



**CITY OF SOMERVILLE, MASSACHUSETTS**  
**OFFICE OF STRATEGIC PLANNING & COMMUNITY DEVELOPMENT**  
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**Case #:** ZBA 2012-35

**Date:** May 10, 2012

**Recommendation:** Conditional Approval

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**PLANNING STAFF REPORT**

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**Site:** 81 Cedar Street

**Applicant Name:** Frederick Festa

**Applicant Address:** 24 Temple Street, Revere, MA 02151

**Property Owner Name:** Elke Perloff

**Property Owner Address:** 81 Cedar Street, Somerville, MA 02143

**Alderman:** Sean O'Donovan

Legal Notice: Applicant Frederick Festa and Owner Elke Perloff, seek a Special Permit to alter a nonconforming structure under SZO §4.4.1 to construct a covered front porch on the first floor of an existing two-family residence. RA zone. Ward 5.

Zoning District/Ward: RA Zone / Ward 5

Zoning Approval Sought: Special Permit under SZO §4.4.1

Date of Application: April 18, 2012

Dates of Public Hearing: Zoning Board of Appeals – **May 16, 2012**

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**I. PROJECT DESCRIPTION**

1. Subject Property: The subject property is a 4,500 square foot lot with a two-family residence situated on it at the intersection of Cedar Street and Highland Avenue. The structure is 2½ stories tall, not including the basement level, with a gable roof and has 2,551 square feet of habitable space. There are also two off-street parking spaces at the property.

2. Proposal: The Applicant is proposing to remove the existing brick front stoop and steps and to replace them with an 8 foot deep by 12 foot wide (96 square feet) farmer's porch with a shed style roof. The porch would have a 36 inch high railing with balusters around two sides. The remaining third side would have four steps that would run the width of the porch leading down to the ground



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towards the driveway. Lattice work would wrap around the bottom portion of the porch, screening the area beneath and the three supportive footings.

3. Nature of Application: This is a residential property within an RA district. The lot is nonconforming with regard to minimum lot size and minimum frontage. The minimum lot size in the RA district is 10,000 square feet, well above the property's 4,500 square feet and the parcel's 45 feet of frontage is just under the district minimum of 50 feet. The structure on the property is nonconforming with respect to its left side yard setback. Since the proposed porch would be impacting this nonconforming aspect of the structure, the left side yard setback, the Applicant is required to obtain a Special Permit under Somerville Zoning Ordinance (SZO) §4.4.1 to alter the nonconforming structure to construct the covered front porch on the first floor of the existing two-family residence.

4. Surrounding Neighborhood: This is a residential property located in an RA district. The surrounding area is predominantly single- and two-family homes that are between 2½ and 3 stories in height. There are a few three- and multi-family dwellings in the area along Summer Street.

5. Impacts of Proposal: There shall be minimal impacts to the surrounding neighborhood as a result of the proposed project because the proposed porch would maintain the left side yard setback of the existing stoop and only extend approximately 1.5 feet closer to the front lot line than the current stoop and stairs. When complete, the new front porch would be 10.5 feet from the front lot line which exceeds the minimum requirement of 10 feet for front porches as laid out in the SZO. The proposed porch would also be fairly small at 96 square feet and would not greatly reduce the existing landscaping at the property. Other structures in the neighborhood, including the ones directly across the street, have similar style front porches. The proposed porch would be a quality addition to the dwelling as it would provide semi-private outdoor space which will improve the streetscape interaction of the structure with Cedar Street. The property will remain a 2½ story, two-family residential use which is consistent with the surrounding neighborhood. The proposed porch would not appear to be detrimental to the immediate abutters or the surrounding area and therefore, there are no anticipated negative impacts from the proposal.

6. Green Building Practices: None indicated.

7. Comments:

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

*Ward Alderman:* Alderman O'Donovan indicated in an email to Planning Staff on Thursday, May 10, 2012 that he concurs with Planning Staff's recommendation for the project.

*Historic Preservation:* Has been contacted but has not yet provided comments.

*Wiring Inspector:* Indicated in an email to Planning Staff on Monday, April 30, 2012 that the new porch space would be required to have one (1) exterior light fixture and one (1) exterior electrical receptacle.



Existing Conditions at 81 Cedar Street

## 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 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, Staff finds that the alterations proposed would not be substantially more detrimental to the neighborhood than the existing structure. The proposed porch would maintain the left side yard setback of the existing stoop and only extend approximately 1.5 feet closer to the front lot line than the current stoop and stairs. When complete, the new front porch would be 10.5 feet from the front lot line which exceeds the minimum requirement of 10 feet for front porches as laid out in the SZO. The proposed porch would also be fairly small at 96 square feet and would not greatly reduce the existing landscaping at the property. The property will remain a 2½ story, two-family residential use which is consistent with the surrounding neighborhood.

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 promoting “the health, safety, and welfare of the inhabitants of the City of Somerville; to provide for and maintain the uniquely integrated structure of uses in the City; to protect health; to secure safety from fire, panic and other dangers; to provide adequate light and air; and to conserve the value of land and buildings.”

