



CITY OF SOMERVILLE, MASSACHUSETTS
MAYOR'S OFFICE OF STRATEGIC PLANNING & COMMUNITY DEVELOPMENT
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Case #: ZBA 2015-08
Date: February 26, 2015
Recommendation: Conditional Approval

PLANNING STAFF REPORT

Site: 10 Landers Street, Unit 2

Applicant Name: Elaine and Chris Kakambouras
Applicant Address: 176 West Wyoming Ave, Melrose 02176
Owner Name: Elaine and Chris Kakambouras
Owner Address: 176 West Wyoming Ave, Melrose 02176
Agent Name: None
Alderman: Maryann Heuston

Legal Notice: Applicant and Owner, Elaine and Chris Kakambouras, seek a Special Permit to alter a nonconforming structure to enclose a portion of a rear porch. RB zone/Ward 2.

Dates of Public Hearing: March 4, 2015

I. PROJECT DESCRIPTION

1. Subject Property: The subject property is a triple decker on a 3,298 square foot lot. There is a unenclosed front porch and an unenclosed, engaged, rear porch that makes up half of the width of the house.
2. Proposal: The proposal is to enclose the second floor rear porch to make a space for a 73.5 square foot study with a closet. The study would be connected to an existing bedroom.





10 Landers: (l) Existing rear porch, (r) Existing window and trim on the house.

3. Green Building Practices: None listed on the application form.

4. Comments:

Fire Prevention: Has reviewed the application and does not have objections.

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

II. FINDINGS FOR SPECIAL PERMIT:

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."*

The structure is currently nonconforming with respect to dimensional requirements, including the minimum side yard setbacks, lot area, lot area per dwelling unit, ground coverage, landscaped area, building height, and floor area ratio.

The proposal will alter the house along the nonconforming left side yard. The left side yard is 5.8 feet and the requirement for a 3-story structure is 10 feet. The proposal will also increase the nonconforming floor area ratio from 1.06 to 1.09 and the requirement is a maximum of 0.75. This alteration to a nonconforming structure requires the Applicant to obtain special permits under §4.4.1 of the Somerville Zoning Ordinance (SZO). Section 4.4.1 states that "[l]awfully existing one-and two-family dwellings which are only used as residences, which are nonconforming with respect to dimensional requirements, may be enlarged, extended, renovated or altered by special permit granted by the SPGA in accordance with the procedures of Article 5."

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. Enclosure of porches is generally not encouraged because in the rear of houses porches provide an outdoor amenity space and the design of the enclosure can create an awkward addition that does not match the form of a typical addition. In this case the rear porches are engaged, only comprising less than half of the width of the house and therefore the impact is minimal. Also, there is a rear yard for use of the occupants of the unit and only one of the three floors is proposed to be enclosed.

The Mayor's Office of Strategic Planning and Community Development has submitted an ordinance to the Board of Alderman to overhaul the current zoning ordinance. The re-advertised date of the legal notice was February 17. Massachusetts General Law 40a, Section 6 states that a zoning ordinance shall apply to a special permit issued after the first notice of the public hearing for such an ordinance. Therefore, staff and boards should evaluate all applications based on the current and proposed ordinances so that there are no issued posed under either ordinance.

Under the proposed zoning ordinance, the house is a triple decker building type. The proposed dimensions of the enclosure meet the requirements for this building type. The outdoor amenity space requirement would continue to be met with the existing front porch. Therefore, the proposal would be allowed.

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 maintaining the uniquely integrated structure of uses in the City.

The proposal is consistent with the purpose of the Residence A district, which is, "[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." The proposal is an existing three-family triple decker and alters the structure for the occupants of the dwelling to use the space for a study.

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."*

Many of the surrounding properties have similar porches that are not enclosed. The proposal includes constructing two windows in the study. This will help to keep some transparency to this corner of the building, provide natural light to the interior space and not create an unattractive blank wall for the enclosure. The windows on the house have original casings and the windows on the enclosure will be conditioned to complement this detail. One of the windows on the plan is labeled as a relocated window so the casing should be relocated if at all possible.

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

The alteration to the triple decker will not significantly impact the affordability of it.

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 property is marked as an area to conserve and the proposal meets this goal.

<i><u>SomerVision Summary</u></i>	<i>Existing</i>	<i>Proposed</i>
<i>Dwelling Units:</i>	3	3

III. RECOMMENDATION

Special Permit

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 enclosure of the second floor of the rear porch. 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>Jan 23, 2015</td> <td>Initial application submitted to the City Clerk's Office</td> </tr> <tr> <td>Sept 14, 2005</td> <td>Modified plans submitted to OSPCD (Plot Plan)</td> </tr> <tr> <td>Jan 20, 2015 (Jan 23, 2015)</td> <td>Modified plans submitted to OSPCD (A100-Second Fl Plan, A200-Rear Elevation, Second Fl Plan)</td> </tr> </tbody> </table>				Date (Stamp Date)	Submission	Jan 23, 2015	Initial application submitted to the City Clerk's Office	Sept 14, 2005	Modified plans submitted to OSPCD (Plot Plan)	Jan 20, 2015 (Jan 23, 2015)	Modified plans submitted to OSPCD (A100-Second Fl Plan, A200-Rear Elevation, Second Fl Plan)
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Any changes to the approved elevations that are not <i>de minimis</i> must receive SPGA approval.												
2	New siding and windows shall match the type and color of the casings, trim, and materials shall match or be complimentary to the rest of the existing structure.	BP	Plng.									
3	There shall be a window on the side and rear of the enclosure.	BP	Plng.									
Final Sign-Off												
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.									

