



CITY OF SOMERVILLE, MASSACHUSETTS
OFFICE OF STRATEGIC PLANNING & COMMUNITY DEVELOPMENT
JOSEPH A. CURTATONE
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PLANNING DIVISION

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ADAM DUCHESNEAU, *PLANNER*

DAWN PEREIRA, *ADMINISTRATIVE ASSISTANT*

Case #: ZBA 2012-13

Date: March 8, 2012

Recommendation: Conditional Approval

PLANNING STAFF REPORT

Site: 200 Summer Street

Applicant and Property Owner Name: James W. Kirylo

Applicant and Property Owner Address: 200 Summer Street, Somerville, MA 02143

Alderman: Tom Taylor

Legal Notice: Applicant and Owner James Kirylo, seeks a Special Permit to alter a nonconforming structure under SZO §4.4.1 to expand a second story porch across the front of an existing single-family residence. RB zone. Ward 3.

Zoning District/Ward: RB zone / Ward 3

Zoning Approval Sought: Special Permit under SZO §4.4.1

Date of Application: February 9, 2012

Dates of Public Hearing: Zoning Board of Appeals – **March 14, 2012**

I. PROJECT DESCRIPTION

1. Subject Property: The subject property is a 2,558 square foot lot with a single-family residence situated on Summer Street between and Lowell Street and Belmont Street. The structure currently has 1,851 square feet of habitable space and is 2½ stories high, not including the basement level, with a gable roof. The lot also contains one parking space on the left side of the property.

2. Proposal: The Applicant currently has a first floor porch that extends 13 feet along the front of the dwelling and then 18.6 feet down the left side of the building. There is also a second floor porch with a roof over it that is located only on the left side of the dwelling. The Applicant would like to remove the roof over this second story porch and extend the porch around to the front of the structure so that it matches the current dimensions of the first floor porch. As part of this proposal, new eight foot high columns will be installed to support the second story porch to replace the existing iron railing supports and a new header will also be installed to establish the base of the new second floor porch.



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The new section of porch would be 13 feet wide and 4 feet deep and would have a 3.5 foot high railing with balusters across its entire length set four inches apart. The new section of second story porch would be accessed through an existing door on the left side of the structure.

3. Nature of Application: This is a residential property within an RB district. The property is currently nonconforming with respect to minimum lot size, minimum lot frontage, and the minimum front, rear, and right side yard setbacks. With regard to the front yard setback, projections are allowed into the required front yard setback, but a minimum setback distance of 10 feet still needs to be provided. The existing front porch is only 8.2 feet from the front property line. This existing front yard setback nonconformity requires the Applicant to obtain a Special Permit under Somerville Zoning Ordinance (SZO) §4.4.1 to alter the nonconforming structure to expand the second story porch across the front of the existing single-family residence.

4. Surrounding Neighborhood: This is a residential property located in an RB district. The surrounding area is comprised predominantly of single-, two-, and three-family homes with a few multi-family dwellings in the area. There are also two parks and few religious institutions within the surrounding neighborhood. The vast majority of structures in the area are between 2½ and three stories in height.

5. Impacts of Proposal: There shall be minimal impacts to the surrounding neighborhood as a result of the proposed project because the existing first floor front porch is already nonconforming with regard to the front yard setback. The proposed new section of second story front porch would be constructed within the existing footprint of the first floor porch and therefore would not create any new structural nonconformities or increase any existing nonconformities at the property. The proposed second story front porch would not extend any closer to the front or left side property lines and therefore no impacts to the abutters are anticipated. The proposed second story porch would not extend across the entire front of the existing dwelling and the proposed columns on the first and second stories would line up vertically to maintain symmetry on the front of the structure. The proposed porch design would therefore not greatly alter the look of the existing structure or negatively impact the Summer Street streetscape. The property will remain a 2½ story, single-family residential use which is consistent with the surrounding neighborhood. The proposed porch extension would not appear to be detrimental to the immediate abutters or the surrounding area and therefore, there are no anticipated negative impacts from the proposal.

6. Green Building Practices: None indicated.

7. Comments:

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

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

Wiring Inspector: Indicated to Planning Staff that they would require the Applicant to install one (1) exterior light fixture and one (1) exterior electrical receptacle for the second floor outdoor porch space.



Existing Conditions

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 Permit.
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 finds that the alterations proposed would not be substantially more detrimental to the neighborhood than the existing structure. There shall be minimal impacts to the surrounding neighborhood as a result of the proposed project because the existing first floor front porch is already nonconforming with regard to the front yard setback. The proposed new section of second story front porch would be constructed within the existing footprint of the first floor porch and therefore would not create any new structural nonconformities or increase any existing nonconformities at the property. The proposed second story front porch would not extend any closer to the front or left side property lines and therefore no impacts to the abutters are anticipated. The property will remain a 2½ story, single-family residential use which is consistent with the surrounding neighborhood.

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 provide for and maintain the uniquely integrated structure of uses in the City; to secure safety from fire, panic and other dangers; to provide adequate light and air; to conserve the value of land and buildings; and to encourage the most appropriate use of land throughout the City"

The proposal is also consistent with the purpose of the district (6.1.2. RB - Residence Districts), which is, "To establish and preserve medium density neighborhoods of one-, two- and three-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."

The project is compatible with the characteristics of the surrounding neighborhood. The proposed second story front porch would not extend any closer to the front or left side property lines and therefore no impacts to the abutters are anticipated. The proposed second story porch would not extend across the entire front of the existing dwelling and the proposed columns on the first and second stories would line up vertically to maintain symmetry on the front of the structure. This proposed porch design would therefore not greatly alter the look of the existing structure or negatively impact the Summer Street streetscape. The proposed porch extension would not appear to be detrimental to the immediate abutters or the surrounding area and therefore, there are no anticipated negative impacts from the proposal. The property will remain a 2½ story, single-family residential use which is consistent with the surrounding neighborhood.

