



CITY OF SOMERVILLE, MASSACHUSETTS
OFFICE OF STRATEGIC PLANNING & COMMUNITY DEVELOPMENT
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MAYOR

PLANNING DIVISION

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DANA LEWINTER, ALT.

Case #: ZBA 2009-26

Date: October 7, 2009

Recommendation: Conditional Approval
of §4.4.1 request and
withdrawal of §9.13.a

PLANNING BOARD REPORT

Site: 32 Linden Avenue

Applicant Name: Steve Liakos
Applicant Address: 32 Linden Avenue
Property Owner Name: same
Property Owner Address: same
Alderman: Ward 5, Sean O'Donovan

Legal Notice: The applicant seeks Special Permit approval under SZO §4.4.1 for an increase of the gross floor area of an existing non-conforming structure by more than 25 percent in order to construct an approximately 850sf third story addition. The applicant also seeks Special Permit approval under SZO §9.13.a in order to not provide one required parking space.

[Applicant has requested a withdrawal of the application for parking relief]

Zoning District/Ward: RB / 5

Zoning Approval Sought: Special Permit under SZO§4.4.1

Date of Application: June 22, 2009

Date(s) of Public Hearing: [PB: 6/16/09 / ZBA: 8/5/09]

Dear ZBA members:

At its regular meeting on September 17, 2009 the Planning Board heard the above-referenced application. Based on materials submitted by the Applicant and the Staff recommendation, the Board voted (5-0) with Kevin Prior absent, to recommend **conditional approval** of the requested **Special Permit** and **Withdrawal of Special Permit** for parking relief.



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In conducting its analysis, the Planning Board found:

I. PROJECT DESCRIPTION

1. Subject Property: The subject property is a 4,674 sf lot with a two-family 2 1/2 story dwelling containing 1,373 nsf. It is situated on a corner lot at the intersection of Linden Avenue and Linden Court. The structure is a simplified Colonial Revival with a hip roof and an austere façade that has been altered with an iron staircase extending from the Linden Court side. The upper floor has two bedrooms and is occupied by the owner and applicant and the lower floor is currently vacant. The property is one parcel of a five parcel subdivision that was developed in the late 1940's.



2. Proposal: The Applicant is proposing to add a third story addition of approximately 686 nsf. The proposed third floor would contain two bedrooms, a media room and a bathroom which would allow the second floor to be renovated into a larger living room, dining room and kitchen. A new open, covered two-story porch would be added to the Linden Court side replace/incorporate the exterior iron egress stairs.

3. Nature of Application: The Applicant is also requesting a Special Permit under SZO §4.4.1 to increase the gross floor area of a one or two

family structure by more than 25%. The proposal to construct an 858 gsf addition above the 1,716 gsf existing structure is an increase of 33%.

The Applicant has requested a withdrawal of the application for parking relief.

4. Surrounding Neighborhood: The subject property is located in a residential neighborhood of 2 1/2 and 3 story homes. The immediate neighborhood is a cul-de-sac development with five (5) very similarly designed dwellings.

5. Green Building Practices: The agent, Jon Lannan, will be making ongoing recommendations on sustainable construction materials and practices, but cannot guarantee the owner will elect to implement.

6. Landscaping: The property is conforming with respect to requirements for 25% landscaping in the RB district. The porch addition would be reducing the landscaping but exact calculations have not been submitted to Planning Staff.

7. Comments:

Fire Prevention: Steve Keenan reviewed the plans and stated: "This location will require at a minimum a code compliant fire alarm system. I would suggest that you contact Senior Building Inspector Paul Nonni to inquire as to whether this location will require a sprinkler system based on the extent of the work and added space, etc..."

Ward Alderman: Alderman O'Donovan has indicated that he is supportive of the proposal, that the additional square feet would not be a detriment to the neighborhood or to the cul-de-sac, and that he believes historic review of this structure was unfair to the applicant.

Historic Preservation: According to the City's Building Permit records, these houses were built for returning Veterans in 1947. This grouping of buildings in the simplified Colonial Revival style of the Post World War II generation was originally built with ample yards surrounding a cul-de-sac with adequate space for one car per building. They have the symmetric façade with a center entry and hipped roofs. Openings are located to emphasize the formal nature of the Colonial Revival Style, while the unadorned surfaces show the influence of International or Modern style architecture even in buildings that are not designed by major architects. Other than the iron stair case on number 32, and the enlarged parking areas, the buildings epitomize the housing style of the time despite the vinyl or aluminum siding that conceals some of the details. As a street side structure in this development, twinned with the one on the other side of the cul-de-sac, the building serves as a gateway to the development.

