



CITY OF SOMERVILLE, MASSACHUSETTS
OFFICE OF STRATEGIC PLANNING & COMMUNITY DEVELOPMENT
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Case #: ZBA 2011-42

Date: June 2, 2011

Recommendation: Conditional Approval

PLANNING STAFF REPORT

Site: 61 Bromfield Road

Applicant Name: Stephen Simmerman

Applicant Address: 61 Bromfield Rd #3, Somerville MA 02144

Property Owner Name: William Lewis

Property Owner Address: 205 Cedar St, Somerville MA 02145

Alderman: Rebekah Gewirtz

Legal Notice: Applicant/Owner Stephen Simmerman seeks a special permit to alter a nonconforming structure under SZO §4.4.1 to add a third story to an existing rear porch on a three-family residence.

Zoning District/Ward: RA / 6

Zoning Approval Sought: Special Permit §4.4.1 & 5.1

Date of Application: May 10, 2011

Dates of Public Hearing: Zoning Board of Appeals June 8, 2011

I. PROJECT DESCRIPTION

1. Subject Property: The subject property is a three-family gambrel roofed dwelling on a 3,440 sf lot. There is a two-story porch in the rear of the property. The first level of the porch projects 7.6 feet from the house and the second level projects 2.5 feet from the house. There is a one-story concrete block garage in the rear and an approximately 22 by 24 foot backyard.

2. Proposal: The proposal includes constructing a third story to the rear porch. A door will be added to the third floor in the rear of the house to access the porch. There will be stairs from the third level to the second level to provide a second means of egress for the third floor unit. The second level of the



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porch will be reconstructed so that it projects 7.6 feet from the house and will align with the first floor porch below.

61 Bromfield: front of house (below), existing deck (right)



3. Nature of Application: The structure is currently nonconforming with respect to several dimensional requirements, including lot area, lot area per dwelling unit, ground coverage, landscaped area, and left side yard setback. The proposal alters the nonconforming side yard with the extension of the second floor of the porch and the addition of a third floor. The nonconforming side yard from the existing and proposed deck is 3.8 feet and the minimum in this district is 7 feet 5 inches with the reduction for the narrow lot size. The existing nonconformities requires the Applicant to obtain a special permit under §4.4.1 of the Somerville Zoning Ordinance (SZO).

4. Surrounding Neighborhood: The surrounding neighborhood is comprised of mostly two- and three-family homes. Many of the lots have similar configurations with nonconforming side yards and rear porches.

5. Impacts of Proposal: The proposal is not anticipated to negatively impact the surrounding properties. The footprint of the deck is not expanding and the house will remain a three-family dwelling.

6. Green Building Practices: The materials will be pressure treated wood and Trex, a product made from reclaimed wood, sawdust, and used pallets.

7. Comments:

Ward Alderman: Alderman Gewirtz inquired about if any neighbors expressed concerns. Neighbors have not yet submitted comments to Planning Staff.

II. FINDINGS FOR SPECIAL PERMIT (SZO §4.4.1 & 5.1):

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 find that the alterations proposed would not be substantially more detrimental to the neighborhood than the existing structure. The footprint of the porch will not change and it is typical to have three-story porch in the rear yard of a home in the city. Electrical code requires there to be one exterior light fixture and one exterior electrical receptacle for all decks. Staff is proposing to require the electrical receptacle as Condition #2.

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 the purpose of the RA district by making an alteration to a residential structure.

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."

Since the footprint of the porch will not change the additional porch space on the second and third levels will not reduce the amount of landscaping on the site, while creating more usable open space for the residents. The overall appearance of the porch will improve. Currently the railings and paint colors for the first and second levels do not match. When the porch is reconstructed the appearance of all three levels will be consistent with matching materials and colors. The railings on the third level have been designed well so that they do not interfere with or project beyond the roofline of the house.

III. RECOMMENDATION

Special Permit under §4.4.1 & 5.1

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 reconstruction of the rear porch. This approval is based upon the following application materials and the plans submitted by the Applicant:	BP/CO	Plng.									
	<table border="1"> <thead> <tr> <th>Date (Stamp Date)</th> <th>Submission</th> </tr> </thead> <tbody> <tr> <td>5/10/2011</td> <td>Initial application submitted to the City Clerk's Office</td> </tr> <tr> <td>11/30/2010</td> <td>Plans submitted to OSPCD (A-1 Elevation, A-2 Elevation & Framing, A-3 Stair Plans)</td> </tr> <tr> <td>4/15/11</td> <td>Plans submitted to OSPCD (Site Plan)</td> </tr> </tbody> </table>				Date (Stamp Date)	Submission	5/10/2011	Initial application submitted to the City Clerk's Office	11/30/2010	Plans submitted to OSPCD (A-1 Elevation, A-2 Elevation & Framing, A-3 Stair Plans)	4/15/11	Plans submitted to OSPCD (Site Plan)
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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	The Applicant shall install one new exterior light fixture and one new exterior electrical receptacle for the new outdoor deck space.	Final Sign Off	Wiring Inspector									
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.									

