



CITY OF SOMERVILLE, MASSACHUSETTS
MAYOR'S OFFICE OF STRATEGIC PLANNING & COMMUNITY DEVELOPMENT
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Case #: ZBA 2014-30

Date: May 1, 2014

Recommendation: Conditional Approval

PLANNING STAFF REPORT

Site: 83 Jaques Street

Applicant & Owner Name: Jake & Cathy Wilson

Applicant & Owner Address: 83 Jaques Street Somerville, MA 02143

Architect Name: Kelly Speakman

Architect Address: 30 Bow Street Somerville, MA 02143

Alderman: Tony LaFuente

Legal Notice: Applicant and Owner, Jake & Cathy Wilson, seek a Special Permit per SZO §4.4.1 to build a second floor rear addition to a nonconforming sideyard. RB Zone. Ward 4.

Dates of Public Hearing: Zoning Board of Appeals – May 7, 2014

I. PROJECT DESCRIPTION

1. Subject Property: The subject property is a 6,540 square foot lot in an RB zone. The property has a 2 ½ story side gable single family home. The lot is narrow in the front and has 45' of frontage, the rear of the lot is wider at 56'.
2. Proposal: The proposal is to add an additional floor on an existing 1-story rear addition, making it a 2-story addition. The existing basement enclosed patio will be demolished and a deck with stairs into the yard will be added in the same footprint. The small side bay will be demolished as part of the renovation. The renovations will allow for an additional bedroom and bathrooms in the house.
3. Green Building Practices: The addition will comply with current energy code including full spray insulation of all new exterior walls and roof and new windows.



4. Comments:

Fire Prevention: Fire Prevention has been contacted and has not provided comments at this time

Engineering: Engineering has been contacted and has not provided comments at this time

Ward Alderman: Alderman Lafuente has been contacted and has not provided comments at this time

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."

Lawfully existing one- and two-family dwellings which are nonconforming with respect to dimensional requirements, may be enlarged, expanded, renovated, or altered by special permit per SZO §4.4.1. The second story addition on a nonconforming side yard requires such relief. There is no parking relief associated with this application, no additional spaces are required.

In considering a special permit under §4.4, Staff find that the alterations proposed would not be substantially more detrimental to the neighborhood than the existing structure. The existing bay that protruded into the narrow sideyard will be demolished allowing for a wider and free flowing path around the house.

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 conserve the value of land and buildings; and to preserve the historical and architectural resources of the City.

The proposal is consistent with the purpose of the district, which is, "To 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 street and surrounding neighborhood southwest of the subject property are residential in character with single-, two-, and three-family homes. Immediately to the northeast/behind the property are multi

family dwelling units, SCC’s St. Polycarp development. The neighborhood has easy access to Foss Park and the Broadway commercial corridor.

There are little to no impacts of the proposal except those customary to residential uses. The addition will fit in with the surrounding area, remove a side bay that further encroached the side yard of the home, and keep the street view of the home intact.

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 per SZO §4.4.1 to build a second floor rear addition to a nonconforming sideyard. 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>April 4, 2014</td> <td>Initial application submitted to the City Clerk’s Office</td> </tr> <tr> <td>March 11, 2014</td> <td>Modified plans submitted to OSPCD (G001 Cover, L101 Site Plan, D101 Demo/Existing Plan, D201 Existing Elevations, A101 Proposed Floor Plans, A201 Proposed Elevations)</td> </tr> </tbody> </table>				Date (Stamp Date)	Submission	April 4, 2014	Initial application submitted to the City Clerk’s Office	March 11, 2014	Modified plans submitted to OSPCD (G001 Cover, L101 Site Plan, D101 Demo/Existing Plan, D201 Existing Elevations, A101 Proposed Floor Plans, A201 Proposed Elevations)
	Date (Stamp Date)				Submission					
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March 11, 2014	Modified plans submitted to OSPCD (G001 Cover, L101 Site Plan, D101 Demo/Existing Plan, D201 Existing Elevations, A101 Proposed Floor Plans, A201 Proposed Elevations)									
Any changes to the approved site plan or elevation that are not <i>de minimis</i> must receive SPGA approval.										
Pre-Construction										
2	The Applicant will be required to demonstrate that the updated project plans meet the current City of Somerville stormwater policy. Utility, grading, and drainage plans/report must be submitted to the Engineering Department for review and approval.	BP	Eng.							
Construction Impacts										

3	The Applicant shall at his expense replace any existing equipment (including, but not limited to street sign poles, signs, traffic signal poles, traffic signal equipment, wheel chair ramps, granite curbing, etc) and the entire sidewalk immediately abutting the subject property if damaged as a result of construction activity. All new sidewalks and driveways must be constructed to DPW standard.	CO	DPW	
4	All construction materials and equipment must be stored onsite. If occupancy of the street layout is required, such occupancy must be in conformance with the requirements of the Manual on Uniform Traffic Control Devices and the prior approval of the Traffic and Parking Department must be obtained.	During Construction	T&P	
Design				
5	The addition should be complimentary or matching in color to the existing home.	BP	PIng.	
Miscellaneous				
6	The Applicant, its successors and/or assigns, shall be responsible for maintenance of both the building and all on-site amenities, including landscaping, fencing, lighting, parking areas and storm water systems, ensuring they are clean, well kept and in good and safe working order.	Cont.	ISD	
Public Safety				
7	The Applicant or Owner shall meet the Fire Prevention Bureau's requirements.	CO	FP	
Final Sign-Off				
8	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.	