The Historic Preservation Staff finds the hip roof, the centered porch with round columns, the windows and shutters to reflect a typical Colonial Revival style of the building and the remaining homes in the cul-de-sac. The proposal is sympathetic to the original style of the development while allowing for the changes in lifestyle that have occurred since 1947.

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 Board 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."

The applicant and architect have worked closely with Planning and the Historic Preservation Staff to design a structure that is sympathetic to the historic character of the neighborhood. This type of cul-de-sac development is unusual in the city and the circumstance under which this area was built gives it historic interest. The proposal, as revised, meets the criteria set forth in the ordinance for the special permit. Staff finds that the addition is consistent with the architecture of the existing structure in regards to historic character of the building and the immediate neighborhood subdivision.

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 project is located in a Residence B (RB) zoning district. The RB district seeks, "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." The Board finds that the proposal is consistent with the purpose of the RB zoning district. The Board finds that the increase in floor area is acceptable for the district and neighborhood.

Though the structure appears to be 3.5 stories, which would violate the SZO, there will not be a floor that would create an attic space. Without a floor to create the attic space the structure, by definition, would be only three (3) stories and would therefore meet the requirements set in the SZO. The original proposal submitted by the applicant was a triple-decker design with a flat roof. After several meetings between Staff, Historic Preservation, the applicant and architect it was decided that the hip roof and Colonial Revival architecture would better maintain the historic character of the neighborhood. In addition, the existing floors within the structure have low ceilings and the height to the peak of the proposed roof would be approximately 31ft, which remains substantially below the 40ft maximum height allowance in the RB zone. It will be conditioned that the structure only contains three (3) stories, which would be determined by Inspectional Services.

The Board wants to note that a media room has been indicated on the third floor plans. In the event Inspectional Services finds this to be a bedroom the applicant will have to either redesign the floor plan to make it not a bedroom, provide an additional parking space, or request special permit relief from this requirement. It will be conditioned that the dwelling unit contain only two bedrooms, to be determined by Inspectional Services.

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 Planning Board finds that the proposal as designed is compatible with the characteristics of the structures in the subdivision in which it is located. Historic Preservation Staff is satisfied that the key historical elements of the neighborhood have been maintained with this design.

III. RECOMMENDATION

Special Permits under (SZO §9.13.a & §4.4.1)

Based on the above findings, the Planning Board recommends **CONDITIONAL APPROVAL** of the requested **SPECIAL PERMIT under §4.4.1** and,

WITHDRAWAL WITHOUT PREJUDICE of the requested **SPECIAL PERMIT under §9.13.a**

Although the Planning Board is recommending approval of the requested Special Permit under §4.4.1, the following conditions should be added to the permits:

