



CITY OF SOMERVILLE, MASSACHUSETTS
MAYOR'S OFFICE OF STRATEGIC PLANNING & COMMUNITY DEVELOPMENT
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Case #: ZBA 2015-77

Date: October 29, 2015

Recommendation: Denial / Conditional
Approval

PLANNING STAFF REPORT

Site: 11 George Street

Applicant Name: Elio LoRusso
Applicant Address: 11 George Street, Somerville, MA 02145
Owner Name: LoRusso Family Irrevocable Trust
Owner Address: 11 George Street, Somerville, MA 02145
Alderman: Matthew McLaughlin

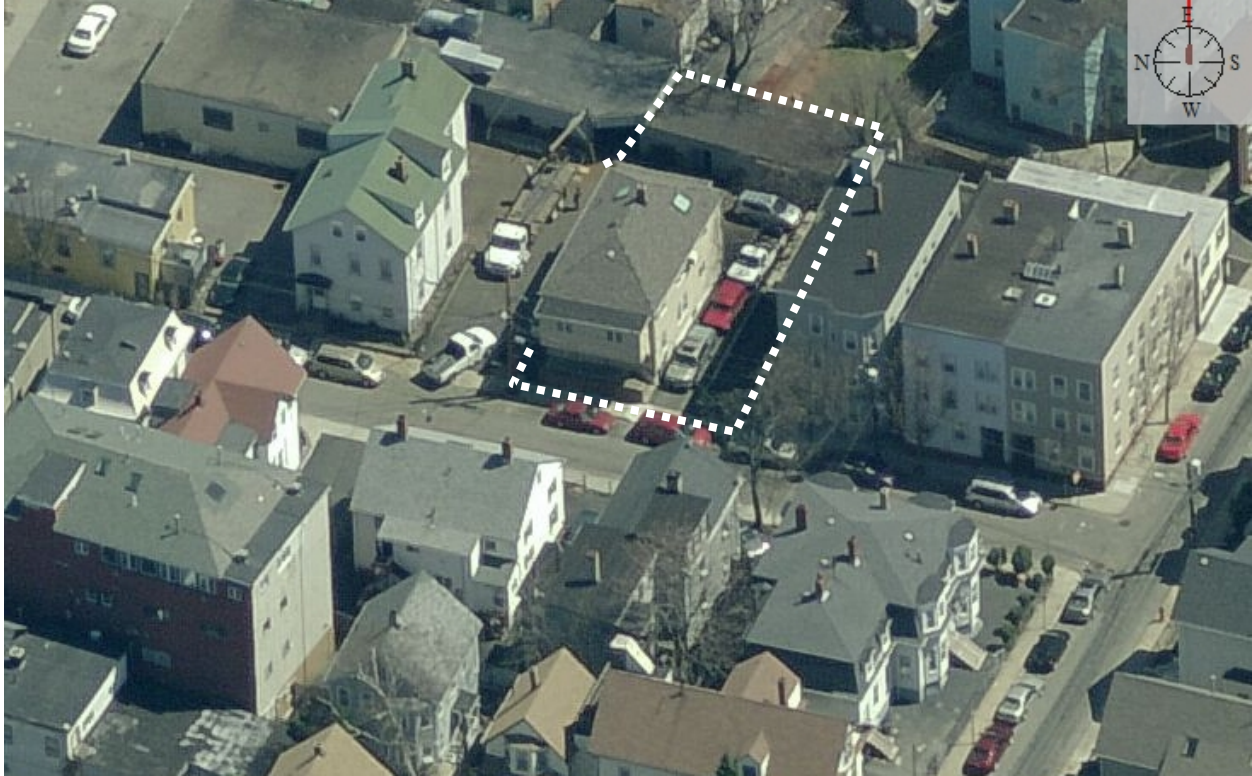
Legal Notice: Applicant, Elio LoRusso, and Owner, LoRusso Family Irrevocable Trust, seeks a Special Permit to alter a nonconforming 2-family under SZO §4.4.1 to add an approx. 230 sf side addition and 120 sf side porch and enclose the second floor of a rear porch. RB zone. Ward 1.

Dates of Public Hearing: November 4, 2015

I. PROJECT DESCRIPTION

1. Subject Property: The subject property is a two-family house on a 5,227 square foot lot. There is also an Ornamental Iron Work Railing Shop in a separate building on the lot.
2. Proposal: The proposal is to construct an addition on the second floor of the house over the side driveway. The addition would add 230 square feet of living space and a 120 square foot open deck. The proposal also includes enclosing the second floor rear porch that is 184 square feet. The purpose of the proposal is to add living space for the second floor unit.
3. Green Building Practices: None listed on the application form.





