



CITY OF SOMERVILLE, MASSACHUSETTS
MAYOR'S OFFICE OF STRATEGIC PLANNING & COMMUNITY DEVELOPMENT
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Case #: ZBA 2013-35

Date: May 30, 2013

Recommendation: Conditional Approval

PLANNING STAFF REPORT

Site: 26 Avon St

Applicant Name: Theresa M. Doneghey

Applicant Address: 26 Avon St, Somerville, MA 02143

Property Owner Name: same

Agent Name: Stephanie Moore on behalf of Lasting Impressions Custom Design and Build, Inc.

Agent Address: 8 Cedar Rd, Andover, MA 01810

Alderman: Alderman Taylor

Legal Notice: Applicant/Owner Theresa M. Doneghey seek a Special Permit under SZO §4.4.1 to alter an existing 2-family nonconforming structure to add a 39 square foot one story addition to the right of the existing front open porch and a 35 square feet stoop enclosure and stairs in the rear of the property.

Zoning District/Ward: RA / Ward 3

Zoning Approval Sought: Special Permit SZO §4.4.1

Date of Application: May 7, 2013

Dates of Public Hearing: Zoning Board of Appeals June 5, 2013

I. PROJECT DESCRIPTION

1. Subject Property: The subject property is a two-family dwelling on an approximately 3,256 square foot parcel. The structure is 2 ½ stories and approximately 2,657 net square feet with a .82 floor area ratio.

The subject property has not received prior zoning relief.



2. Proposal: Applicant and Owner, Theresa M. Doneghey, proposes to construct an addition of 39 square feet in the front of the dwelling to the right of the porch, enclose 35 square feet of an existing stoop in the rear of the property, and add exterior platform stairs in the rear off of the enclosure.

The Applicant proposes to extend a one-story portion of the house on the right side of the front porch under the existing roof. The proposed addition will bring the front exterior wall 9 feet and 2 inches towards the street and will be in-line with the existing two story bump out on the opposite side of the porch. The front addition will be used as a closet and will include a small round window.

The Applicant also proposes to enclose 35 square feet of an existing rear stoop. The enclosure will be one story and will be flush with the existing interior floor and flush with the rear of the house. The enclosure will include a door and new exterior platform stairs (40" x 60") from the first floor down to the ground.

Additional renovations to the two-family dwelling include complete renovations to the first floor while there are no renovations planned for the second and third floor. There are five existing bedrooms, which will not change as a result of the proposal.



26 Avon Street

3. Nature of Application: The structure is currently nonconforming with respect to several dimensional requirements including front and side yard setback and minimum lot size. In accordance with the Somerville Zoning Ordinance (SZO) §4.4.1, a nonconforming single family dwelling may increase a nonconforming dimension through Special Permit approval. The dimensional requirement for the front yard setback is no less than fifteen feet. Since the current front yard setback is 14.5 feet, constructing an addition on the front of the structure requires Special Permit approval.

The required rear yard setback is twenty feet. However, since the depth of the lot is less than 100 feet, three inches may be deducted from the requirement for each foot by which the depth is less than 100 feet. Since the depth of the lot is 72 feet, the Applicant receives seven feet of rear yard setback relief, making the rear yard setback for this lot 13 feet. The rear yard setback is 13'-1"; therefore, the enclosed one story stoop will not encroach within the rear yard setback. The rear addition will continue the non-conforming

1.9 foot side yard setback. The proposed stairs may project into the rear yard setback as long as they are no more than three feet above average grade (SZO §8.5.I and footnote 5b).

4. Surrounding Neighborhood: The structure is located in a Residence A district, southwest of Somerville City Hall. The surrounding properties are predominantly single- and two-family dwellings; however, there is an 18 unit apartment building nearby at 81 Summer Street.

5. Impacts of Proposal: The proposal to construct a one story addition in the front of the house, enclose the rear stoop, and construct a platform stairway from the rear addition to the ground will add an additional 74 net floor square feet; however, the modifications will not be detrimental to the structure.

The Applicant and current owner is completely modifying the floor plan of the first floor but not modifying the second or third floor layouts. The first floor addition of 39 square feet allows the Applicant to reconfigure the layout of the first floor to create additional space to be used as a second closet in the first floor bedroom. Enclosing the rear stoop and adding platform stairs down to the ground also allows the Applicant to reconfigure the layout to create additional space in the first floor unit to relocate the bathroom, have a washer/dryer closet, and a hallway leading to the rear enclosure and exterior stairs. There are five existing bedrooms, which will not change as a result of the proposal.

6. Green Building Practices: Green building practices included on the application include new energy efficient appliances, a new energy efficient heating system, and new energy efficient windows and exterior doors.

7. Comments:

Fire Prevention: Has been contacted but has not yet provided comments.

Ward Alderman: Alderman Taylor asked about the character of the proposal and will defer to the Planning Board's judgment.

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."

In considering a special permit under §4.4 of the SZO, Staff finds that the alterations proposed would not be substantially more detrimental to the neighborhood than the existing structure. The proposal to construct a 39 square foot addition in the front of the house, enclose a rear stoop, and construct platform stairs would enable the interior of the first floor to be reconfigured without a great deal of impact to the exterior form of the house.

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 providing for and maintaining the uniquely integrated structure of uses in the City and conserving the value of land and buildings.

The proposal is consistent with the purpose of the Residence A district, §6.1.1, which is, “To 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.”

The proposal has been designed to be compatible with the built and unbuilt surrounding area. The proposal will minimally enlarge the existing footprint. The addition in the front will not encroach farther into the front yard than the portion of the house on the left side of the front porch. The front porch will remain as a prominent feature of the house and will not be reduced in size as a result of the addition.

The addition in the rear is small and not very visible. There is a retaining wall along the rear of the property because the land to the south is at a higher grade and therefore the subject property’s rear yard is not easily visible from these properties to the south. The abutter to the west has a fence along the property line causing the rear addition to not be easily visible from this property as well.

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 Special Permit to construct a front and rear addition, and construct stairs in the rear at an existing two-family dwelling. 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>(May 7, 2013)</td> <td>Initial application submitted to the City Clerk’s Office</td> </tr> <tr> <td>October 17, 2012 (May 30, 2013)</td> <td>Plot plan submitted to OSPCD</td> </tr> <tr> <td>February 25, 2013 (May 30, 2013)</td> <td>Proposed plot plan submitted to OSPCD</td> </tr> <tr> <td>(May 30, 2013)</td> <td>Proposed floor plans and elevations submitted to OSPCD</td> </tr> <tr> <td>April 1, 2013 (May 30, 2013)</td> <td>Landscaping plans submitted to OSPCD</td> </tr> </tbody> </table>				Date (Stamp Date)	Submission	(May 7, 2013)	Initial application submitted to the City Clerk’s Office	October 17, 2012 (May 30, 2013)	Plot plan submitted to OSPCD	February 25, 2013 (May 30, 2013)	Proposed plot plan submitted to OSPCD	(May 30, 2013)	Proposed floor plans and elevations submitted to OSPCD	April 1, 2013 (May 30, 2013)	Landscaping plans submitted to OSPCD
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Any changes to the approved site plan or elevations that are not <i>de minimis</i> must receive SPGA approval.																
2	New siding type and color, roofing, trim, and materials of the addition shall match or be complimentary to the rest of the existing structure.	CO	Plng.													
3	The Applicant or Owner shall meet the Fire Prevention Bureau’s requirements.	CO	FP													
4	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.													

