



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

PLANNING BOARD

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Case #: ZBA 2009-32
Date: August 6, 2009
Recommendation: Conditional Approval

PLANNING BOARD REPORT

Site: 7 Harrison Street

Applicant Name: John Downie

Applicant Address: 125 Wedge Wood Lane, Manchester, NH 03109

Property Owner Name: Angel Saenz-Badillos

Property Owner Address: 7 Harrison Street, Somerville MA

Agent Name: none

Alderman: Heuston

Legal Notice: The Applicant and Owner seek a special permit under §4.4.1 to expand a nonconforming single-family residential structure by adding a 110 s.f. second story addition over an existing structure on the side and a deck with a 140 s.f. addition over it in the back of the dwelling.

Zoning District/Ward: Residence B / 2

Zoning Approval Sought: Special Permit under §5.1 and §4.4.1

Date of Application: July 30, 2009

Date(s) of Public Meeting/Hearing: Planning Board: August 6, 2009 / ZBA: August 19, 2009

Date of Decision: N/A

Vote: N/A

Dear ZBA members:

At its regular meeting on August 6, 2009 the Planning Board heard the above-referenced application. Based on materials submitted by the Applicant and the Staff recommendation, the Board voted (4-0), to recommend **conditional approval** of the requested **Special Permit**.

In conducting its analysis, the Planning Board found:



I. PROJECT DESCRIPTION

1. Subject Property: The existing single-family house is approximately 1,700 square feet, and was constructed circa 1890. The house is 2 ½-stories and there is a one-story portion of the house that wraps around the northern corner. The house is located on 2,868 square foot parcel.

2. Proposal: The proposal is to construct a second story over the existing one-story portion of the house in order to enlarge an existing bedroom and add a bathroom. The new floor area would be approximately 140 square feet. The proposal also includes removing a rear deck and replacing it with a larger porch and an approximately 110 square foot addition above it. This space would be used as an extension of a bedroom.



7 Harrison St – front (l), rear (r)

3. Nature of Application: The structure is currently nonconforming with respect to several dimensional requirements, including lot area, front and side yard setbacks. The proposal affects the nonconforming side yard setback, which is 3.6 feet; the minimum side yard setback is 7.16 feet. 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 surrounding neighborhood consists predominately of one-, two-, and multi-family homes. The Fitchburg rail abuts the back of the property and Conway Park is on the other side of the tracks.

5. Impacts of Proposal: The proposal would extend the rear of the house by ten feet and increase the building foot print by 140 square feet. The addition would not significantly reduce the landscaped area. The mass of the structure would increase in the rear and a portion of the side of the property; however, the rear yard setback would remain conforming and the side yard would not be reduced further. There is a driveway abutting the property along the nonconforming side yard so the impact to this neighbor appears to be minimal.

6. Green Building Practices: None.



7. Comments:

Fire Prevention: This proposed project will require a code compliant fire alarm system. The fire alarm system will have to meet the requirements of section 9304.8 from 780 CMR (Massachusetts State Building Code – 7th edition).

Ward Alderman: Has been contacted but has not yet 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. To the extent possible for a nonconforming structure, the proposal complies with the standards of the zoning ordinance. The addition is minimally impactful.

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, to preserve one-family homes.

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 addition would be compatible with the style of the house. The addition over the porch would have a gable roof that matched the slope of the existing house. The windows would be centered proportionally. The addition that wraps around the side of the house would have a shallow pitched roof that ended below the existing eave of the house and the eave of the addition in the back. The windows would be lined up with existing windows. The siding of both portions of the proposal would match the existing shingles on the house.

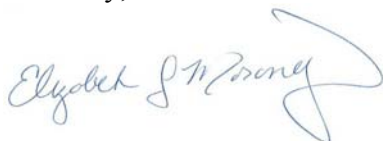


III. RECOMMENDATION**Special Permit under §4.4.1**

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 an addition to the second floor totaling 250± s.f. and a first floor porch. This approval is based upon the following application materials and the plans submitted by the Applicant:	PB/CO	Plng.									
	<table><tr><th>Date (Stamp Date)</th><th>Submission</th></tr><tr><td>July 30, 2009</td><td>Initial application submitted to the City Clerk’s Office</td></tr><tr><td>February 23, 2009 (July 30, 2009)</td><td>Modified plans submitted to OSPCD (plot/site plan)</td></tr><tr><td>July 26, 2009 (July 30, 2009)</td><td>Modified plans submitted to OSPCD (existing floor plans: A1-3, cross section: S4, elevations, E1-3)</td></tr></table>				Date (Stamp Date)	Submission	July 30, 2009	Initial application submitted to the City Clerk’s Office	February 23, 2009 (July 30, 2009)	Modified plans submitted to OSPCD (plot/site plan)	July 26, 2009 (July 30, 2009)	Modified plans submitted to OSPCD (existing floor plans: A1-3, cross section: S4, elevations, E1-3)
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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 siding of the addition shall match the existing siding on the house.	PB/CO	Plng.									
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 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 Chairman

Cc: Applicant: John Downie
Owner: Angel Saenz-Badillos



