



CITY OF SOMERVILLE, MASSACHUSETTS
MAYOR'S OFFICE OF STRATEGIC PLANNING & COMMUNITY DEVELOPMENT
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Case #: ZBA 2019-73
Date: **October 16th, 2019**

Recommendation: Denial

PLANNING STAFF REPORT - ZBA

Site: 15 Bartlett Street

Applicant Name: Sally & Margaret
Klessens

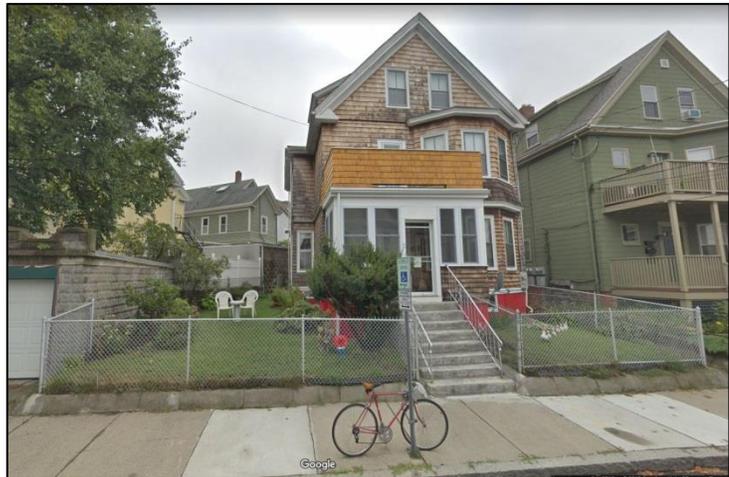
Applicant Address: 15 Bartlett Street,
Somerville, MA 02145

Owner Name: Margaret Klessens

Owner Address: 15 Bartlett Street,
Somerville, MA 02145

City Councilor: Mark Niedergang

Legal Notice: Applicants, Sally & Margaret Klessens, and Owner, Margaret Klessens, seek a Special Permit under §9.9.b of the SZO to create a handicapped parking space on a residential lot. RA zone. Ward 5.



Dates of Public Hearing(s): September 18, 2019 – ZBA

Updates are Highlighted

I. PROJECT DESCRIPTION

- 1. Subject Property:** The locus presents a 2 ½-story, single-family structure on a roughly 3,049 square foot lot in the RA zoning district.
- 2. Proposal:** The applicant has stated to ISD that they repeatedly receive parking tickets when parking in the handicapped spot in front of their house despite having a handicapped placard. The Applicant wishes

to create a parking space in the front right portion of the property. The applicant seeks a special permit to alter driveway dimensions.

4. Green Building Practices:

None listed on application.

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 §4.4.1 of the SZO. This section of the report goes through §4.4.1 in detail.

1. Information Supplied:

Staff finds that the information provided by the Applicant conforms to the requirements of §4.4.1 of the SZO.

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."*

Section 4.4.1 and Article 9 of the SZO

Section 4.4.1 states that "[l]awfully existing nonconforming structures other than one- and two-family dwellings may be enlarged, extended, renovated or altered only by special permit authorized by the SPGA in accordance with the procedures of Article 5. The SPGA must find that such extension, enlargement, renovation or alteration is not substantially more detrimental to the neighborhood than the existing nonconforming building. In making the finding that the enlargement, extension, renovation or alteration will not be substantially more detrimental, the SPGA may consider, without limitation, impacts upon the following: traffic volumes, traffic congestion, adequacy of municipal water supply and sewer capacity, noise, odor, scale, on-street parking, shading, visual effects and neighborhood character."

The property is currently non-conforming in multiple respects, particularly front and side yard setbacks and portions of the rear and left side yard setbacks. Some of these non-conforming dimensions are due to the odd shape of the lot. The property is also non-conforming in terms of parking as there is none on the site. There is not sufficient room to create parking or a driveway on the right side of the house but there is enough room on the left side of the house for a compact parking space (8x16). There does not appear to be enough room for a standard-sized parking area (9x18). The applicant has been informed several times staff does not support a parking space on the right side of the structure. Visibility is greatly impacted due to proximity of adjacent structure and it's front steps. The proposals location presents a hazard to pedestrian and vehicular traffic due to incredibly limited sight lines.

The applicant is requesting a driveway. Section 9.9.b of the SZO addresses driveway dimensions. The challenge with 15 Bartlett Street is that the proposal could be seen as a driveway or as a parking space. Each has different dimensions. A standard size parking space is 9 x 18. A one-way driveway may be 8 – 12 feet in width but no minimum or maximum length is given in the zoning code. The length of a driveway or parking space must be sufficient enough to prevent a vehicle from overhanging into the sidewalk or street.

It is unclear from the information presented as to whether the landscaping percentage is currently non-conforming or conforming. The size of the driveway may make conforming landscaping percentages non-

conforming or may make non-conforming landscaping percentages even more non-conforming. There is not enough information provided to make this determination.

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.”*

Staff finds that the proposal is not necessarily inconsistent with the purposes of the RA zone which are “[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.”

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.”*

Staff finds that the establishment of a driveway/parking pad in the proposed location will create a hazardous condition. Concern is the lack of visibility that 15 Bartlett will have of the pedestrian way due to the abutting structure and its front porch wall being so close to the sidewalk.

5. Housing Impact: *Will not create adverse impacts on the stock of existing affordable housing.*

The proposal will not add to the existing stock of affordable housing.

6. SomerVision:

The proposal will have minimal to no impact on SomerVision goals.

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 denial for a parking space on the right side of 15 Bartlette.