

86 Emery Street: The application is to build a 15' long, 4' wide, 8' tall firewood shed, 5' from the side yard next to the existing firepit patio that will also store the patio chairs in the winter. However, even though the accessory building will be 75' from the secondary front yard property line, it is still closer to the street than the principal building. Therefore, relief is needed from:

10.571 No accessory building, structure or use shall be located in any required front yard, or closer to a street than the principal building.

1. The variance is not contrary to the public interest.
2. The spirit of the ordinance is observed.

The proposed use of a firewood shed does not conflict with the explicit or implicit purpose of the ordinance, and does not alter the essential character of the neighborhood, threaten public health, safety, or welfare, or otherwise injure "public rights." This accessory building satisfies all setbacks and size criteria and would be allowed by right if there was a side yard rather than a secondary front yard.

3. Substantial justice is done.

The benefit to the applicant is not outweighed by harm to the general public or to other individuals. There is no harm to the general public and the only individuals affected are the side yard abutters. However, the 8' tall firewood shed will serve as a continuation of the existing side yard cedar fence and provides privacy for the abutter. The base of the firewood shed is at a lower elevation than the abutter's driveway, so the top will not be much higher than eye level to preserve light and air.

4. The values of surrounding properties are not diminished.

Building a firewood shed next to a bluestone firepit patio with cedar siding and a standing seam metal roof to match the principal building is an improvement and should not diminish the values of surrounding properties.

5. Literal enforcement of the ordinance would result in unnecessary hardship.

The property is burdened by the zoning restriction on accessory buildings closer to a street than a principal building in a manner that is distinct from other similarly situated property. First, the purpose of the zoning restriction in question is to have accessory buildings be secondary to the principal building. Because of the irregular shape of the property and being a corner lot, the restriction as applied to the property does not serve the purpose in a "fair and substantial" way. The secondary front yard functions as a side yard and the accessory building will be 75' from the property line and only 8' at the tallest point. Finally, the proposed use of a firewood shed next to a firepit patio is a reasonable use that does not alter the essential character of the neighborhood.



Proposed 15' long, 4' wide, 8' tall firewood shed, 5' from side yard, 75' from secondary front yard, 46' from principal front yard

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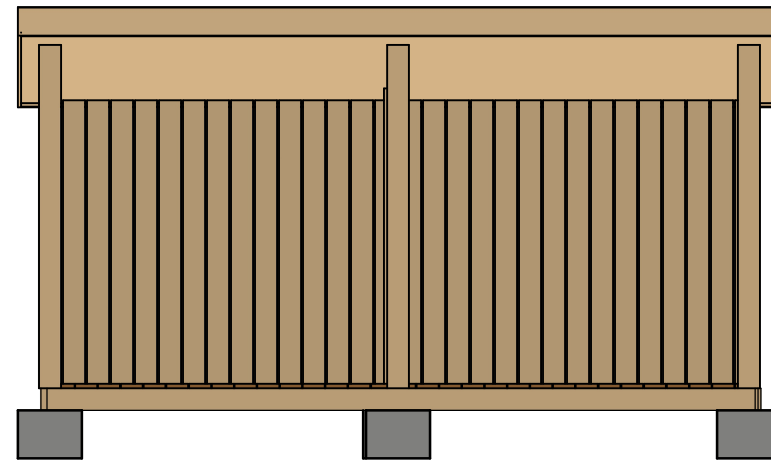
12/3/2024

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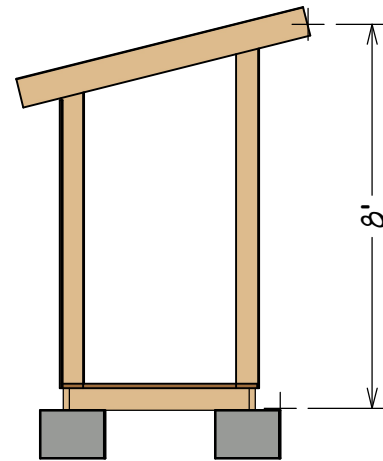
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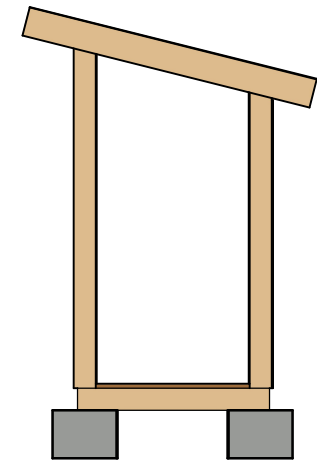
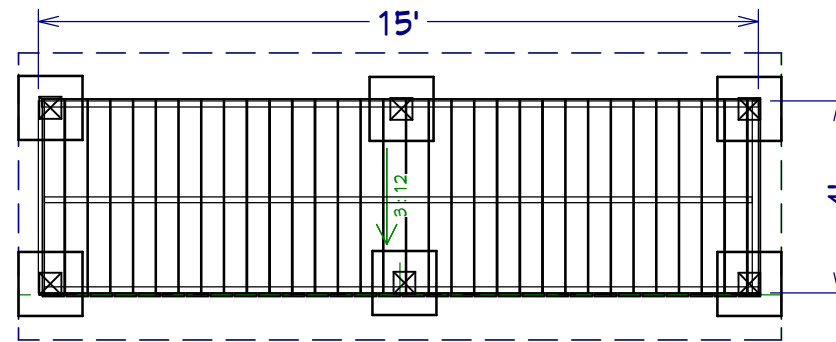
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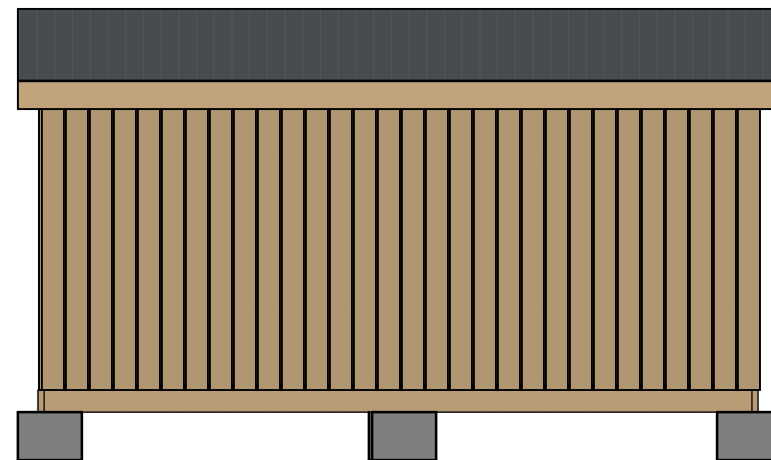
Front



Left



Right



Back

DATE:

12/3/2024

SCALE:

@ 11" x 17"

SHEET:

E-1

A



B



