



CITY OF SOMERVILLE, MASSACHUSETTS
OFFICE OF STRATEGIC PLANNING & COMMUNITY DEVELOPMENT
JOSEPH A. CURTATONE
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PLANNING DIVISION

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Case #: ZBA 2010-15

Date: May 6, 2010

Recommendation: Conditional Approval

PLANNING BOARD RECOMMENDATION

Site: 30 Garrison Avenue

Applicant Name: Jeremy Seeger

Applicant Address: 148 Oakley Rd, Belmont, MA 02478

Property Owner Name: same

Agent Name: none

Alderman: Robert Trane

Legal Notice: Applicant & Owner, Jeremy Seeger, seek a Special Permit (SZO §5.1) under §4.4.1 in order to enclose a first story rear porch within the non-conforming side yard (§8.5.H).

Zoning District/Ward: Residence B / 7

Zoning Approval Sought: Special Permit §4.4.1 and 5.1

Date of Application: April 14, 2010

Dates of Public Meeting • Hearing: Planning Board 5/6/10 • Zoning Board of Appeals 5/19/10

Dear ZBA members:

At its regular meeting on May 6, 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 with Kevin Prior absent), to recommend **conditional approval** of the requested **Special Permit**.

In conducting its analysis, the Planning Board found:

I. PROJECT DESCRIPTION



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1. Subject Property: The existing three-family house is approximately 4,000 net square feet, and is clad in aluminum siding. The house is located on a 5,000 square foot parcel. It has 3-stories and there is an enclosed three-story porch in the front of the house and floors two and three also have an enclosed porch in the back of the house.

2. Proposal: The proposal is to enclose the first story porch in a similar manner to the second and third stories. The space would be used as a study, bathroom and closet. The new floor area would be 210 net square feet. The existing steps and concrete landing in the rear yard would be removed and there would be a door with stairs on the right side of the house. The Applicant plans to clad the newly enclosed porch area with vinyl siding and infill the areas around the windows on the second and third floors with vinyl and paint the vinyl and aluminum siding the same color. The Applicant stated that the missing window in the front of the house will be replaced.



30 Garrison Ave: (l) front, (r) back

3. Nature of Application: The structure is currently nonconforming with respect to several dimensional requirements, including lot area, front and left side yard setbacks. The proposal does not increase or alter any of the nonconformities of the site; however, due to the existing nonconformities of the three-family structure, the Applicant must obtain a special permit under §4.4.1 of the Somerville Zoning Ordinance (SZO).

4. Surrounding Neighborhood: The surrounding neighborhood consists predominately of two-, three- and multi-family homes.

5. Impacts of Proposal: The additional visual bulk of the building caused by enclosing the first story porch will be minimal because the second and third stories above it are already enclosed and one wall of the porch is currently solid. The treatment of the siding for the first floor and filling in the areas around the windows must be carefully considered in order for the siding in the back of the building to not appear as patchwork. A condition is added to this recommendation in order to address this concern.

6. Green Building Practices: The Applicant will be installing energy saver windows.

7. Comments:

Fire Prevention: Has no apparent concerns at this particular time.

Ward Alderman: Has been contacted but has not provided comments.

II. FINDINGS FOR SPECIAL PERMIT (SZO §5.1 & §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 as conditioned. Enclosing the porch will not increase any of the nonconformities of the lot or 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 conserving the value of land and buildings and the purpose of the district, as an addition to a three-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."

As conditioned, the project will be designed in a manner that will be compatible with the built and unbuilt surrounding area. The additional visual bulk of the building caused by enclosing the first story porch will be minimal because the second and third stories above it are already enclosed and one wall of the porch is currently solid. The treatment of the siding for the first floor and filling in the areas around the windows must be carefully considered in order for the siding in the back of the building to not appear as patchwork. A condition is added to this recommendation in order to address this concern.

III. RECOMMENDATION**Special Permit under §5.1 & §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 enclosure of a 210± nsf first story rear porch. 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>Apr 14, 2010</td><td>Initial application submitted to the City Clerk's Office</td></tr><tr><td>Mar 22, 2010</td><td>Plans submitted to OSPCD (first floor existing & proposed)</td></tr><tr><td>Apr 12, 2010</td><td>Plans submitted to OSPCD (elevations)</td></tr></table>				Date (Stamp Date)	Submission	Apr 14, 2010	Initial application submitted to the City Clerk's Office	Mar 22, 2010	Plans submitted to OSPCD (first floor existing & proposed)	Apr 12, 2010	Plans submitted to OSPCD (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 or Owner shall meet the Fire Prevention Bureau's requirements.	CO	FP									
3	The owner shall meet with Planning Staff and provide material samples to assess the proposed siding materials. Staff shall determine if the new siding will match the existing siding on the structure. If the siding does not match, the owner shall reside the entire rear enclosed porch in a color that matches the rest of the structure.	BP/CO	Plng.									
4	The owner shall replace the missing front window.	BP/CO	Plng.									
5	The Applicant shall contact Planning Staff at least five working days in advance of a request for a final inspection by Inspectional Services 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: Jeremy Seeger

