



CITY OF SOMERVILLE, MASSACHUSETTS
MAYOR'S OFFICE OF STRATEGIC PLANNING & COMMUNITY DEVELOPMENT
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Case #: ZBA 2015-33
Date: August 13, 2015
Recommendation: Denial

Updated* PLANNING STAFF REPORT

Site: 26 Ibbetson Street

Applicant Name: Mark Richardson & Joan Bunker
Applicant Address: 58 Newcomb Rd, Stoneham, MA 02180
Owner Name: Joan Bunker
Owner Address: 26 Ibbetson St, Somerville, MA
Agent Name: Mark Richardson
Agent Address: 58 Newcomb Rd, Stoneham, MA 02180
Alderman: Robert McWatters

Legal Notice: Applicants, Mark Richardson & Joan Bunker, & Owner, Joan Bunker, seek a Special Permit under SZO §4.4.1 to alter a nonconforming 3-family structure to add an approximately 430 sf addition. RB zone. Ward 3.

Dates of Public Hearing: July 15, 2015

*Includes an additional picture of the existing conditions.

I. PROJECT DESCRIPTION

1. Subject Property: The subject property is a 3-family, triple decker on a 3,049 square foot lot. There is a 22 foot by 6.5 foot rear deck off of the existing first floor of the structure.
2. Proposal: The proposal is to build a rear addition that will be 22 feet by 6.5 feet and three stories tall to provide additional living space for the units.
3. Green Building Practices: None.







4. Comments:

Fire Prevention: Has not yet provided comments.

Ward Alderman: 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:

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. However, if the Zoning Board is inclined to approve the proposal, a detailed site plan, elevations and conceptual floor plans should be supplied to staff and the Board prior to approval.

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 the following dimensional requirements: floor area ratio, lot size, front, side and rear yard setbacks.

The proposal will impact the following nonconforming dimensions: side and rear setbacks and floor area ratio. The current FAR is 1.1, the proposal is 1.24, and the requirement in the district is 1.0. These 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 nonconforming structures other than one- and two-family dwellings may be enlarged, extended, renovated or altered only by special permit authorized by the SPGA in accordance with the procedures of Article 5." The SPGA must find that such extension, enlargement, renovation or alteration is not substantially more detrimental to the neighborhood than the existing nonconforming building. In making the finding that the enlargement, extension, renovation or alteration will not be substantially more detrimental, the SPGA may consider, without limitation, impacts upon the following: traffic volumes, traffic congestion, adequacy of municipal water supply and sewer capacity, noise, odor, scale, on-street parking, shading, visual effects and neighborhood character."

In considering a special permit under §4.4 of the SZO, Staff find that the alterations proposed would be substantially more detrimental to the neighborhood than the existing structure. The rear yard setback is minimal and adding more massing to the rear of the structure would make the yard even less functional. The neighboring properties would also be negatively impacted by the feeling of enclosure of their yards by an expansion of this long building.

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 not consistent with the general purposes of the Ordinance as set forth under §1.2, which includes, but is not limited to providing adequate light and air and preventing the overcrowding of land.

The proposal to add living space to a three-family dwelling is consistent with the purpose of the RB district, which is, "[t]o 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 neighborhood consists of several large triple-deckers; however, the subject property has a particularly shallow rear yard. In reviewing GIS data and aerial images it appears that the structures in the

neighborhood, even the ones that have enclosed rear porches, have at least the rear yard of the current proposal if not more. Further encroaching on the shallow rear yard would not be beneficial for this property or for any of the surrounding property to continue a pattern of effectively eliminating any real use of the rear yards or furthering the feeling of enclosure for neighbors' yards.

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

Adding living space will make the residential units more expensive; however, no affordable units will be impacted by the proposal.

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.*

The proposal complies with the purposes of the conserve areas as laid out in SomerVision to allow for an alteration to a triple-decker; however, the removal of open space for a building to be larger than that allowed by the Zoning Ordinance is arguably contrary to the goals of the Comprehensive Plan.

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 **DENIAL** 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.

