



## CITY OF SOMERVILLE, MASSACHUSETTS

### PLANNING BOARD

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MICHAEL A. CAPUANO, ESQ. (ALT.)

**Case #:** ZBA 2008-55

**Date:** November 6, 2008

**Recommendation:** Conditional Approval

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### PLANNING BOARD REPORT

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**Site:** 28 Burnham Street

**Applicant Name:** Angela Lehman

**Applicant Address:** 28 Burnham Street, Somerville MA 02144

**Property Owner Name:** same

**Alderman:** Trane

Legal Notice: The Applicant seeks a special permit §4.4.1 to expand an existing nonconforming front porch by approx 11 feet.

Zoning District/Ward: Residence A / 7

Zoning Approval Sought: Special Permit under §4.4.1

Date of Application: October 14, 2008

Date(s) of Public Hearing: ZBA: November 19, 2008

Date of Decision: N/A

Vote: N/A

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Dear ZBA members:

At its regular meeting on November 6, 2008 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**.

In conducting its analysis, the Planning Board found:

#### I. PROJECT DESCRIPTION

1. Subject Property: The property is a two-family dwelling which has 2 ½ stories. It is on a rectangular 4568 square foot lot. The structure has a two-story front porch comprised of wood and wrought iron. The porch is 7 feet by 16.6 feet and encumbers approximately ¾ of the front façade.

2. Proposal: The Applicant is proposing to construct the porch to be 7 feet by 28 feet to extend the length of the front façade. The design of the porch would match that of the house next door to the right. The porch would be made of wood or a wood composite with a matte finish.



28 Burnham Street: existing front porch (above),  
34 Burnham Street: style of porch proposed (below)



3. Nature of Application: The structure is currently nonconforming with respect to several dimensional requirements, including minimum lot area, front yard setback, side yard setback and street frontage. The proposal increases the structure's encroachment on the nonconforming front yard, which is 7 feet; the minimum front yard setback is 10 feet. The existing nonconformity requires the Applicant to obtain a special permit under §4.4.1 of the Somerville Zoning Ordinance (SZO).

4. Surrounding Neighborhood: The surrounding neighborhood features homes of similar scale and design; many of which have two story porches.

5. Impacts of Proposal: The expansion of the deck would reduce the front yard; however, there is currently no vegetation in

this portion of the yard that would need to be removed to accommodate the porch. Additionally, there is sufficient landscaping in the front and rear of the property. The reconstruction of the deck with consistent materials that spanned the length of the house would improve its appearance.

6. Green Building Practices: None.

7. Comments:  
Ward Alderman – Has been contacted but has not 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 reconstruction of the front porch with an increase in the length of approximately 11 feet would improve the appearance of the dwelling.

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 conserving the value of land and buildings and the purpose of the Residence A district.

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 proposed porch would match the porch to the right of the property. It would improve in design by being made of consistent materials and spanning the length of the house.

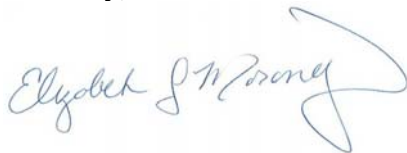
### III. RECOMMENDATION

#### 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 a front porch that is 7' x 28'. This approval is based upon the following application materials and the plans submitted by the Applicant:	BP/CO	Plng.						
	<table><tr><th>Date</th><th>Submission</th></tr><tr><td>October 24, 2008 (OSPCD stamp)</td><td>Application submitted to the City Clerk's Office (plot plan, rear &amp; side elevations)</td></tr></table>				Date	Submission	October 24, 2008 (OSPCD stamp)	Application submitted to the City Clerk's Office (plot plan, rear & side elevations)	
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Any changes to the approved plans that are not <i>de minimis</i> must receive ZBA approval.									
2	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,



Elizabeth Moroney  
Acting Chair

Cc: Applicant/Owner: Angela Lehman

