



CITY OF SOMERVILLE, MASSACHUSETTS
STRATEGIC PLANNING AND COMMUNITY DEVELOPMENT
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STAFF

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Case #: ZBA 2008-71
Date: May 5, 2009
Recommendation: Conditional Approval

PLANNING STAFF REPORT

Site: 22 Benedict Street

Applicant Name: Qi Chao Ding

Applicant Address: 22 Benedict Street

Property Owner Name: same

Alderman: Roche

Legal Notice: Applicant & Owner: Qi Chao Ding seeks a special permit (SZO §4.4.1) to alter a nonconforming dwelling by adding 20' x 14' porch to the rear.

Zoning District/Ward: RB / 1

Zoning Approval Sought: Special Permit (SZO §4.4.1)

Date of Application: December 22, 2008

Date(s) of Public Meeting / Hearing: Planning Board: January 15, 2008 / ZBA: January 21, 2008

Date of Decision: N/A

Vote: N/A

I. PROJECT DESCRIPTION

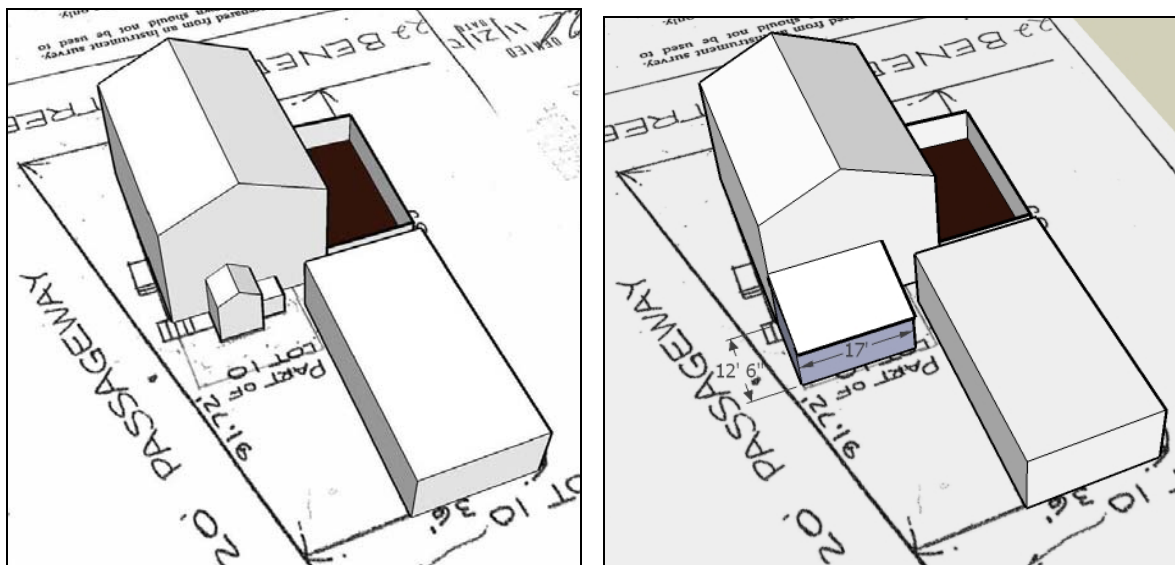
1. Subject Property: The property is a 4,141 s.f. parcel that is irregularly shaped. The property is on the corner of Benedict Street and Benedict Avenue and slopes down from the front to the rear. Benedict Avenue is a private street. The lot contains a two-family dwelling and a large garage with two garage doors and other openings to access storage space. In the rear of the house there is a small entry porch to access the first floor and an entry into the basement. There is a fenced in yard/garden to the left of the house that is only accessible from the back of the house.

22 Benedict Street: Front/Side (left), Back Porch Location (right)



2. Proposal: The proposal is to construct a two-story, 17.5' by 12.5', addition in the rear of the dwelling. Due to the slope of the site, the first story would be at the basement level and it would be used for storage. The second story of the porch would be enclosed and would align with the first story of the house. The Applicant has previously submitted drawings that were difficult to read and contained errors, and Staff had recommended Denial. In consultation with Staff, the Applicant has submitted revised drawings that are a significant improvement. These illustrate a three-foot space between the addition and the existing garage, which would provide access to the side yard and allow maintenance of the structures. The new drawings show the porch covering a portion of an existing window, which Staff recommend requiring it to be replaced with a smaller window or filled in. The revised drawings also illustrate a sloped roof over the new porch, which is an improvement. A small portion of the stairway would be located outside the structure, with the remaining stairs located inside. Staff has created the following image to illustrate the spatial relationship of the porch to the garage.

22 Benedict St: Existing Porch (left), Proposed Porch (right)



3. Nature of Application: The structure is currently nonconforming with several dimensional requirements, including minimum lot size, landscaped area, and front and side yard setbacks.

The proposed addition would increase the encroachment on the nonconforming side yard. The existing side yard is 5' and the proposed side yard would be 3'; the minimum in this district is 8'. This existing nonconformity requires the Applicant to obtain a special permit under §4.4.1 of the Somerville Zoning Ordinance (SZO).

4. Surrounding Neighborhood: The neighborhood is comprised of one-, two-, and multifamily homes. Interstate 93 is in close proximity to the house.

5. Impacts of Proposal: The garage is currently in poor condition; openings are covered with plywood and a rusty door. The proposed addition would block some of the garage from view. The existing porch is sided with plywood on the basement level and has not weathered well. Staff recommend that final material choices be subject to staff approval.

6. Green Building Practices: None.

7. Comments:

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

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: The Staff finds that the information provided by the Applicant generally conforms to the requirements of §5.1.2 of the SZO and allows for a general analysis of the dimensions and orientation of the project with respect to the required Special Permit.

Nevertheless, final details, included materials selection, location of trim, and window size and placement, should be coordinated with Planning Staff prior to construction.

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. The existing porch is poorly sided and has not weathered well, so its replacement would be an improvement to the structure. Nevertheless, selection of durable materials is important and should be coordinated with Planning prior to construction; in addition, final selection and placement of trim details and windows will improve the appearance of the porch and should be coordinated with Planning prior to construction.

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."

As conditioned, the proposal is consistent with the general purposes of the Ordinance as set forth under §1.2, which includes conserving the value of land and buildings. The proposal is consistent with the purpose of the district as the porch would be part of the existing residential use.

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 size and orientation of the addition is compatible with the built surrounding area. With Planning review and approval of final details, the project's design would be compatible.

III. RECOMMENDATION

Special Permit under §4.4.1

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

#	Condition	Timeframe for Compliance	Verified (initial)	Notes	
1	Approval is for a 12.5'x17.5' rear porch addition, replacing an existing porch. This approval is based upon the following plans submitted by the Applicant:	BP/CO	Plng.		
	Date (Stamp Date)				Submission
	(5/5/09)				Plans submitted to OSPCD
	Any changes to the approved plans that are not outlined below or found to be <i>de minimis</i> must receive ZBA approval.				
2	Final design of the façade, including selection of durable materials, location of trim details, and proper locations of porch windows and the window to the right of the porch, shall be approved by Planning Staff.	BP	Plng		
3	The applicant shall meet all requirements for fire prevention.	CO	FP		
4	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 has been completed in accordance with the plans and information submitted and the conditions attached to this approval.	Final sign off	Plng.		

