



CITY OF SOMERVILLE, MASSACHUSETTS
MAYOR'S OFFICE OF STRATEGIC PLANNING & COMMUNITY DEVELOPMENT
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Case #: ZBA 2013-66
Date: December 5, 2013
Recommendation: Conditional Approval

PLANNING STAFF REPORT

Site: 56 Wallace Street

Applicant Name: Kevin Kelleher
Applicant Address: 1 Hanson Road, Saugus, MA 01906
Property Owner Name: Marla Wessland
Property Owner Address: 56 Wallace Street, Somerville, MA 02144
Alderman: Rebekah Gewirtz

Legal Notice: Applicant, Kevin Kelleher, and Owner, Marla Wessland, seek a Special Permit under SZO §4.4.1 to alter the primary façade of an existing two-family nonconforming dwelling. Alterations will include the addition of a second story porch and the alteration of window to a door. RA zone. Ward 6.

Zoning District/Ward: RA zone / Ward 6

Zoning Approval Sought: Special Permit under SZO §4.4.1

Date of Application: September 23, 2013

Dates of Public Hearing: Zoning Board of Appeals – **Wednesday, December 11, 2013**

I. PROJECT DESCRIPTION

1. Subject Property: The subject property is a 3,750 square foot parcel of land comprised of a two-family dwelling. The structure is 2 ½ stories with a gable end roof and shed dormers on either side. The parcel is located east of Teele Square and north of Davis Square. The property has a net floor area of 2,290 with a 0.61 floor area ratio (FAR). The property is located in a Residence A district which is composed of single, two- and three-family dwellings.

There has been no prior zoning relief.



2. Proposal: The Applicant proposes to alter the primary façade of an existing two-family nonconforming dwelling through the addition of a second story porch and the alteration of a window to a door to access this porch. The existing first story porch would be rebuilt and extends slightly into the bay. The addition of the second story porch would match the footprint of the porch below and extend to the far side of the center window. The window located above the entry would become a door to access this porch. The railings and balusters would be composed of a horizontal steel cable system while the floor would be wood decking.



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3. Nature of Application: The structure is currently nonconforming with respect to dimensional requirements that include minimum lot size and front yard setback. In accordance with the Somerville Zoning Ordinance (SZO) §4.4.1, a nonconforming two-family dwelling may alter a nonconforming dimension through Special Permit approval. Therefore, altering the primary façade, which includes the addition of a second-story porch, requires Special Permit approval.

4. Surrounding Neighborhood: The subject property is located in a Residential A district east of Teele Square and north of Davis Square. The surrounding neighborhood is residential and composed of a mix of single, two- and three-family dwellings. Several neighboring properties have porches that are similar to the proposed second story porch and this size of porch, which extends 2/3 or the façade, is a local building precedent.

5. Impacts of Proposal: The proposal to alter the primary façade, which includes the addition of a second story porch, will not be detrimental to the structure.

The addition of a second story porch will enable the second floor unit to have additional outside space that overlooks the street and surrounding neighborhood. This modification necessitates the modification of a window to a door to access this porch. The existing porch on the first floor will be rebuilt with the same footprint but with a new steel cable rail and horizontal balusters. There will likely be no impact on the surrounding neighborhood as this is a typical porch type in the City and the addition of a second story porch will put more eyes on the street to add neighborhood safety.

6. Green Building Practices: There were no green building practices indicated on the application.

7. Comments:

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

Wiring Inspection: The Wiring Inspector noted verbally to Staff that an electrical outlet will be required on the second story porch as part of the building code.

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

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: 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. Altering the primary façade, which includes the addition of a second-story porch, will enable occupants to have outside space that overlooks street and surrounding neighborhood. There will likely be no impact on the surrounding neighborhood as the proposed porch is similar to many others within the City and does not increase the number of cars, people, or usable floor area.

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 protect health; to secure safety from fire, panic and other dangers; to conserve the value of land and buildings; to preserve the historical and architectural resources of the City; to encourage the most appropriate use of land throughout the City; and to preserve and increase the amenities of the municipality."

The proposal is consistent with the purpose of the Residence A district, §6.1.1, 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."

The proposal, to modify the primary façade which includes the addition of a second story porch, is compatible with the site and the neighborhood. This additional porch will enable occupants to have outside space that overlooks street and surrounding neighborhood. There will likely be no impact on the surrounding neighborhood as the proposed porch is similar to many others within the City and does not increase the number of cars, people, or usable floor area.

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 to alter the primary façade of an existing two-family nonconforming dwelling, which includes the addition of a second story porch and the alteration of window to a door. 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 23, 2013)</td> <td>Initial application submitted to the City Clerk's Office</td> </tr> <tr> <td>June 19, 2013 (December 4, 2013)</td> <td>Plot plan submitted to OSPCD</td> </tr> <tr> <td>November 13, 2013 (December 4, 2013)</td> <td>Existing elevation submitted to OSPCD (EX)</td> </tr> <tr> <td>December 3, 2013 (December 4, 2013)</td> <td>Proposed elevation submitted to OSPCD (C)</td> </tr> </tbody> </table>				Date (Stamp Date)	Submission	(September 23, 2013)	Initial application submitted to the City Clerk's Office	June 19, 2013 (December 4, 2013)	Plot plan submitted to OSPCD	November 13, 2013 (December 4, 2013)	Existing elevation submitted to OSPCD (EX)	December 3, 2013 (December 4, 2013)	Proposed elevation submitted to OSPCD (C)
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Any changes to the approved elevations that are not <i>de minimis</i> must receive SPGA approval.														
Construction Impacts														

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	
Design				
3	An exterior light and electrical receptacle is required for the first (or all) level of the porch and an electrical receptacle is required for the second level (if there is no access to the ground).	Final sign off	Wiring Inspector	
4	The length of the second story porch shall extend past the far side of the center window so as to include this window within the porch area.	Building Permit	ISD/Plng	
5	The floor of the second story porch shall align and transition into the cornice of the first story bay through use of the same design and material.	Building Permit	ISD/Plng.	
Public Safety				
6	The Applicant or Owner shall meet the Fire Prevention Bureau's requirements.	CO	FP	
Final Sign-Off				
7	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.	

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