



CITY OF SOMERVILLE, MASSACHUSETTS
MAYOR'S OFFICE OF STRATEGIC PLANNING & COMMUNITY DEVELOPMENT
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Case #: ZBA 2015-03

Date: January 29, 2015

Recommendation: Conditional Approval

PLANNING STAFF REPORT

Site: 21 Cambria Street

Applicant & Owner Name: Shar Van Boskirk

Applicant Address: 21 Cambria Street, Somerville, MA 02143

Agent: Dana Anderson

Agent Address: 21 Endicott Ave, Marblehead, MA 01945

Alderman: Robert McWatters

Legal Notice: Applicant and Owner, Shar Van Boskirk, seeks a Special Permit to alter a non-conforming single-family dwelling to modify a rear stair and patio. RA zone. Ward 3.

Dates of Public Hearing: Zoning Board of Appeals - Wednesday, February 4, 2015

I. PROJECT DESCRIPTION

1. Subject Property: The subject parcel is 1,742 square feet and composed of a single-family dwelling. The pervious area and landscaping is currently 56% (973 sf) of the parcel. There has been no previous zoning relief.

2. Proposal: The Applicant proposes to improve the overall landscaping of this parcel by altering an existing rear stair to create a decorative tiered stair off the rear egress located at the back of the dwelling. The stair would be built in a half circle, with a 7" rise and a 12" run. Proposed materials for the steps are a pre-fabricated wall block to complete the risers and a pre-fabricated concrete to complete the treads of the stairs. Materials will match the patio pavers in the back



yard and also the landscaped terraces in the front yard. Railings will be made out of wood or metal. The existing landscape and pervious areas would increase slightly as a result of this proposal.

3. Green Building Practices: None indicated

4. Comments:

Fire Prevention: Has been contacted and does not have concerns about this project.

Wiring Inspection: Has been contacted and does not have concerns about this project.

Ward Alderman: Has been contacted but has not yet submitted comments.

II. FINDINGS FOR SPECIAL PERMIT:

In order to grant a special permit, the SPGA must make certain findings and determinations.

1. Information Supplied:

The Staff finds that the information provided by the Applicant conforms to the requirements 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."*

Existing nonconforming buildings may alter a nonconforming dimension through Special Permit approval. The previous deck was nonconforming with regard to side yard setback, so under the current SZO, the project requires a Special Permit to alter this component. In considering a special permit of the SZO, Staff find that the alterations proposed would not be substantially more detrimental to the neighborhood than the existing structure. The proposal will enhance and slightly increase the landscape and pervious areas while retaining a 3.5' height.

Under the proposed zoning ordinance, the proposal would still require a Special Permit due to continuing a non-conforming dimension with regard to the side yard setback. The proposed code would require a side yard setback of 5' in order to comply with the building type, which could then receive a Zoning Permit as of right.

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, which includes, but is not limited promoting the safety of the inhabitants of the City of Somerville and providing for and maintaining the uniquely integrated structure of uses in the City.

The proposal is consistent with the purpose of the Residence A district, which is, "To establish and preserve quiet neighborhoods of one- and two-family homes, free from other uses except those which are both compatible with and convenient to the residents of such districts." The dwelling would remain as a single-family dwelling.

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 surrounding residential neighborhood is composed of single, two- and three-family dwellings. The design to alter the decorative stairs will be compatible with the existing structure and surrounding neighborhood. The proposal will enhance and slightly increase the landscape and pervious areas while retaining a 3.5' height.

5. SomerVision Plan: *Complies with the applicable goals, policies and actions of the SomerVision plan, including the following, as appropriate: Preserve and enhance the character of Somerville's neighborhoods, transform key opportunity areas, preserve and expand an integrated, balanced mix of safe, affordable and environmentally sound rental and homeownership units for households of all sizes and types from diverse social and economic groups; and, make Somerville a regional employment center with a mix of diverse and high-quality jobs. The areas in the SomerVision map that are designated as enhance and transform should most significantly contribute towards the SomerVision goals that are outlined in the table below. The areas marked as conserve are not expected to greatly increase the figures in the table since these areas are not intended for large scale change.*

<u>SomerVision Summary</u>	<i>Existing</i>	<i>Proposed</i>
<i>Dwelling Units:</i>	1	1
<i>Parking Spaces:</i>	0	0

The project complies with SomerVision with regard to preserving and enhancing the character of Somerville neighborhoods. This project is part of a larger improvement to the landscaping within this parcel and retains an existing nonconforming

III. RECOMMENDATION

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

The recommendation is based upon a technical analysis by Planning Staff of the application material based upon the required findings of the Somerville Zoning Ordinance, and is based only upon information submitted prior to the public hearing. This report may be revised or updated with new recommendations, findings and/or conditions based upon additional information provided to the Planning Staff during the public hearing process.

#	Condition	Timeframe for Compliance	Verified (initial)	Notes
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1	Approval is for a Special Permit to alter a non-conforming single-family dwelling to modify a rear stair and patio. This approval is based upon the following application materials and the plans submitted by the Applicant:		BP/CO	ISD/Plng.							
	<table><tr><th>Date (Stamp Date)</th><th>Submission</th></tr><tr><td>(January 2, 2015)</td><td>Initial application submitted to the City Clerk's Office</td></tr><tr><td>April 29, 2014 (January 29, 2015)</td><td>Plot plan submitted to OSPCD</td></tr></table>					Date (Stamp Date)	Submission	(January 2, 2015)	Initial application submitted to the City Clerk's Office	April 29, 2014 (January 29, 2015)	Plot plan submitted to OSPCD
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Any changes to the approved site plan that are not <i>de minimis</i> must receive SPGA approval.											
Public Safety											
2	The Applicant or Owner shall meet the Fire Prevention Bureau's requirements.		CO	FP							
Final Sign-Off											
3	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.							

