



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

MICHAEL F. GLAVIN  
EXECUTIVE DIRECTOR

**PLANNING DIVISION STAFF**

GEORGE PROAKIS, *DIRECTOR OF PLANNING*  
LORI MASSA, *SENIOR PLANNER*  
DAN BARTMAN, *SENIOR PLANNER*  
AMIE HAYES, *PLANNER*  
DAWN PEREIRA, *ADMINISTRATIVE ASSISTANT*

**Case #:** ZBA 2013-13

**Date:** March 28, 2013

**Recommendation:** Conditional Approval

---

**PLANNING STAFF REPORT**

---

**Site:** 20 Elston Street

**Applicant Name:** James Gogos

**Applicant Address:** 87 Long Avenue, Belmont, MA 02478

**Property Owner Name:** Louise Taylor

**Property Owner Address:** 20 Elston Street, Somerville, MA

**Alderman:** Rebekah Gewirtz / Ward 6

Legal Notice: Applicant, James Gogos, and Owner, Louise Taylor, seek a Special Permit under SZO §4.4.1 to enclose a rear porch and reconstruct a rear deck, to include additional square footage, at an existing single-family dwelling. RA zone. Ward 6.

Zoning District/Ward: RA zone / Ward 6

Zoning Approval Sought: Special Permit under SZO 4.4.1

Date of Application: March 4, 2013

Dates of Public Hearing: Zoning Board of Appeals – **April 3, 2013**

---

**I. PROJECT DESCRIPTION**

1. Subject Property: The subject property is a 3,750 square foot parcel comprised of a 2½ story single-family dwelling and a concrete block garage. The dwelling has a net floor area of 1,740 square feet with a .46 floor area ratio. The structure is located in a Residence A district, southeast of Davis Square, near Cambridge. The surrounding properties are predominantly single- and two-family dwellings; however, commercial and office uses are located nearby along Elm and Summer streets.

The subject property has not received prior zoning relief.



2. Proposal: Applicant James Gogos, and Owner, Louise Taylor, propose to enclose a rear porch and reconstruct a rear deck, to include additional square footage, at an existing single-family dwelling.

The rear entry porch is located behind the projecting bay on the right side. The Applicant proposes to enclose this space, which extends 5'-9" to the rear façade and is 4 feet in width. The Applicant also proposes to reconstruct the rear deck with an additional twelve square feet. The deck would extend 16'-3" across the rear façade of the dwelling and be 8 feet in width. The additional 12 square feet is created by including the right rear corner.

The rear entry door is currently located behind the projecting bay; however, upon reconstructing the rear deck, the door would be replaced with a window. A new rear entry door would open onto the reconstructed deck and be located near the center of the rear façade. Stairs, four feet in width, would be located across the deck from the new door and lead into the rear yard.

Additional renovations to this single-family dwelling include modifying the kitchen and bathroom as well as adding a new bathroom. There are four existing bedrooms, which will not change as a result of this proposal.



*20 Elston Street*

3. Nature of Application: The structure is currently nonconforming with respect to several dimensional requirements including right side yard setback and minimum lot size. In accordance with the Somerville Zoning Ordinance (SZO) §4.4.1, a nonconforming single family dwelling may increase a nonconforming dimension through Special Permit approval. The dimensional requirement for the right side yard setback is no less than eight feet. Since the current right side yard setback is 3.8 feet, enclosing the rear porch and reconstructing a rear deck to include the right rear corner requires Special Permit approval.

The required rear yard setback is twenty feet. However, since the depth of the lot is less than 100 feet, three inches may be deducted from the requirement for each foot by which the depth is less than 100 feet. Since the depth of the lot is 75 feet, the rear yard setback is 12'-9"; therefore, the reconstructed deck will not encroach within the rear yard setback.

4. Surrounding Neighborhood: The structure is located in a Residence A district, southeast of Davis Square, near Cambridge. The surrounding properties are predominantly single- and two-family dwellings; however, commercial and office uses are located nearby along Elm and Summer streets.

5. Impacts of Proposal: The proposal to enclose the rear entry porch and reconstruct the rear deck with an additional twelve square feet will not be detrimental to the structure.

