



CITY OF SOMERVILLE, MASSACHUSETTS
OFFICE OF STRATEGIC PLANNING & COMMUNITY DEVELOPMENT
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Case #: ZBA 2011-75

Date: October 27, 2011

Recommendation: Conditional Approval

PLANNING STAFF REPORT

Site: 68 Wallace Street

Applicant Name: Janet Collins

Applicant Address: 305 Wachusett Street, Jamaica Plain, MA 02131

Property Owner Name: Rose McMahan

Property Owner Address: 68 Wallace Street, Somerville, MA 02144

Alderman: Rebekah Gewirtz

Legal Notice: Applicant Janet Collins and Owner Rose McMahan seek a special permit to alter a nonconforming structure under SZO §4.4.1 to construct a roof and two sides over an existing wheelchair lift. RA zone. Ward 6.

Zoning District/Ward: RA zone / Ward 6

Zoning Approval Sought: Special Permit under SZO §4.4.1

Date of Application: October 4, 2011

Date of Public Hearing: Zoning Board of Appeals – **November 2, 2011**

I. PROJECT DESCRIPTION

1. Subject Property: The subject property is a 3,750 square foot lot with a single-family residence situated on Wallace Street between Broadway and Holland Street. The structure currently has 1,753 square feet of habitable space and is 1½ stories high, not including the basement level, with a gable roof.

2. Proposal: The Applicant is proposing to construct a 4.5 foot wide by 5 foot deep enclosure around an existing wheelchair lift on the left side of the dwelling. One of the occupants of the dwelling is confined to a wheelchair and to assist him in getting to and from work the doorway and chair lift were installed in the 1990's. Currently the lift is entirely exposed to all of the elements and during the last two winters the lift has sometimes become frozen and inoperable, making it impossible for the occupant to go to work. The proposed project would construct a sloped roof over the lift at the same pitch as the as the roof over the existing enclosed front porch. The lift enclosure would also include two side



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walls to provide additional protection from the elements. One side of the lift would remain open to allow access onto and off of the lift.

3. Nature of Application: This is a residential property within an RA district. The structure is currently nonconforming with respect to the lot size and the minimum front and right side yard setbacks. The 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 construct a roof and two sides over the existing wheelchair lift.

4. Surrounding Neighborhood: This is a residential property located in an RA district. The surrounding area is comprised most of single- and two-family homes with a few three-family dwellings in the area. Most of structures in the area are 1½ to 2½ 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 front porch is already enclosed and therefore would not greatly alter the streetscape along Wallace Street. The proposed siding type and color, roofing, trim, and materials of the enclosure will match those of the existing structure, including the roof pitch of the proposed enclosure which will be the same as the roof pitch on the existing enclosed front porch. The proposed enclosure would only extend the left side of the front façade towards the left property line an additional 4 feet, however, the proposal would not reduce the existing left side yard setback because the proposed enclosure would still be within the existing building envelope. The proposal, however, would reduce the existing nonconforming front yard setback by 6 inches towards the front of the lot from 7 feet to 6.5 feet. The landscaping and parking conditions at the site would remain the same as the area where the lift currently sits is already paved and the enclosure would not interfere with traffic flow on the property. The structure will remain a 1½ story, single-family residential use which is consistent with the surrounding neighborhood. The proposed wheelchair lift enclosure 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 Gewirtz has been contacted but has not yet provided comments.



Existing Conditions



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 finds that the alterations proposed would not be substantially more detrimental to the neighborhood than the existing structure. The existing front porch is already enclosed and therefore the proposed project would not greatly alter the streetscape along Wallace Street. The proposed siding type and color, roofing, trim, and materials of the enclosure will match those of the existing structure, including the roof pitch of the proposed enclosure which will be the same as the roof pitch on the existing enclosed front porch. The proposed enclosure would only extend the left side of the front façade towards the left property line an additional 4 feet, however, the proposal would not reduce the existing left side yard setback because the proposed enclosure would still be within the existing building envelope. The proposal, however, would reduce the existing nonconforming front yard setback by 6 inches towards the front of the lot from 7 feet to 6.5 feet. The landscaping and parking conditions at the site would remain the same as the area where the lift currently sits is already paved and the enclosure would not interfere with traffic flow on the property. The property will remain a 1½ 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 conserve the value of land and buildings; and to encourage housing for persons of all income levels."

The proposal is also consistent with the purpose of the district (6.1.1. RA - Residence Districts), 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 project is compatible with the characteristics of the surrounding neighborhood. The existing front porch is already enclosed and therefore the proposed project would not greatly alter the streetscape along Wallace Street. The proposed siding type and color, roofing, trim, and materials of the enclosure will match those of the existing structure, including the roof pitch of the proposed enclosure which will be the same as the roof pitch on the existing enclosed front porch. The proposed enclosure would only extend

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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 project. 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 proposal. The structure will remain a 1½ 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	<p>Approval is to alter a nonconforming structure under SZO §4.4.1 to construct a roof and two sides over an existing wheelchair lift. This approval is based upon the following application materials and the plans submitted by the Applicant:</p> <table border="1" data-bbox="248 499 885 940"> <thead> <tr> <th data-bbox="248 499 565 533">Date (Stamp Date)</th> <th data-bbox="565 499 885 533">Submission</th> </tr> </thead> <tbody> <tr> <td data-bbox="248 533 565 638">(October 4, 2011)</td> <td data-bbox="565 533 885 638">Initial application submitted to the City Clerk's Office</td> </tr> <tr> <td data-bbox="248 638 565 743">(October 21, 2011)</td> <td data-bbox="565 638 885 743">Existing Site Plan</td> </tr> <tr> <td data-bbox="248 743 565 848">(October 27, 2011)</td> <td data-bbox="565 743 885 848">Proposed Site Plan</td> </tr> <tr> <td data-bbox="248 848 565 940">(October 27, 2011)</td> <td data-bbox="565 848 885 940">Existing and Proposed Front and Left Side Elevations</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	(October 4, 2011)	Initial application submitted to the City Clerk's Office	(October 21, 2011)	Existing Site Plan	(October 27, 2011)	Proposed Site Plan	(October 27, 2011)	Existing and Proposed Front and Left Side Elevations	BP/CO	ISD/PIng.	
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2	The Applicant shall meet the Fire Prevention Bureau's requirements.	CO	FP											
3	New siding type and color, roofing, trim, and materials of the addition shall match those of the existing structure.	CO	PIng.											
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	PIng.											



68 Wallace Street