



CITY OF SOMERVILLE, MASSACHUSETTS
OFFICE OF STRATEGIC PLANNING & COMMUNITY DEVELOPMENT
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Case #: ZBA 2010-03

Date: March 17, 2010

Recommendation: Conditional Approval

PLANNING BOARD REPORT

Site: 32-34 Fenwick Street

Applicant Name: Bernard Breen

Applicant Address: 34 Fenwick Street, Somerville, MA 02145

Property Owner Name: same

Property Owner Address: same

Alderman: Pero

Legal Notice: Applicant and Owner, Bernard Breen, seeks a Special Permit under SZO §4.4.1 in order to enclose a second floor porch in the non-conforming side yard.

Zoning District/Ward: Residence B / 4

Zoning Approval Sought: Special Permit under SZO §4.4.1

Date of Application: February 8, 2010

Date(s) of Public Meeting/Hearing: PB 3/4/10 - ZBA 3/17/10

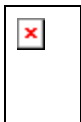
Date of Decision: N/A

Vote: N/A

Dear ZBA members:

At its regular meeting on March 4, 2010 the Planning Board heard the above-referenced application. Based on materials submitted by the Applicant and the Staff recommendation, the Board voted (5-0) to recommend **conditional approval** of the requested **Special Permit**.-

In conducting its analysis, the Planning Board found:



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I. PROJECT DESCRIPTION

1. Subject Property: The subject property has a two-family dwelling on a 3,605 sf lot. The structure is 2 ½ stories with a gable roof. Extending 6 ft from the front façade is a first floor porch with a second floor deck supported by brick columns. The porch is approximately 9 ft from the front lot line. The structure has vinyl siding on the side and rear facades, with a faux brick front façade.

2. Proposal: The proposal is to extend the second floor 5 ft by enclosing the second floor deck. The addition would extend to a distance of 10 ft from the front lot line. The new construction would total 123 sq ft and would enable the owner to expand an existing living room and bedroom.

3. Nature of Application: The structure is currently nonconforming with respect to several dimensional requirements, including minimum lot size, side yard setbacks, and street frontage.

The proposed addition would affect the nonconforming right side yard, which is 3.5 ft. The minimum required by the Somerville Zoning Ordinance (SZO) is 7 ft for a 2 ½ story structure (reduced from 8 ft because it is a narrow lot). The existing nonconformity requires the Applicant to obtain a special permit under §4.4.1 of the SZO.

The front yard setback requirement in an RB district is 15 ft. However, the SZO allows for a reduction in the front yard requirement if the average front yard depth of surrounding structures is less than 15 ft. In this circumstance the front yard requirement would be the minimum 10 ft. Therefore, no front yard relief is required for the deck enclosure.

4. Surrounding Neighborhood: The structures in the surrounding neighborhood are made up predominantly of 2 ½ and 3 story structures of wood construction. Enclosed second floors above open first floor porches is a common architectural style in this area

5. Green Building Practices: None.

6. Comments:

Fire Prevention: Deputy Chief William Lee been contacted but has not yet provided comments.

Ward Alderman: Alderman Pero 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: 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."

In considering a special permit under §4.4 of the SZO, the Board finds that the alterations proposed would not be substantially more detrimental to the neighborhood than the existing structure. The applicant has worked closely with Staff to refine the design. Certain design elements have been incorporated into this proposal that create a more appealing second story deck enclosure than is traditionally found throughout the city. These elements include window style and placement on both the front and side of the addition, a 1 ft setback of the addition from the front deck edge, the sloping roof and eave above and below the addition, the substantial size of the brick columns that support the addition, and the replacement of the faux brick façade with new vinyl siding to match the rest of the structure.

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 providing for and maintain the uniquely integrated structure of uses in the City and purpose of the RB district in altering this two-family home.

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."

With the front addition the structure would remain consistent with the character of other 2 ½ story structures on the street. While the Board typically would not encourage this type of second floor addition, the Board finds the design to be acceptable as both adjacent structures have enclosed second floor porches/decks and it is an architectural feature common in many structures in the surrounding area.

III. RECOMMENDATION

Special Permit under §4.4.1

Based on the above findings and subject to the following conditions, the Planning Board recommends **CONDITIONAL APPROVAL** of the requested **SPECIAL PERMIT**.