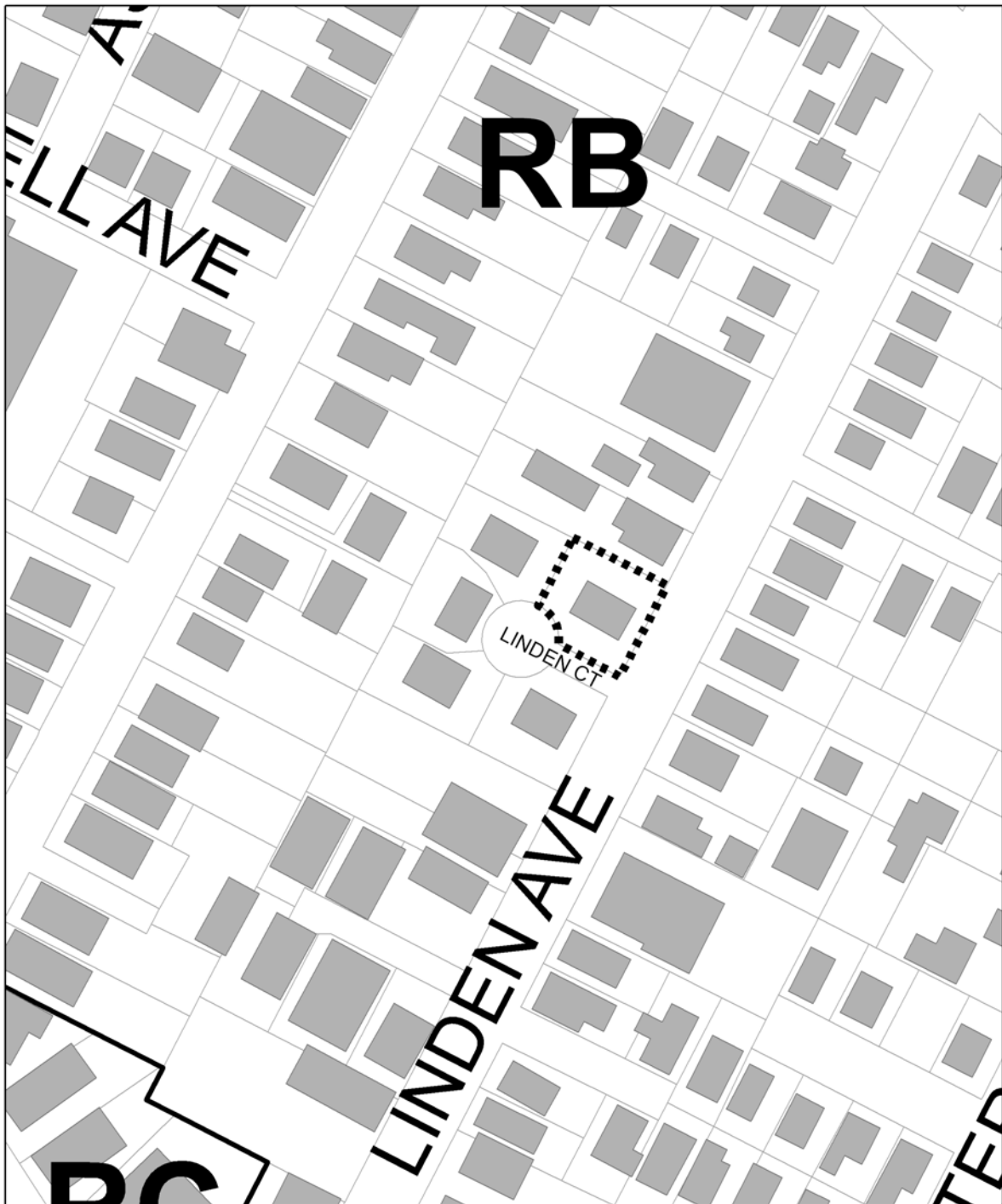
#	Condition	Timeframe for Compliance	Verified (initial)	Notes						
1	Approval is for the construction of an approximately 850 gsf third story addition. This approval is based upon the following application materials and the plans submitted by the Applicant and/or the Agent:	Building Permit	Plng.							
	<table><tr><th>Date(OSPCD stamp)</th><th>Submission</th></tr><tr><td>5/29/09</td><td>Initial application submitted to the City Clerk’s Office</td></tr><tr><td>9/3/09 (9/10/09)</td><td>Plot plan, site plan and elevations</td></tr></table>	Date(OSPCD stamp)	Submission	5/29/09	Initial application submitted to the City Clerk’s Office	9/3/09 (9/10/09)	Plot plan, site plan and elevations			
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5/29/09	Initial application submitted to the City Clerk’s Office									
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	Any changes to the approved site plan or elevations that									

	are not <i>de minimis</i> must receive ZBA approval.			
2	The façade materials and color of the structure shall match that of the existing building or, if the structure is to be resided, shall be approved by Planning Staff prior to receiving a building permit	Building permit	Plng.	
3	The subject dwelling unit shall be limited to two bedrooms or meet parking requirements under the SZO	Building permit	ISD	
4	The subject dwelling unit shall be limited to three stories as defined by the SZO.	CO	ISD	
5	The Applicant shall contact Planning Staff at least five working days in advance of a request for a final sign-off on the building permit to ensure the proposal was constructed in accordance with the plans and information submitted and the conditions attached to this approval.	CO	Plng. / ISD	

Sincerely,



Elizabeth Moroney
 Acting Chairman



32 LINDEN AVENUE