



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*
ETHAN LAY-SLEEPER, *PLANNER*
LORI MASSA, *SENIOR PLANNER*
SARAH WHITE, *PRESERVATION PLANNER*
DAWN PEREIRA, *ADMINISTRATIVE ASSISTANT*

Case #: ZBA 2015-75

Date: October 15, 2015

Recommendation: Conditional Approval

PLANNING STAFF REPORT

Site: 32 Lexington Avenue

Applicant Name: Fariba Abbasi & Michael Lagasse

Applicant Address: 14 Chamberlain Rd, Newton, MA 02458

Owner Name: Fariba Abbasi & Michael Lagasse

Owner Address: 14 Chamberlain Rd, Newton, MA 02458

Alderman: Mark Neidergang

Legal Notice: Applicant/Owners, Fariba Abbasi & Michael Lagasse, seek a Special Permit under SZO §4.4.1 to alter a nonconforming 2-family to add living space in the basement. RA zone. Ward 5.

Dates of Public Hearing: October 21, 2015

I. PROJECT DESCRIPTION

1. Subject Property: The subject property is a 3,343 square foot two-family house on a 3,600 square foot lot. The basement is currently unfinished. Unit 1 has a bedroom on the first floor level and a second bedroom on the second floor, Philadelphia-style. Unit 2 has 4 bedrooms on the third floor.
2. Proposal: The proposal is to finish 830 square feet of the basement to add a bedroom, bathroom and family room to the first floor unit. The finished ceiling height will be 7 feet 6 inches. A standard Bilco-type window well will be placed in the front of the house to create an egress. The existing basement window will be enlarged.

The existing basement windows are 32 inches wide by 18 inches tall. The new windows will be approximately 32 by 32 inches, double hung with opaque glass. The front window and two driveway side windows will be enlarged.



One bedroom is being removed on the top floor in Unit 2 and this space will become a master bath and laundry area. Each of the two units will have three bedrooms.



3. Green Building Practices: None listed on the application form.

4. Comments:

Fire Prevention: The smoke detectors in the entire residential unit will have to be hardwired.

Ward Alderman: Planning Staff has been in touch with Alderman Niedergang regarding the 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, lot area per dwelling unit, side yard setback, and floor area ratio.

The proposal will impact the nonconforming floor area ratio. The current dimension is 0.93, the proposal is 1.16, and the requirement in the district is 0.75. This alteration to a nonconforming structure requires the Applicant to obtain special permits under §4.4.1 of the Somerville Zoning Ordinance (SZO). The basement window alterations will be on the portion of the house that complies with setbacks.

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 would not be substantially more detrimental to the neighborhood than the existing structure. The alterations will be minimally impactful to the appearance of the building as the window well and width of some of the basement windows will be the only exterior alterations. The previous parking requirement was 3.5 which rounds up to 4 and the current proposal has a parking requirement of 4; therefore, no additional parking is required.

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 maintain the uniquely integrated structure of uses in the City and purpose of the RA district in altering this two-family home

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 proposed window alteration and well in the front of the house will be visible from the street. A condition of approval is that the area around the well is landscaped to screen the enlarged window and incorporate the well into the site.

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

The increase in living space of one of the units will make it a more expensive unit; 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. The additional bedroom in one of the units will make it more viable for a family to live here, which is another housing type desired in the city.

8. 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.*

The property is in an area that is to be preserved in the SomerVision map. A two-family house is a building type that fits in with the preservation goal.

<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**.

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 to increase the net floor area by 830 sf in the basement. 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>Sept 17, 2015</td><td>Initial application submitted to the City Clerk's Office</td></tr><tr><td>July 10, 2015</td><td>Modified plans submitted to OSPCD (A1.1-1.3 floor plans)</td></tr><tr><td>Sept 12, 2015</td><td>Modified plans submitted to OSPCD (A1.0 existing and proposed basement plan)</td></tr></table>				Date (Stamp Date)	Submission	Sept 17, 2015	Initial application submitted to the City Clerk's Office	July 10, 2015	Modified plans submitted to OSPCD (A1.1-1.3 floor plans)	Sept 12, 2015	Modified plans submitted to OSPCD (A1.0 existing and proposed basement plan)
	Date (Stamp Date)				Submission							
	Sept 17, 2015				Initial application submitted to the City Clerk's Office							
	July 10, 2015				Modified plans submitted to OSPCD (A1.1-1.3 floor plans)							
Sept 12, 2015	Modified plans submitted to OSPCD (A1.0 existing and proposed basement plan)											
Any changes to the approved plan that are not <i>de minimis</i> must receive SPGA approval.												
2	The smoke detectors in the entire residential unit must be hardwired.	Final sign off	FP									
3	The area around the window well shall be planted to reduce the visibility of it.	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.									

