



CITY OF SOMERVILLE, MASSACHUSETTS
OFFICE OF STRATEGIC PLANNING & COMMUNITY DEVELOPMENT
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Case #: ZBA 2012-50
Date: July 5, 2012
Recommendation: Conditional Approval

PLANNING STAFF REPORT

Site: 6 Herbert Street

Applicant Name: Melissa Nelson-Yu and Lawrence Yu
Applicant Address: 6 Herbert Street, Somerville, MA 02144
Property Owner Name: Melissa Nelson-Yu and Lawrence Yu
Property Owner Address: 6 Herbert Street, Somerville, MA 02144
Alderman: Rebekah Gewirtz

Legal Notice: Applicants and Owners, Lawrence Yu and Melissa Nelson-Yu, seek a Special Permit under SZO §4.4.1 to alter a nonconforming single-family dwelling to install sliding doors on the rear façade.

Zoning District/Ward: Residence B / Ward 6

Zoning Approval Sought: Special Permit

Date of Application: June 12, 2012

Dates of Public Hearing: Zoning Board of Appeals – **Wednesday, July 11, 2012**

I. PROJECT DESCRIPTION

1. Subject Property: Located near the corner of Herbert and Chester streets, within the Davis Square neighborhood, the subject property is a single-family dwelling on a 1,922 square foot lot in a Residence B district. This 2½ story, gable-end building has two shed dormers and a two-story rear addition for a total of 1,894 usable square feet.
2. Proposal: The Applicants propose to alter their single-family dwelling by removing two double-hung windows from the rear façade of the main building at the southwest corner. These will be replaced with a pair of sliding doors and a small landing with three steps to provide direct access to



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the backyard and patio. A new pervious patio composed of dry fit natural stone will also be installed at this time.

Two glass block windows, located at grade level in the southwest corner, allow natural light into the basement. Once the new landing and steps are installed, one window will no longer be visible while the other will remain only partially visible at the right of the two-story rear addition.

Due to the placement of the building on the lot, the proposed modifications to the rear façade of the dwelling will only be visible to neighbors that abut the southwest corner of the subject parcel.



6 Herbert Street
Left – Primary façade
Right – Windows that are proposed to be removed and replaced by sliding doors

3. Nature of Application: The existing structure is nonconforming according to the minimum lot size and zero setback on the right side of the property, among other dimensional requirements. According to SZO §4.4.1, a nonconforming single-family structure can only modify a nonconformity through a Special Permit.

4. Surrounding Neighborhood: The subject property is located in a Residence B district immediately adjacent to Davis Square which is located on the MBTA's Red Line and has a variety of commercial, retail, and office uses. The five other dwellings that line this block are similar to the subject dwelling in that they are also 2½ stories with an end-gable on a narrow lot. This row of houses also acts as a buffer between Davis Square and the surrounding residential neighborhood. Immediately across Herbert Street is a parking lot associated with businesses in the Square and at the East end of the block is another large parking lot.

5. Impacts of Proposal: The sliding doors proposed to replace two existing double-hung windows will minimally impact abutting neighbors and the surrounding area. The owner of 8 Herbert Street has submitted a letter to Staff that supports this project. Since the doors will be approximately the same width as the existing windows they will not be more detrimental than what currently exists and will offer more visibility and access to enjoy the rear yard.

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

7. Comments:

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

Ward Alderman: Alderman Gewirtz has been contacted and per an email to Staff on Monday, June 25, she stated her support of the project.

II. FINDINGS FOR SPECIAL PERMIT (SZO §4.4.1 & §5.1):

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. As two double-hung windows currently exist in this location, the replacement of these windows with sliding doors will have a minimal impact, if any at all on abutters or the larger neighborhood. These alterations will enable the residents to access the rear yard from this area of the house and, therefore, will more fully utilize this area of the rear yard.

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 provide adequate light and air; to conserve the value of land and buildings; to preserve the historical and architectural resources of the City; to encourage the most appropriate use of land throughout the City; and to preserve and increase the amenities of the municipality.

The proposal is consistent with the purpose of the RB – Residence B district, §6.1.2, 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."

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 single-family dwelling to install sliding doors on the rear façade. This approval is based upon the following application materials and the plans submitted by the Applicant:	BP/CO	ISD/Plng.											
	<table border="1"> <thead> <tr> <th>Date (Stamp Date)</th> <th>Submission</th> </tr> </thead> <tbody> <tr> <td>(June 12, 2012)</td> <td>Initial application submitted to the City Clerk's Office</td> </tr> <tr> <td>August 8, 2012 (June 25, 2012)</td> <td>Plot plans submitted to OSPCD</td> </tr> <tr> <td>(June 25, 2012)</td> <td>Existing Site & Proposed plans submitted to OSPCD</td> </tr> <tr> <td>(June 25, 2012)</td> <td>Photographs of Existing Conditions</td> </tr> </tbody> </table>				Date (Stamp Date)	Submission	(June 12, 2012)	Initial application submitted to the City Clerk's Office	August 8, 2012 (June 25, 2012)	Plot plans submitted to OSPCD	(June 25, 2012)	Existing Site & Proposed plans submitted to OSPCD	(June 25, 2012)	Photographs of Existing Conditions
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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	The Applicant shall install one new exterior light fixture and one new exterior electrical receptacle for the new outdoor deck space.	Final Sign Off	Wiring Inspector											
3	The Applicant or Owner shall meet the Fire Prevention Bureau's requirements.	CO	FP											

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.	
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6 Herbert Street

