



CITY OF SOMERVILLE, MASSACHUSETTS
MAYOR'S OFFICE OF STRATEGIC PLANNING & COMMUNITY DEVELOPMENT
JOSEPH A. CURTATONE
MAYOR

MICHAEL F. GLAVIN
EXECUTIVE DIRECTOR

PLANNING DIVISION STAFF

GEORGE PROAKIS, *DIRECTOR OF PLANNING*
LORI MASSA, *SENIOR PLANNER*
SARAH WHITE, *PLANNER*
DAWN PEREIRA, *ADMINISTRATIVE ASSISTANT*

Case #: ZBA 2015-57
Date: August 27, 2015
Recommendation: Conditional Approval

PLANNING STAFF REPORT

Site: 87 Bay State Ave

Applicant Name: Patrick Cooleybeck
Applicant Address: 87 Bay State Ave, Somerville MA 02144
Owner Name: Sarah & Patrick Cooleybeck
Owner Address: 87 Bay State Ave, Somerville MA 02144
Alderman: Rebekah Gewirtz

Legal Notice: Applicant, Patrick Cooleybeck, & Owners, Sarah & Patrick Cooleybeck, seek a Special Permit under SZO §4.4.1 to enlarge a rear porch. RA zone. Ward 6.

Dates of Public Hearing: September 2, 2015

I. PROJECT DESCRIPTION

1. Subject Property: The subject property is a two-family, 2 ½ story house on a 3,800 square foot lot. There is a 17 feet 8 inches by 6 feet two-story porch in the rear of the property.
2. Proposal: The proposal is to rebuild the porch with a slightly larger footprint and a third floor. The first two floors of the porch would be the same width and would be two feet deeper (17 feet 8 inches by 8 feet). There is a 3.5 projection at the first level to provide stairs to the ground. The third floor would have a slightly smaller size so that the railings do not project beyond the roofline of the house.





3. Green Building Practices: None listed on the application form.

4. Comments:

Fire Prevention: Has reviewed the proposal and does not have comments at this time.

Wiring Inspection: An exterior light and electrical receptacle is required for the first level of the porch and an electrical receptacle is required for the upper levels of the porch.

Ward Alderman: Alderman Gewirtz has been made aware of the proposal.

II. FINDINGS FOR SPECIAL PERMIT (SZO §4.4.1):

In order to grant a special permit, the SPGA must make certain findings and determinations as outlined in §5.1.4 of the SZO. This section of the report goes through §5.1.4 in detail.

1. Information Supplied:

The Staff finds that the information provided by the Applicant conforms to the requirements of §5.1.2 of the SZO and allows for a comprehensive analysis of the project with respect to the required Special Permits.

2. Compliance with Standards: *The Applicant must comply "with such criteria or standards as may be set forth in this Ordinance which refer to the granting of the requested special permit."*

The structure is currently nonconforming with respect to dimensional requirements, including right side yard setback. The proposed porch will be slightly larger than the existing porch which is in the side yard

setback. The existing porch is 4 feet to the side property line and 24 feet to the rear property line. The proposed porch is 4 feet to the side property line and 22 feet to the rear property line. The required setbacks are 7 feet 2 inches for the side yard and 18 feet 9 inches for the rear yard with the reductions allowed for the lot being narrow and shallow. This alteration to a nonconforming structure requires the Applicant to obtain special permits under §4.4.1 of the Somerville Zoning Ordinance (SZO). Section 4.4.1 states that “[l]awfully existing one-and two-family dwellings which are only used as residences, which are nonconforming with respect to dimensional requirements, may be enlarged, extended, renovated or altered by special permit granted by the SPGA in accordance with the procedures of Article 5.”

In considering a special permit under §4.4 of the SZO, Staff find that the alterations proposed would not be substantially more detrimental to the neighborhood than the existing structure. There is an existing two-story porch at this property and the proposed porch will only be slightly larger. The rear yard will continue to be conforming.

3. Consistency with Purposes: *The Applicant has to ensure that the project "is consistent with (1) the general purposes of this Ordinance as set forth in Article 1, and (2) the purposes, provisions, and specific objectives applicable to the requested special permit which may be set forth elsewhere in this Ordinance, such as, but not limited to, those purposes at the beginning of the various Articles."*

The proposal is consistent with the general purposes of the Ordinance as set forth under §1.2, which includes, but is not limited to maintaining the uniquely integrated structure of uses in the City.

