

**DEVELOPMENT NARRATIVE
HARDSHIP VARIANCE FOR MINIMUM FRONT SETBACK**

Property: 47 Trull Street
Applicants: Maxwell D. Bridges & Stefanie J. Bridges, Trustees of The Bridges Family Trust (owners of Unit 2)
Owners: Maxwell D. Bridges & Stefanie J. Bridges, Trustees of The Bridges Family Trust (owners of Unit 2)
Agent: Adam Dash, Esq.
Zoning District: Neighborhood Residence (“NR”)
In the ¼ Mile Transit Area
Not in a Pedestrian Street District

The Applicants and Owners of Unit 2 at the Property at 45-47 Trull Street, being Maxwell D. Bridges & Stefanie J. Bridges, Trustees of The Bridges Family Trust, hereby seek a Hardship Variance for the minimum front setback.

Summary.

The Property currently contains a three-unit condominium which is contained in two structures. The main house contains Unit 1 (one bedroom) and Unit 2 (three bedrooms), and the smaller rear building contains Unit 3 (one bedroom). Applicants are the owners and occupants of Unit 2, which is located in the main house on the second and third floors. The main house is a Detached House building type.

Applicants propose to enclose the existing front porch.

The current front setback is 10’ 9”. Once the front porch is enclosed, that porch will go from being a Building Component to part of the main massing of the Building. As such, the proposed front setback would be measured from the enclosed front porch instead of from the front wall of the house itself. This would mean that the front setback would then technically be 5’ 7”, which is less than the required minimum 10’ front setback, even though the building footprint did not change.

The Property is located in the NR zoning district. It is located in a ¼ Mile Transit Area. It is not in a Pedestrian Street District.

The Condominium Trust at the Property had voted to support this Application.

Relief Sought.

Applicant seeks the following relief for the Project:

-Hardship Variance for minimum front setback pursuant to SZO Section 3.1.8.b.

Argument.

Per SZO Section 15.2.3.e.i:

The Zoning Board of Appeals may only grant a Hardship Variance upon finding all of the following:

- a. Special circumstances exist relating to the soil conditions, shape, or topography of a parcel of land or the unusual character of an existing structure but not affecting generally the zoning district in which the land or structure is located;*
- b. Literal enforcement of the provision of this Ordinance for the district where the subject land or structure is located would involve substantial hardship, financial or otherwise, to the petitioner or appellant due to said special circumstances; and*
- c. Desirable relief could be granted without causing substantial detriment to the public good and without nullifying or substantially derogating from the intent and purpose of a specific district in this Ordinance or the Ordinance in general.*

a. Special Circumstances Exist.

The existing Property is unusual in that it has two structures on it, which crowds the lot.

This situation is not shared by other properties in the neighborhood or in the zoning district in general.

b. Substantial Hardship Exists.

There is substantial hardship related to the unusual character of the structures on the lot.

Applicants want to enclose the existing front porch because they currently have no interior entry aside from a very narrow (3.25' wide) hall at the top of their front stairs. They have no coat closet and virtually no area to take their shoes off. Enclosing the front porch will allow them to have a coat closet, an entryway space, and a small office area, which will free up a bedroom for their son.

Enclosing only the portion of the front porch which is outside of the required front setback area would only provide about 9 inches of additional hallway width and leave the rest of the open front porch narrow. This would not resolve their dilemma and would make the structure look odd.

For Applicants to stay in their home with their family requires the relief being sought.

Substantial Detriment Does Not Exist.

Per Section 3.1.3 of the SZO, the purpose of the NR district is, in part:

a. To permit the DEVELOPMENT of one-, two-, and three-unit detached and semi-detached residential buildings on individual LOTS.

b. To permit contextual MODIFICATIONS to existing detached and semi-detached residential buildings.

d. To create DWELLING UNIT types, sizes, and BEDROOM counts ideal for larger households in houses, semi-attached houses, duplexes, and triple deckers.

Applicants seek to make contextual modifications to an existing Detached House Building Type for the purpose of making their dwelling unit ideal for their larger household. For families to be able to stay in their homes as they grow, reasonable relief, such as what is being requested here, is needed.

Enclosing the front porch, while technically adding to the main massing of the structure, does not actually add to the structure at all. It would have the same footprint as existing. As such, the existing front setback is not changing in a practical sense. It is only changing in a technical, legal sense, which is what triggers the need for a Hardship Variance.

The actual amount of feet of relief being sought is small, but the positive impact on the Applicants' family is large and allows them to remain in their home.

The proposed Project is exactly what the NR zoning district wants.

Granting the small, requested Hardship Variance for the front setback causes no substantial detriment to the neighborhood or to the public good. As a practical matter, the building gets no closer to the street than it currently is. In fact, it is a public good by allowing Applicants to remain in their home without changing the structure's footprint.

Conclusion.

Applicant respectfully requests approval of the requested Hardship Variance for the minimum front setback.