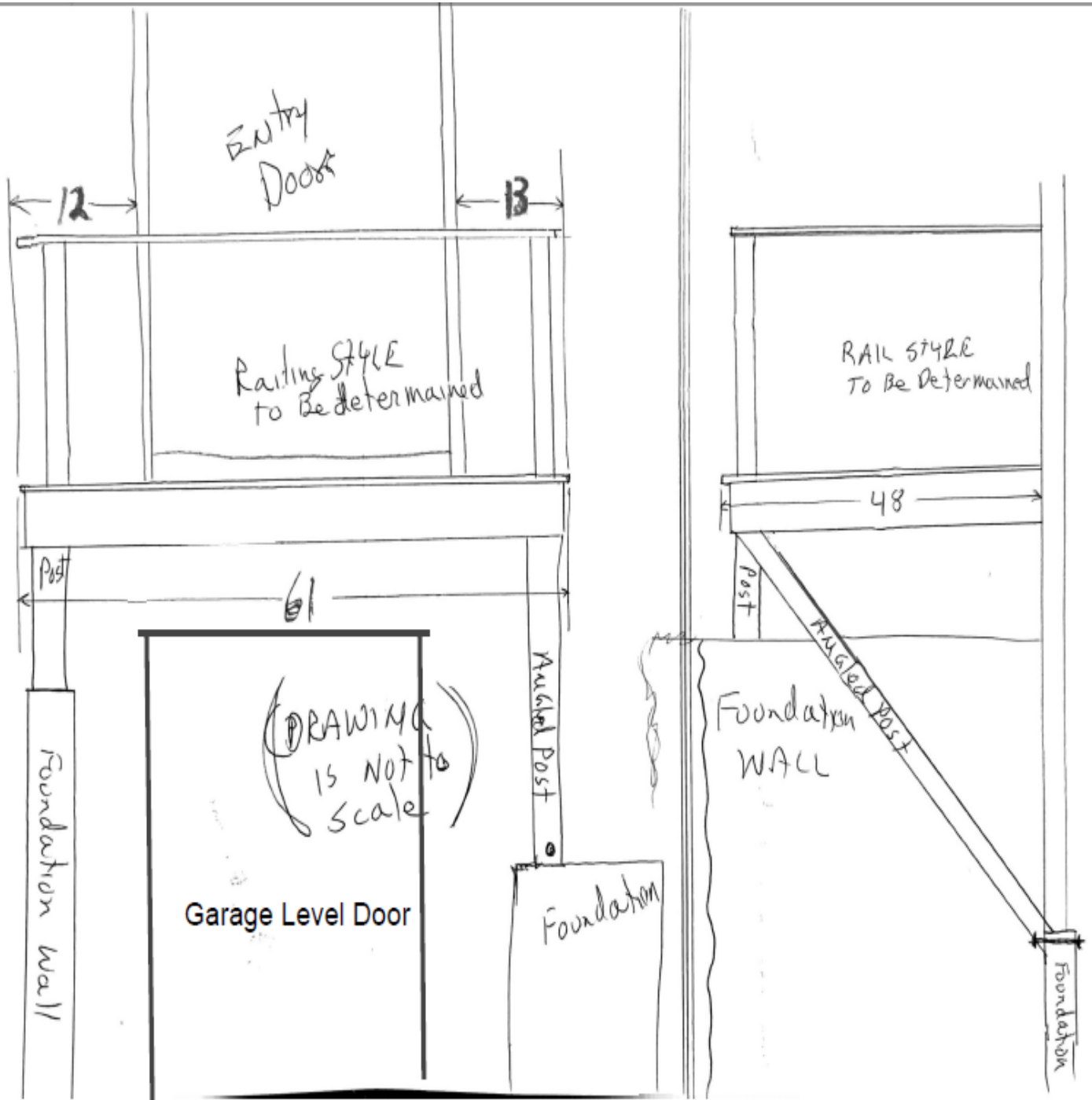
10.233.22 The spirit of the Ordinance will be observed: The new side stairs and landing would not threaten the health and safety of the general public and would provide safe access into the main entry of our corner house whereas parking is in the side driveway (Sewall Rd).

10.233.23 Substantial justice will be done: Because the loss to the applicant would outweigh any gain to the general public.

