



**CITY OF SOMERVILLE, MASSACHUSETTS**  
**MAYOR'S OFFICE OF STRATEGIC PLANNING & COMMUNITY DEVELOPMENT**  
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**Case #:** ZBA 2014-103  
**Date:** October 30, 2014  
**Recommendation:** Conditional Approval

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**PLANNING STAFF REPORT**

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**Site:** 81 Cedar Street

**Applicant & Owner Name:** Elke & Michael Perloff  
**Applicant & Owner Address:** 81 Cedar Street, Somerville, MA 02143  
**Alderman:** Mark Niedergang

Legal Notice: Applicant and Owners, Elke & Michael Perloff, see a Special Permit per SZO §4.4.1 to expand a nonconforming structure by adding a rear portico. RA Zone. Ward 5.

Dates of Public Hearing: Zoning Board of Appeals – November 5, 2014

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**I. PROJECT DESCRIPTION**

1. Subject Property: The subject property is a 4,500 square foot lot with a two-family residence situated between the intersection of Cedar Street and Highland Avenue. The structure is 2½ stories tall, with a gable roof. There are also two off-street parking spaces at the property. The property received special permit approval in 2012 for a front porch.
2. Proposal: The proposal is to add a rear portico over an existing rear egress and bulkhead.
3. Green Building Practices: None listed on the application
4. Comments:

*Ward Alderman:* Has been contacted and has no comments at this time.

**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."*

Per SZO §4.4.1, lawfully existing one- and two-family dwellings which are nonconforming with respect to dimensional requirements may be enlarged or expanded by special permit. The roof expands the narrow side yard nonconformity.

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. A condition proposed in this report is that the rear portico never be enclosed.

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 promoting the health, safety, and welfare of the inhabitants of the City of Somerville; to conserve the value of land and buildings; and to encourage housing for persons of all income levels.

The proposal is consistent with the purpose of the district, 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."*

This is a residential property located in an RA district. The surrounding area is predominantly single- and two-family homes that are between 2½ and 3 stories in height. There are a few three- and multi-family dwellings in the area along Summer Street.

There are little to no impacts as part of this proposal, this is a practical solution to shelter from inclement weather.

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

There will be no impacts to existing affordable housing.

8. 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 project complies with the SomerVision plan by allowing homeowners to make minor alterations to the property.

**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 a Special Permit per SZO §4.4.1 to expand a nonconforming structure to add a rear portico. 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>September 29, 2014</td> <td>Initial application submitted to the City Clerk’s Office</td> </tr> <tr> <td>(October 28, 2014)</td> <td>Modified plans submitted to OSPCD (Plot Plan &amp; Rear Elevation)</td> </tr> </tbody> </table>				Date (Stamp Date)	Submission	September 29, 2014	Initial application submitted to the City Clerk’s Office	(October 28, 2014)	Modified plans submitted to OSPCD (Plot Plan & Rear Elevation)
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Any changes to the approved site plan and elevations that are not <i>de minimis</i> must receive SPGA approval.										
<b>Construction Impacts</b>										

2	The Applicant shall at his expense replace any existing equipment (including, but not limited to street sign poles, signs, traffic signal poles, traffic signal equipment, wheel chair ramps, granite curbing, etc) and the entire sidewalk immediately abutting the subject property if damaged as a result of construction activity. All new sidewalks and driveways must be constructed to DPW standard.	CO	DPW	
3	All construction materials and equipment must be stored onsite. If occupancy of the street layout is required, such occupancy must be in conformance with the requirements of the Manual on Uniform Traffic Control Devices and the prior approval of the Traffic and Parking Department must be obtained.	During Construction	T&P	
<b>Miscellaneous</b>				
4	The Applicant, its successors and/or assigns, shall be responsible for maintenance of both the building and all on-site amenities, including landscaping, fencing, lighting, parking areas and storm water systems, ensuring they are clean, well kept and in good and safe working order.	Cont.	ISD	
<b>Final Sign-Off</b>				
5	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.	

