



CITY OF SOMERVILLE, MASSACHUSETTS
OFFICE OF STRATEGIC PLANNING & COMMUNITY DEVELOPMENT
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Case #: ZBA 2012-21
Date: March 29, 2012
Recommendation: Conditional Approval

PLANNING STAFF REPORT

Site: 22 Endicott Ave

Applicant Name: Tara Ten Eyck & Chetty Lovantheran
Applicant Address: 22 Endicott Ave, Somerville MA 02144
Property Owner Name: same
Property Owner Address: same
Alderman: Robert Trane

Legal Notice: Applicant/Owner Tara Ten Eyck & Chetty Lovantheran seek a Special Permit to alter a nonconforming single-family structure under SZO §4.4.1 to alter the front entryway and stairs and slightly expand the side entryway.

Zoning District/Ward: RB / 7

Zoning Approval Sought: Special Permit under SZO §4.4.1

Date of Application: March 6, 2012

Dates of Public Hearing: Zoning Board of Appeals April 4, 2012

I. PROJECT DESCRIPTION

1. Subject Property: The subject property is a 2 story single-family home on an approximately 3,000 sf lot. The stairs and pathway leading to the front entry of the house starts on the left side of the property and the driveway is on the right side of the property creating a longer route from the driveway to the front door than is necessary. Also, the existing entry stairs do not have the required dimensions for a landing. There is a small side entry on the house that leads to the basement. The side entryway was poorly built and is lacking minimum required dimensions such as door sizes, width of stairs, and landing size. The basement was used by previous owners as an illegal residential unit.



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2. Proposal: The proposal is to bring the two entryways to code and make them more practical. The front entry will have a new roof that is an asymmetrical gable that extends over a landing. The stairs will be reoriented so that they lead from this landing straight to the sidewalk. The reconfiguration of the front steps will allow for more than 50 sf of additional green space in the front yard.

The side entry will be rebuilt to the minimum required dimensions. The structure will need to be 15" longer and 5" wider into the side setback. The roof will be raised but it will appear similar with a sloping roof towards the back of the house.

Two existing windows in the basement will be enlarged to add additional daylight to the basement. The refrigerator, range, and door at the bottom of the stairs in the basement will be removed to remove the illegal residential unit. The project is expected to last for 6 weeks.

3. Nature of Application: The structure is currently nonconforming with respect to a few dimensional requirements, including lot area, front, left side and rear yard setback and street frontage.

The proposal alters the nonconforming side yard with the extension of the side entryway. The nonconforming side yard from the existing entryway is 2.2 feet and the renovated entryway will be 5 inches wider and 15 inches longer than the existing structure. The resulting side yard setback will be 1.8 feet. The minimum in this district is 6 feet 7 inches with the reduction allowed for the narrow lot size. The side yard setback where the larger window will be installed is 5.6 feet and this setback will not change.

The neighboring houses appear to have front yard setbacks of approximately 13 feet and align with the subject property, making 13 feet the required front yard setback (§8.6.5). The existing enclosed entryway

projects 4 feet into the setback and therefore alteration of this element also requires a special permit. The size of the entryway will not change but its roof will have a different form. The front stairs will be less than three feet above grade and therefore do not need to comply with the dimensional requirements (§8.6.5.b).

The alteration to the nonconformities requires the Applicant to obtain a special permit under §4.4.1 of the Somerville Zoning Ordinance (SZO).

With the additional net square feet in the basement, the floor area ratio for the site will continue to be below the maximum allowed. The floor area ratio would be approximately 0.85 and 1.0 is allowed in the district.

4. Surrounding Neighborhood: The surrounding neighborhood is comprised of single-, two-, three- and multifamily homes of varying types. Weston Manor, the Somerville Housing Authority senior housing complex, is located to the rear of the structure.

5. Impacts of Proposal: The slight expansion of the side entry is not anticipated to have negative impacts. The neighbor's driveway separates the two structures therefore there will be approximately 8 to 10 feet between them. There are also positive impacts of the proposal. The illegal basement unit will be eliminated as part of the proposed renovations. The change to the front entry will improve the appearance of the structure. The main gable of the house is asymmetrical and the roof of the front entryway will also be asymmetrical. The roof structures will complement each other and provide an updated appearance to the structure.

6. Green Building Practices: The green building practices are as follows: the bricks will be recycled, there will be more landscaping onsite, the rain water runoff from the roofs will be reused, and the insulation will be energy efficient.

7. Comments:

Fire Prevention: 22 Endicott Avenue will require permits from Fire Prevention and plans for the installation of a code compliant fire alarm system will be required.

Ward Alderman: Has been contacted but has not yet provided comments.

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 slight expansion of the side entry is not anticipated to have negative impacts. The abutting neighbor's driveway is between the structures and therefore there will be approximately 8 to 10 feet between the structures. Access to

the back and sides of the property will be limited on the left side of the house but there is eight feet on the right side of the house that provides sufficient access to the rest of the property. The enlargement of two basement windows will not negatively impact the appearance of the structure and will add light to the basement for additional living space in the single-family structure.

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 Residence B zoning district in making renovations to a single-family house.

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 project is compatible with the existing structure and surrounding residential neighborhood. The change to the front entry will improve the appearance of the structure. The main gable of the house is asymmetrical and the roof of the front entryway will also be asymmetrical. The roof structures will complement each other and provide an updated appearance to the structure. The appearance of the side entry will also improve from its current dilapidated state. The illegal basement unit will be eliminated as part of the proposed renovations.

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 alteration of the front and side entryway and installation of a larger window in the basement. This approval is based upon the following application materials and the plans submitted by the Applicant:	BP/CO	ISD/Plng.											
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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 seek the require permits from Fire Prevention and provide plans for the installation of a code compliant fire alarm system.	CO	FP											
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.											