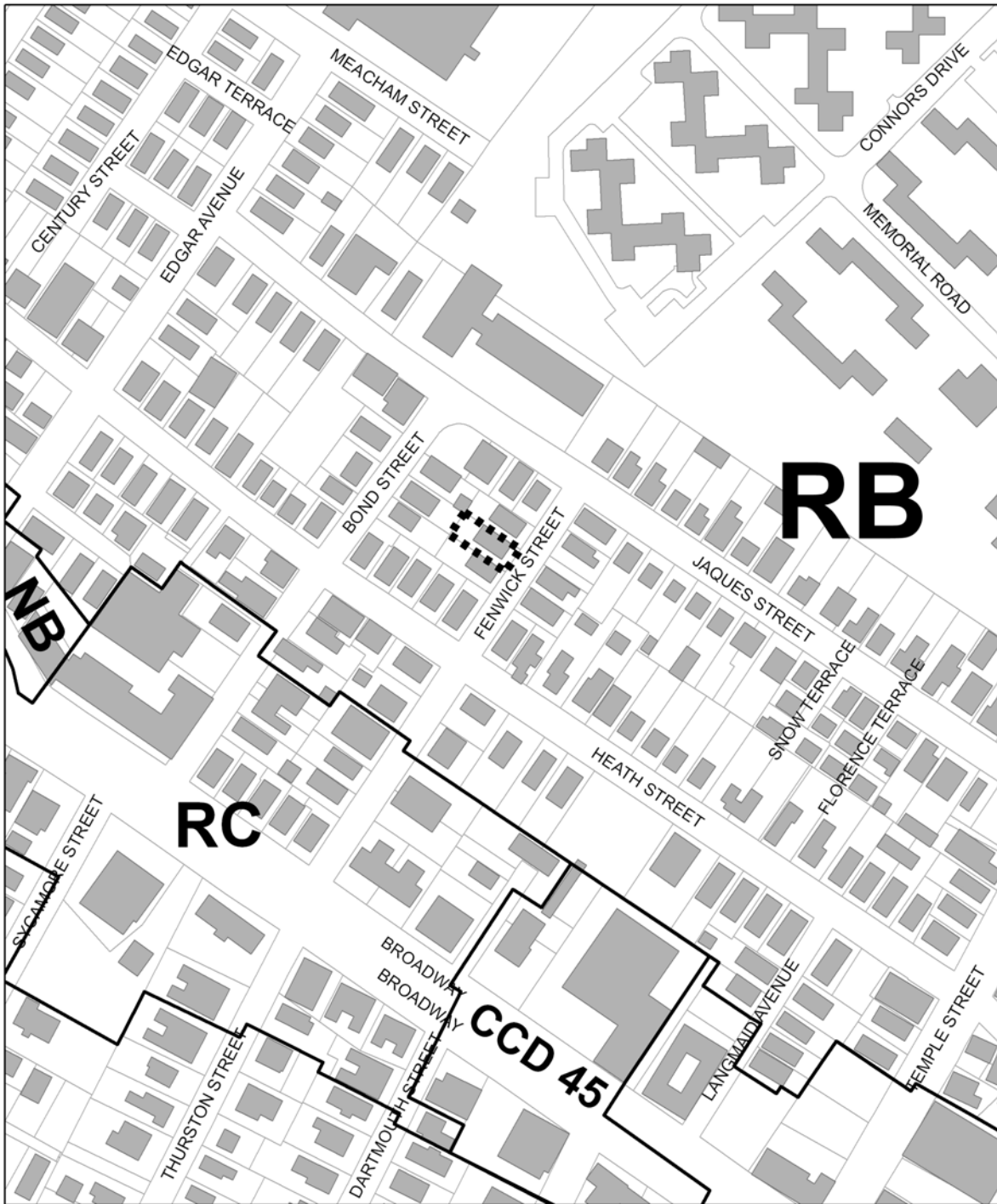
#	Condition	Timeframe for Compliance	Verified (initial)	Notes						
1	Approval is for the construction of an approximately 5 ft by 24.5 ft second-story deck enclosure. This approval is based upon the following application materials and the plans submitted by the Applicant:	BP/CO	Plng.							
	<table><tr><th>Date (Stamp Date)</th><th>Submission</th></tr><tr><td>(2/8/10)</td><td>Initial application submitted to the City Clerk’s Office</td></tr><tr><td>1/30/10</td><td>Plans and elevations submitted to OSPCD</td></tr></table>				Date (Stamp Date)	Submission	(2/8/10)	Initial application submitted to the City Clerk’s Office	1/30/10	Plans and elevations submitted to OSPCD
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	(2/8/10)				Initial application submitted to the City Clerk’s Office					
	1/30/10				Plans and elevations submitted to OSPCD					
Any changes to the approved plans and elevations that are not <i>de minimis</i> must receive ZBA approval.										

2	The siding and color shall match that of the existing house.	CO	Plng.	
3	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.	Final sign off	Plng.	

Sincerely,



Kevin Prior
Chair



32-34 FENWICK ST