



**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 2012-108

**Date:** January 17, 2013

**Recommendation:** Conditional Approval

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**PLANNING STAFF REPORT**

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**Site:** 22 Fairfax Street

**Applicant Name:** Brian Aldrich

**Applicant Address:** 22 Fairfax Street, Unit 2, Somerville, MA 02144

**Property Owner Name:** Brian Aldrich

**Property Owner Address:** 22 Fairfax Street, Unit 2, Somerville, MA 02144

**Alderman:** Robert Trane / Ward 7

Legal Notice: Applicant and Owner, Brian Aldrich, seeks a Special Permit to alter a nonconforming structure under SZO §4.4.1 to expand the porch on the rear façade of an existing two-family residence. RA Zone. Ward 7.

Zoning District/Ward: RA / 7

Zoning Approval Sought: Special Permit under SZO §4.4.1

Date of Application: December 17, 2012

Dates of Public Hearing: Zoning Board of Appeals – **Wednesday, January 23, 2013**

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**I. PROJECT DESCRIPTION**

1. Subject Property: The subject property is a two-family dwelling on a 3,155 square foot lot near Alewife Brook Parkway and Arlington. This 2½ story, nonconforming structure has a shallow hip roof with 2,050 square feet of living space and a .65 floor area ratio. There is one dormer on the front façade as well as an enclosed second story porch, and the rear façade has two open decks. The building is located in a Residence A district and abuts similar residential properties on either side.

There has been no prior zoning relief for the subject property.



2. Proposal: Applicant, Brian Aldrich, proposes to alter this two-family dwelling by expanding the two-story porch on the rear façade to enable better use of this outside space. The existing porch is 16'2" in length by 3'6" in width and the proposed porch expansion would be 16" in length by 7'4" in width. The porch would be similar to the existing, which is typical of many rear porches in this neighborhood, and the stairs would remain at their existing location. Additionally, a motion sensor light is already located on the house and this device would also remain at the existing location.



*22 Fairfax, front and right side facades*

3. Nature of Application: This two-family residential structure is currently nonconforming with respect to several dimensional requirements including the rear and right side yard setbacks. In accordance with the Somerville Zoning Ordinance §4.4.1, the alteration of a nonconformity requires Special Permit approval. Currently, there is a three foot right side yard setback and the rear yard setback is 13'4". Therefore, the proposal to expand this two-story porch an additional 3'4" into the rear yard setback and to maintain the existing three foot right side yard setback requires Special Permit approval.

4. Surrounding Neighborhood: The subject property is located in an RA zone within the Tufts University neighborhood near Alewife Brook Parkway and Arlington. The surrounding neighborhood is comprised of two-family dwellings with hip roofs. Many dwellings in this area have a second story enclosed porch on the front façade and a two-story open porch on the rear façade.

5. Impacts of Proposal: The proposed alteration to expand the two-story porch on the rear façade will not be detrimental to the structure.

The design for the expansion of the porch is similar to the existing, which is typical of many rear porches located in this neighborhood. The design will not impact the chimney located at the rear of the building and, since the expansion will retain a ten foot rear yard setback, abutters will be minimally impacted, if at all.

6. Green Building Practices: There are no green building practices that have been identified.

7. Comments:

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

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

## 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 alteration proposed would not be substantially more detrimental to the neighborhood than the existing structure. The design will be consistent with the existing two-story porch, which is similar to many others within the neighborhood, and will not impact the chimney located at the rear of the building.

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 secure safety from fire, panic and other dangers; to conserve the value of land and buildings; and to preserve and increase the amenities of the municipality.

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."

Expanding the two-story porch on the rear façade to be 7'4" in width is a design that is compatible with the built and unbuilt surrounding area. This alteration will be consistent with the existing porch and retain privacy for abutters while enabling better use of this outdoor space for the residents.

## 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 alter a nonconforming structure to expand the porch on the rear façade at an existing two-family residence. This approval is based upon the following application materials and the plans submitted by the Applicant:	BP/CO	ISD/PIng.											
	<table><tr><th>Date (Stamp Date)</th><th>Submission</th></tr><tr><td>(December 17, 2012)</td><td>Initial application submitted to the City Clerk’s Office</td></tr><tr><td>September 26, 2012 (January 8, 2013)</td><td>Plot/site plan submitted to OSPCD</td></tr><tr><td>(January 8, 2013)</td><td>Photographs submitted to OSPCD (1, 2, &amp; 3)</td></tr><tr><td>April 17, 2012 (January 8, 2013)</td><td>Elevation/construction plan submitted to OSPCD</td></tr></table>				Date (Stamp Date)	Submission	(December 17, 2012)	Initial application submitted to the City Clerk’s Office	September 26, 2012 (January 8, 2013)	Plot/site plan submitted to OSPCD	(January 8, 2013)	Photographs submitted to OSPCD (1, 2, & 3)	April 17, 2012 (January 8, 2013)	Elevation/construction plan submitted to OSPCD
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Any changes to the approved site plan or elevations that are not <i>de minimis</i> must receive SPGA approval.														
2	An exterior light and electrical receptacle is required for the first (or all) 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, trim and other materials necessary to replace as a result of the proposal shall match the existing siding, trim, and other materials;	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.											

*22 Fairfax Street*