11 George St: (above) aerial view, (below left) right side of house, (below right) rear porch



4. Comments:

Fire Prevention: Fire Prevention does not have concerns with the application.

Ward Alderman: Alderman McLaughlin is in support of this proposal.

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."*

The structure is currently nonconforming with respect to the following dimensional requirements: lot area, landscaped area, pervious area, front yard setback, and left side yard setback. The use of the rear building is nonconforming as an iron works shop in a Residence B district.

The proposal will impact the following nonconforming dimensions: front yard setback and left side yard setback. The current front yard setback is seven feet and the proposed second floor addition will be seven feet from the front lot line. The requirement is 15 feet with a reduction allowed if nearby structures have shallow front yards; however, the reduction does not allow structures to be closer than 10 feet to the front property line. The rear porch is setback 4 feet from the left side property line and the proposal includes enclosing the second floor of the porch. The required side yard setback is 8 feet. These alterations to a nonconforming structure requires the Applicant to obtain special permits under §4.4.1 of the Somerville Zoning Ordinance (SZO).

Section 4.4.1 states that "[l]awfully existing one-and two-family dwellings which are only used as residences, which are nonconforming with respect to dimensional requirements, may be enlarged, extended, renovated or altered by special permit granted by the SPGA in accordance with the procedures of Article 5."

In considering a special permit under §4.4 of the SZO, Staff find that the alterations proposed to the side of the structure would be substantially more detrimental to the neighborhood than the existing structure. The second story addition will project over the driveway with no structure below it. This is an unusual condition that does not fit within the context of the housing stock in the neighborhood. The addition will be flush with the front façade of the house and will be prominent. There are no windows proposed to be along the façade facing the street creating a blank wall and a lack of visual interest for this portion of the building. The support for the addition is a twelve foot tall thin column that does not visually balance in terms of scale to the massing that it is supporting.

In considering a special permit under §4.4 of the SZO, Staff find that the alterations proposed to enclose the second floor of the rear porch would not be substantially more detrimental to the neighborhood than the existing structure. Planning staff usually does not recommend enclosure of porches as they provide a transitional space between the public outdoor space and interior space, however, this proposal will not be visible from the street and the enclosure is not close to another house.

With the proposed alterations the floor area ratio will reach 1.0, which is the maximum floor area ratio allowed.

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 providing for and maintaining the uniquely integrated structure of uses in the City.

The proposal to alter a two-family house is consistent with the purpose of the district, which is, “[t]o establish and preserve medium density neighborhoods of one-, two- and three-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 surrounding area is mostly residential with varying number of units from single to multifamily homes. Many of the structures cover a large portion of the lots on which they sit.

Staff find that the design of the side addition is not compatible with the characteristics of the surrounding area as detailed in finding 2.

Staff find that the design of the rear porch enclosure is compatible with the surrounding area. Enclosing rear porches is not uncommon and the enclosure will not be visible from the street.

5. Housing Impact: *Will not create adverse impacts on the stock of existing affordable housing.*

The second floor unit will be more expensive with a renovation; however, the units are not restricted as affordable units and even without the expansion of the building the owner could increase the cost of the units.

6. 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.*

This property is marked as an area to conserve and the proposal meets this goal in altering a two-family house. The form of the side addition; however, is not found to preserve the character of the neighborhoods as described in finding 2.

<u>SomerVision Summary</u>	<u>Existing</u>	<u>Proposed</u>
<u>Dwelling Units:</u>	2	2

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** for the rear porch enclosure and **DENIAL** of the requested **SPECIAL PERMIT** for the side addition.

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 the enclosure of the 2 nd story of the rear porch. 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>September 16, 2015</td><td>Initial application submitted to the City Clerk's Office</td></tr><tr><td>(Oct 22, 2015)</td><td>Modified plans submitted to OSPCD (Plan View, Rear View, Side View B-B, Side View E-E, George St View, Floor Plan, Proposed Plot Plan Side, Proposed Plot Plan Rear)</td></tr></table>				Date (Stamp Date)	Submission	September 16, 2015	Initial application submitted to the City Clerk's Office	(Oct 22, 2015)	Modified plans submitted to OSPCD (Plan View, Rear View, Side View B-B, Side View E-E, George St View, Floor Plan, Proposed Plot Plan Side, Proposed Plot Plan Rear)
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Any changes to the approved plans that are not <i>de minimis</i> must receive SPGA approval.										
2	The side addition on the plans is not part of this approval.	BP	Housing							
3	The siding on the rear porch enclosure shall match in material and color or be a complimentary color to the color of the main house.	Final sign off	Plng.							
Final Sign-Off										
4	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.							