The proposal is consistent with the purpose of the district, which is, “[t]o establish and preserve quiet neighborhoods of one- and two-family homes, free from other uses except those which are both compatible with and convenient to the residents of such districts.” The porch expansion will improve the usability of it and retain a compliant rear yard.

4. Site and Area Compatibility: *The Applicant has to ensure that the project "(i)s designed in a manner that is compatible with the characteristics of the built and unbuilt surrounding area, including land uses."*

Many of the houses in the neighborhood have two- and three-story rear porches. The proposed porch will not be out of character with traditional rear porches. The third floor was also designed to be smaller than the floors below so that the railings do not project beyond the roofline of the house.

The improvements to the two-family dwelling will not significantly impact the affordability of it.

5. SomerVision Plan: *Complies with the applicable goals, policies and actions of the SomerVision plan, including the following, as appropriate: Preserve and enhance the character of Somerville's neighborhoods, transform key opportunity areas, preserve and expand an integrated, balanced mix of safe, affordable and environmentally sound rental and homeownership units for households of all sizes and types from diverse social and economic groups; and, make Somerville a regional employment center with a mix of diverse and high-quality jobs. The areas in the SomerVision map that are designated as enhance and transform should most significantly contribute towards the SomerVision goals that are outlined in the table below. The areas marked as conserve are not expected to greatly increase the figures in the table since these areas are not intended for large scale change.*

This property is marked as an area to conserve and the proposal meets this goal.

<u>SomerVision Summary</u>	<i>Existing</i>	<i>Proposed</i>
Dwelling Units:	2	2

III. RECOMMENDATION

Special Permit under §4.4.1

Based on the materials submitted by the Applicant, the above findings and subject to the following conditions, the Planning Staff recommends **CONDITIONAL APPROVAL** of the requested **SPECIAL PERMIT**.

The recommendation is based upon a technical analysis by Planning Staff of the application material based upon the required findings of the Somerville Zoning Ordinance, and is based only upon information submitted prior to the public hearing. This report may be revised or updated with new recommendations, findings and/or conditions based upon additional information provided to the Planning Staff during the public hearing process.

#	Condition	Timeframe for Compliance	Verified (initial)	Notes								
1	Approval is for the construction of a rear porch. This approval is based upon the following application materials and the plans submitted by the Applicant:	BP/CO	ISD/Plng.									
	<table border="1"> <thead> <tr> <th>Date (Stamp Date)</th> <th>Submission</th> </tr> </thead> <tbody> <tr> <td>July 30, 2015</td> <td>Initial application submitted to the City Clerk’s Office</td> </tr> <tr> <td>July 30, 2015</td> <td>Plans submitted to OSPCD (floor plan, rear/west elevation, north elevation, south elevation)</td> </tr> <tr> <td>March 17, 2003</td> <td>Plans submitted to OSPCD (Plot plan)</td> </tr> </tbody> </table>				Date (Stamp Date)	Submission	July 30, 2015	Initial application submitted to the City Clerk’s Office	July 30, 2015	Plans submitted to OSPCD (floor plan, rear/west elevation, north elevation, south elevation)	March 17, 2003	Plans submitted to OSPCD (Plot plan)
	Date (Stamp Date)				Submission							
	July 30, 2015				Initial application submitted to the City Clerk’s Office							
July 30, 2015	Plans submitted to OSPCD (floor plan, rear/west elevation, north elevation, south elevation)											
March 17, 2003	Plans submitted to OSPCD (Plot plan)											
Any changes to the approved site plan or elevations that are not <i>de minimis</i> must receive SPGA approval.												
2	An exterior light and electrical receptacle is required for the first level of the porch and electrical receptacles are required for the upper levels of the porch.	Final sign off	Wiring Inspector									
Final Sign-Off												
3	The Applicant shall contact Planning Staff at least five working days in advance of a request for a final inspection by Inspectional Services to ensure the proposal was constructed in accordance with the plans and information submitted and the conditions attached to this approval.	Final sign off	Plng.									