The current owners are modifying the interior floor plan of their single-family dwelling. Enclosing the rear entry porch creates additional space to use to modify the interior plan. Reconstructing the deck allows the rear door to be relocated to open onto the deck. Renovations include modifying the kitchen and bathroom as well as adding a new bathroom. There are four existing bedrooms, which will not change as a result of this proposal.

6. Green Building Practices: There are no green building practices indicated on the application.

7. Comments:

*Fire Prevention:* Had been contacted but has not yet submitted comments.

*Ward Alderman:* Alderman Gewirtz has been contacted and replied to Staff via email on 3/22/2013 that she believes additional work is being done. Staff explained in addition to the Special Permit, interior renovations include the kitchen and bathroom, as well as the addition of one more bathroom on the second floor. Staff also verified that there are four existing bedrooms and this is not proposed to change as part of this application.

## **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 find that the alterations proposed would not be substantially more detrimental to the neighborhood than the existing structure. The proposal to enclose a rear porch and reconstruct a rear deck, to include an additional twelve square feet, enables the interior space to be reconfigured. The existing entry door would become a window and the door would be relocated to open onto the reconstructed deck.

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 protect health; to secure safety from fire, panic and other dangers; to provide adequate light and air; to conserve the value of land and buildings; and to encourage the most appropriate use of land throughout the City.

The proposal is consistent with the purpose of the Residence A district, §6.1.1, 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 proposal, to enclose a rear porch and reconstruct a rear deck, to include an additional twelve square feet, enables the interior space to be reconfigured. This project will minimally enlarge the existing footprint and reconstruct a deck that had previously deteriorated.

### **III. RECOMMENDATION**

#### **Special Permit under §4.4.1**

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												
1	Approval is for a Special Permit to enclose a rear porch and reconstruct a rear deck, to include additional square footage, at an existing single-family dwelling. 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>(March 4, 2013)</td><td>Initial application submitted to the City Clerk’s Office</td></tr><tr><td>February 14, 2013 (March 26, 2013)</td><td>Plot plan submitted to OSPCD</td></tr><tr><td>(March 26, 2013)</td><td>Proposed plans submitted to OSPCD (Sheet 1 and 2)</td></tr><tr><td>(March 26, 2013)</td><td>Photographs submitted to OSPCD (Sheets 1, 2 &amp; 3)</td></tr><tr><td>March 2, 2013 (March 26, 2013)</td><td>Assessor plan submitted to OSPCD</td></tr></table> Any changes to the approved site plan or elevations that are not <i>de minimis</i> must receive SPGA approval.	Date (Stamp Date)	Submission	(March 4, 2013)	Initial application submitted to the City Clerk’s Office	February 14, 2013 (March 26, 2013)	Plot plan submitted to OSPCD	(March 26, 2013)	Proposed plans submitted to OSPCD (Sheet 1 and 2)	(March 26, 2013)	Photographs submitted to OSPCD (Sheets 1, 2 & 3)	March 2, 2013 (March 26, 2013)	Assessor plan submitted to OSPCD	BP/CO	ISD/PIng.	
	Date (Stamp Date)	Submission														
	(March 4, 2013)	Initial application submitted to the City Clerk’s Office														
	February 14, 2013 (March 26, 2013)	Plot plan submitted to OSPCD														
	(March 26, 2013)	Proposed plans submitted to OSPCD (Sheet 1 and 2)														
	(March 26, 2013)	Photographs submitted to OSPCD (Sheets 1, 2 & 3)														
	March 2, 2013 (March 26, 2013)	Assessor plan submitted to OSPCD														
2	An exterior light and electrical receptacle is required for the first level of the porch and an electrical receptacle is required for the second level (if there is no access to the ground).	Final sign off	Wiring Inspector													
3	New siding type and color, roofing, trim, and materials of the addition shall match or be complimentary to the rest of the existing structure.	CO	PIng.													
4	The Applicant or Owner shall meet the Fire Prevention Bureau’s requirements.	CO	FP													
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	PIng.													

20 Elston Street