10.233.24 The values of surrounding properties will not be diminished: This would be an improvement to the home's overall curb appeal as well as a welcoming main entrance to the our home. All finishes would match the aesthetics of other porches in the neighborhood.

10.233.25 Literal enforcement of the provisions of the Ordinance would result in an unnecessary hardship: Due to the placement of the entry door to the lower level garage; the 36" maximum allowable width and depth of the landing would place the support post directly inline with the lower level garage entry. The proper construction of this landing would allow us to carry the width to 61"; securing the support post into the existing foundations on both sides while also allowing for a comfortable access to the main entrance of the home.

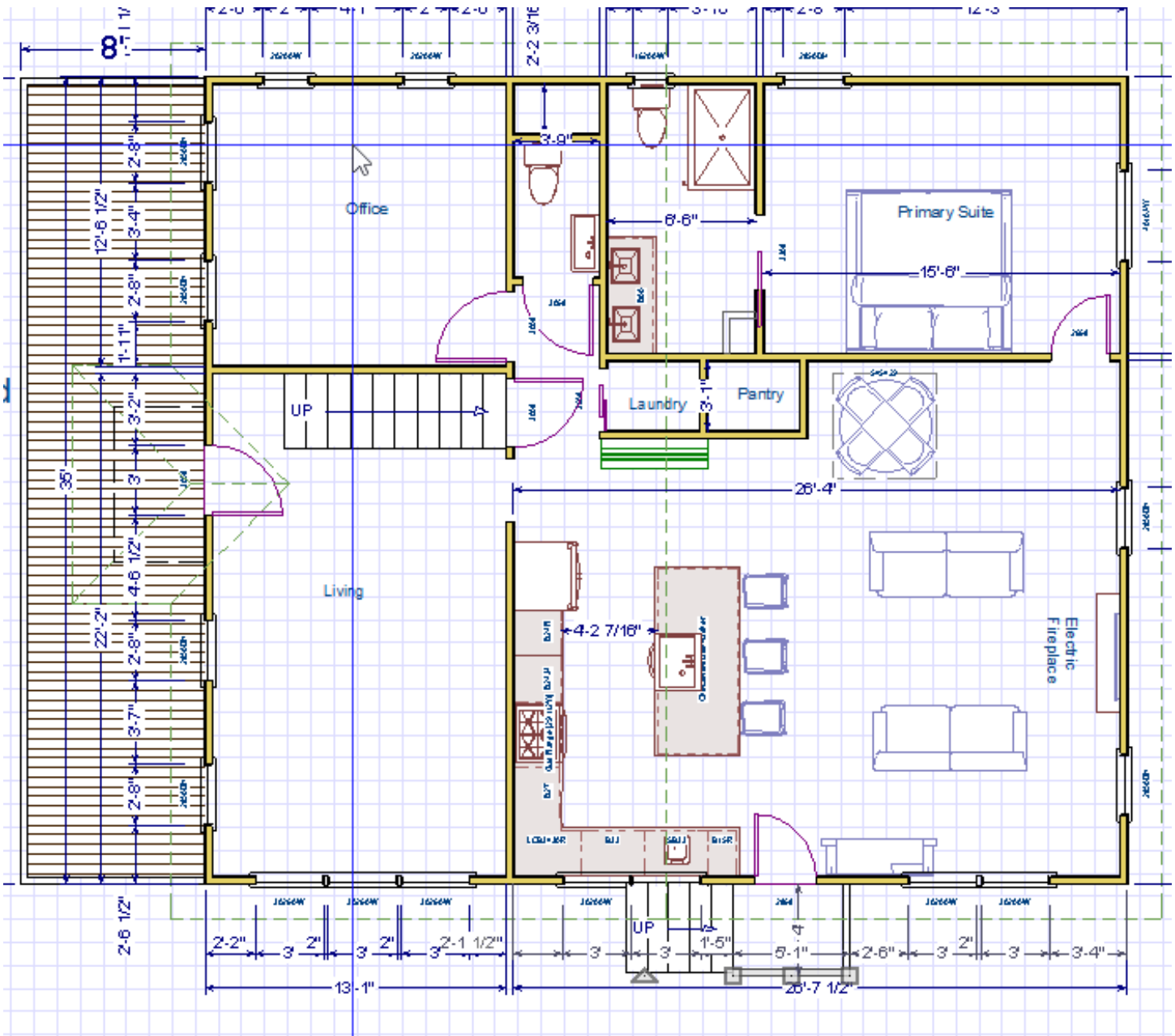
Side Entry Elevation Drawings



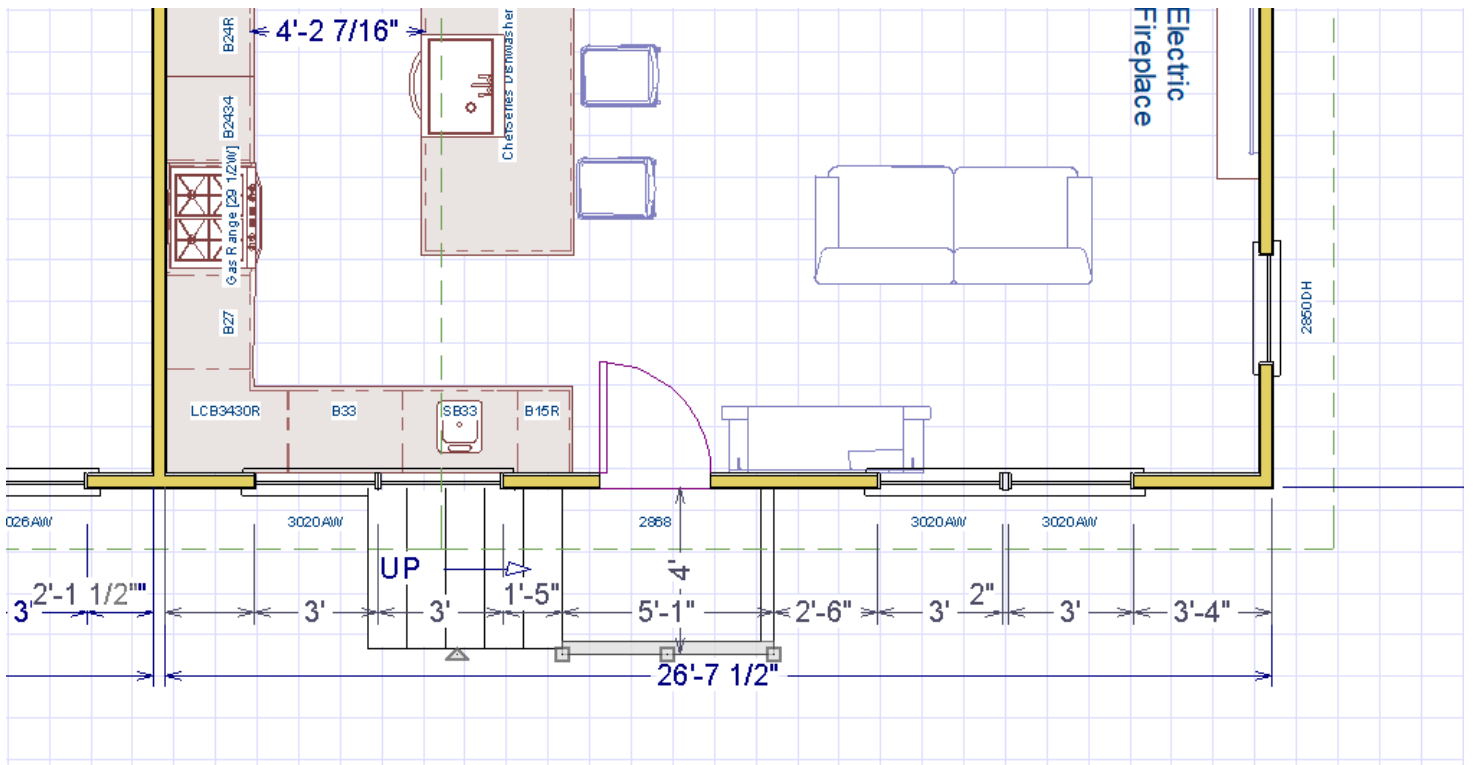
Existing Photos Showing Temporary Landing & Stairs with Foundation & Door Locations



First Level Floor Plan



Side Entry Floor Plan - Enlarged



Site Plan showing easement

276 Aldrich Rd.

Site Plan

Large Easement