5. Adverse Environmental Impacts: The proposed use, structure or activity will not constitute an adverse impact on the surrounding area resulting from: 1) excessive noise, level of illumination, glare, dust, smoke, or vibration which are higher than levels now experienced from uses permitted in the surrounding area; 2) emission of noxious or hazardous materials or substances; 3) pollution of water ways or ground water; or 4) transmission of signals that interfere with radio or television reception.

No adverse environmental impacts are anticipated from this proposal. No new noise, glare, smoke, vibration, nor emissions of noxious materials nor pollution of water ways or ground water nor transmission of signals that interfere with radio or television reception are anticipated as part of the project. The structure will remain a 2½ story, single-family dwelling and will continue to be used for residential purposes.

III. RECOMMENDATION

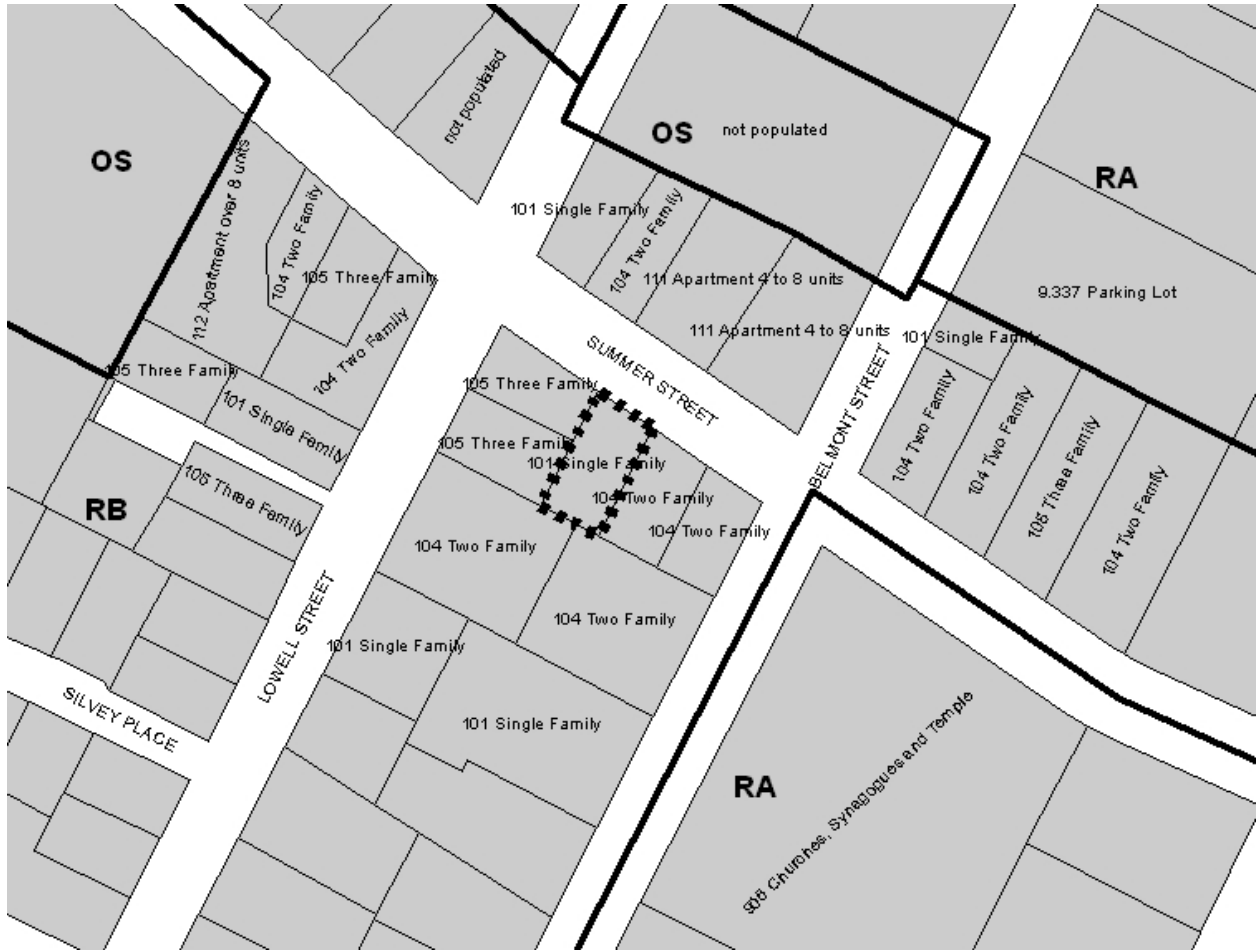
Special Permit under §4.4.1, 5.1

Based on 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 to alter a nonconforming structure under SZO §4.4.1 to expand a second story porch across the front of an existing single-family residence. This approval is based upon the following application materials and the plans submitted by the Applicant:	BP/CO	ISD/Png.		
	Date (Stamp Date)				Submission
	(February 9, 2012)				Initial application submitted to the City Clerk's Office
	December 19, 2011 (March 5, 2012)				Plot Plan
	(March 5, 2012)				Front Elevation
	(March 5, 2012)				Side Elevation
	(March 5, 2012)	Construction Detail			
	Any changes to the approved site plan or elevations that are not <i>de minimis</i> must receive SPGA approval.				
2	The porch shall be constructed at the dimensions indicated on the plans.	Final Sign Off	ISD		
3	The Applicant shall install one (1) exterior light fixture and one (1) exterior electrical receptacle for the second floor outdoor porch space.	Final Sign Off	Wiring Inspector		
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	Png.		



200 Summer Street