The proposal is also consistent with the purpose of the district (6.1.1. RA - Residence Districts), 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.”

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 project is compatible with the characteristics of the built and unbuilt surrounding neighborhood. Several other structures in the neighborhood, including the ones directly across the street, have similar style front porches. The proposed porch would be a quality addition to the dwelling as it would provide semi-private outdoor space which will improve the streetscape interaction of the structure with Cedar Street. Currently, the front stoop of the structure only serves as a means of egress for the building, but the addition of the porch would add covered semi-enclosed outdoor space for residents of the dwelling to enjoy. The property will remain a 2½ story, two-family residential use which is consistent with the surrounding neighborhood.

5. Adverse Environmental Impacts: The proposed use, structure or activity will not constitute an adverse impact on the surrounding area resulting from: 1) excessive noise, level of illumination, glare, dust, smoke, or vibration which are higher than levels now experienced from uses permitted in the surrounding area; 2) emission of noxious or hazardous materials or substances; 3) pollution of water ways or ground water; or 4) transmission of signals that interfere with radio or television reception.

No adverse environmental impacts are anticipated from this project. No new noise, glare, smoke, vibration, nor emissions of noxious materials nor pollution of water ways or ground water nor transmission of signals that interfere with radio or television reception are anticipated as part of the proposal. The structure will remain a 2½ story, two-family dwelling and will continue to be used for residential purposes.

### **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**.

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            |  |                                   |           |                                    |                          |                  |                      |                  |                 |                   |           |  |
|--|--|--|--------------------|------------------|--|-----------------------------------|-----------|------------------------------------|--------------------------|------------------|----------------------|------------------|-----------------|-------------------|-----------|--|
| 1  | Approval is to alter a nonconforming structure under SZO §4.4.1 to construct a covered front porch on the first floor of an existing two-family residence. This approval is based upon the following application materials and the plans submitted by the Applicant: <table><tr><th>Date (Stamp Date)</th><th>Submission</th></tr><tr><td>(April 18, 2012)</td><td>Initial application submitted to the City Clerk’s Office</td></tr><tr><td>March 7, 2012<br/>(April 27, 2012)</td><td>Plot Plan</td></tr><tr><td>April 18, 2012<br/>(April 27, 2012)</td><td>Proposed Front Elevation</td></tr><tr><td>(April 27, 2012)</td><td>Construction Drawing</td></tr><tr><td>(April 27, 2012)</td><td>Setback Diagram</td></tr></table> | Date (Stamp Date)  | Submission         | (April 18, 2012) | Initial application submitted to the City Clerk’s Office | March 7, 2012<br>(April 27, 2012) | Plot Plan | April 18, 2012<br>(April 27, 2012) | Proposed Front Elevation | (April 27, 2012) | Construction Drawing | (April 27, 2012) | Setback Diagram | BP/Final Sign Off | ISD/Plng. |  |
|  | Date (Stamp Date)  | Submission   |                    |                  |  |                                   |           |                                    |                          |                  |                      |                  |                 |                   |           |  |
|  | (April 18, 2012)   | Initial application submitted to the City Clerk’s Office |                    |                  |  |                                   |           |                                    |                          |                  |                      |                  |                 |                   |           |  |
|  | March 7, 2012<br>(April 27, 2012)  | Plot Plan  |                    |                  |  |                                   |           |                                    |                          |                  |                      |                  |                 |                   |           |  |
|  | April 18, 2012<br>(April 27, 2012)   | Proposed Front Elevation                                 |                    |                  |  |                                   |           |                                    |                          |                  |                      |                  |                 |                   |           |  |
|  | (April 27, 2012)   | Construction Drawing                                     |                    |                  |  |                                   |           |                                    |                          |                  |                      |                  |                 |                   |           |  |
|  | (April 27, 2012)   | Setback Diagram  |                    |                  |  |                                   |           |                                    |                          |                  |                      |                  |                 |                   |           |  |
| Any changes to the approved site plan or elevations that are not <i>de minimis</i> must receive SPGA approval. |  |  |                    |                  |  |                                   |           |                                    |                          |                  |                      |                  |                 |                   |           |  |
| 2  | The porch shall be constructed at the dimensions indicated on the plans.   | Final Sign Off   | ISD                |                  |  |                                   |           |                                    |                          |                  |                      |                  |                 |                   |           |  |
| 3  | The Applicant shall remove the concrete front walk and replace it with some type of pervious surface and/or landscaping.   | Final Sign Off   | Plng.              |                  |  |                                   |           |                                    |                          |                  |                      |                  |                 |                   |           |  |
| 4  | The Applicant shall install one (1) exterior light fixture and one (1) exterior electrical receptacle on the outdoor porch space.  | Final Sign Off   | Wiring Inspector   |                  |  |                                   |           |                                    |                          |                  |                      |                  |                 |                   |           |  |
| 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.              |                  |  |                                   |           |                                    |                          |                  |                      |                  |                 |                   |           |  |



**81 Cedar Street**