



CITY OF SOMERVILLE, MASSACHUSETTS
OFFICE OF STRATEGIC PLANNING & COMMUNITY DEVELOPMENT
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Case #: ZBA 2011-63

Date: September 1, 2011

Recommendation: Conditional Approval

PLANNING STAFF REPORT

Site: 33 Paulina Street

Applicant Name: Eric Stange, Barbara Costa, & Margit Stange

Applicant Address: 26 Woodland St, Arlington MA 02476

Property Owner Name: same

Agent Name: Katherine MacPhail

Agent Address: 42 Mt. Vernon St, Arlington MA 02476

Alderman: Trane

Legal Notice: Applicant and Owner, Eric Stange, Barbara Costa, & Margit Stange, seek a special permit to alter a nonconforming structure under SZO §4.4.1 to replace and alter an existing three-story deck attached to the rear of an existing three-family residence.

Zoning District/Ward: RA/7

Zoning Approval Sought: Special Permit under §4.4.1

Date of Application: August 8, 2011

Dates of Public Hearing: Zoning Board of Appeals September 7, 2011

I. PROJECT DESCRIPTION

1. Subject Property: The subject property is a three-family dwelling on a 4,000 sf lot. There is a three-story deck in the rear of the property. The first floor portion of the deck extends farther than the second and third floor portions and only the second and third are connected by a stairwell.

2. Proposal: The proposal includes removing the existing porches and constructing new ones on each floor. The first floor deck will be reconstructed to approximately the same size. However, the second and third floor decks will be reduced in length. New stairs also will be constructed on the left side of the decks and will connect all three floors.



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After the porch is constructed, the Applicants intend to sod and/or seed the half of the yard that is mostly weeds and use landscape timbers to separate the paved and landscaped areas in the back yard. Other renovations to the site include removing the chain link fence across the driveway and planting flowers and possibly a small tree.

3. Nature of Application: The structure is currently nonconforming with respect to several dimensional requirements, including lot area, lot area per dwelling unit, front yard setback, left side yard setback, and frontage. The new portion of the deck is not within the required side yard setback; however, a special permit is required for the alteration of a nonconforming 3-family dwelling. The existing nonconformities requires the Applicant to obtain a special permit under SZO §4.4.1.

4. Surrounding Neighborhood: The surrounding neighborhood is mostly comprised of single, two- and three-family homes. Most of the lots have similar configurations with nonconforming side, rear, and front yard setbacks.



33 Paulina: existing rear deck.

5. Impacts of Proposal: The proposal is not anticipated to negatively impact the surrounding properties. The footprint of the deck is not expanding, the house will remain a three-family dwelling, and since the construction will be in the rear of the property it will not be visible from the public right of way.

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

7. Comments:

Wiring Inspector: The Applicant shall install a new exterior light fixture and a new exterior electrical receptacle for each of the levels of the new outdoor deck space in compliance with the National Electrical Code 2011.

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

Ward Alderman: Has been contacted but has not yet provided any 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 or 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 a typical to have a three-story porch in the rear yard of a home in the city.

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 to conserve the value of land and buildings and to establish and preserve quiet neighborhoods 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."

Since the footprint and general aesthetic of the porch is not going to change it is compatible with the surrounding area that consists of many 2 ½ story homes with 3 story decks.

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	<p>Approval is for the reconstruction of the porch. This approval is based upon the following application materials and the plans submitted by the Applicant:</p> <table border="1"> <thead> <tr> <th>Date (Stamp Date)</th> <th>Submission</th> </tr> </thead> <tbody> <tr> <td>8/8/2011</td> <td>Initial application submitted to the City Clerk's Office</td> </tr> <tr> <td>7/30/2011</td> <td>plans submitted to OSPCD (A 1.1, 2.1, & 2.2)</td> </tr> </tbody> </table> <p>Any changes to the approved site plan or elevations that are not <i>de minimis</i> must receive SPGA approval.</p>	Date (Stamp Date)	Submission	8/8/2011	Initial application submitted to the City Clerk's Office	7/30/2011	plans submitted to OSPCD (A 1.1, 2.1, & 2.2)	BP/CO	ISD/Plng.	
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2	The Applicant shall install a new exterior light fixture and a new exterior electrical receptacle for each of the levels of the new outdoor deck space in compliance with the National Electrical Code 2011.	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.							

