



CITY OF SOMERVILLE, MASSACHUSETTS
MAYOR'S OFFICE OF STRATEGIC PLANNING & COMMUNITY DEVELOPMENT
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Case #: ZBA 2013-63
Date: September 26, 2013
Recommendation: Conditional Approval

PLANNING STAFF REPORT

Site: 141-143 North Street

Applicant Name: Alexandra Hatzopoulos & George Michael
Applicant Address: 143 North Street, Somerville, MA 02144
Property Owner Name: Alexandra Hatzopoulos & George Michael
Property Owner Address: 143 North Street, Somerville, MA 02144
Alderman: Robert Trane

Legal Notice: Applicants and Owners, Alexandra Hatzopoulos and George Michael, seek a Special Permit under SZO §4.4.1 to alter the orientation of the front stair at an existing nonconforming two-family dwelling. RA zone. Ward 7.

Zoning District/Ward: RA zone / Ward 7

Zoning Approval Sought: Special Permit under SZO §4.4.1

Date of Application: August 30, 2013

Dates of Public Hearing: Zoning Board of Appeals – **Wednesday, October 2, 2013**

I. PROJECT DESCRIPTION

1. Subject Property: The subject property is a 3,856 square foot parcel with a 2½ story, two-family dwelling. The structure has 2,302 gross square feet and 1,922 net square feet with a .5 floor area ratio (FAR). Approximately 22% of the existing parcel is landscaped and composed of a pervious material. The building is located in a Residence A district near the City of Medford and predominantly abuts two-family residential dwellings.

Prior zoning relief was granted earlier this year (ZBA 2013-24) to construct a new shed dormer on the left side façade as part of larger renovations to the property.



2. Proposal: Applicants and Owners, Alexandra Hatzopoulos and George Michael, propose to alter the orientation of the front stair at an existing nonconforming two-family dwelling as part of larger renovations to the property.

The existing front stair extends to the front property line, is very steep and composed of crumbling concrete that is in need of replacement. The Applicant proposes to remove this stair and construct a new stair that extends across the width of the lot with two landings. The new stair would have three steps to reach landing one, turn toward the interior of the property where 6 more steps would lead to a second landing, and then turn toward the front of the property and, with three more steps, lead to the front property line. New metal handrails and a brick retaining wall along the front property line would also be installed as part of this proposal. The concrete stairs to the left of the staircase leading to the porch would be removed as part of this proposal and this area would become additional landscaping. A small new concrete stair would be constructed at the rear of the building to provide access to the backyard and the brick retaining wall to the left of the property would be reconstructed if further displaced due to removing the existing concrete stairs and path. The landscape and pervious area as a result of this proposal would increase by an additional 180 square feet. The final landscape and pervious area would become conforming at approximately 46%, which includes the removal of concrete pads in the rear yard.



Left: 141-143 North Street, front façade



Right: 141-143 North Street, concrete stairs to be altered

3. Nature of Application: The structure is currently nonconforming with regard to dimensional requirements such as the front yard setback and minimum lot size as well as the landscape and pervious area requirements. The existing front yard setback is 10'-6" and the lot size is less than the required 10,000 square feet. The required landscape is 25% of the lot while the required pervious area is 35% of the lot. In accordance with the Somerville Zoning Ordinance (SZO) §4.4.1, nonconforming two-family dwellings may alter a nonconforming dimension through Special Permit approval. The dimensional requirement for the front yard setback is 15 feet, though features may project so long as they maintain a 10 foot distance from the front lot line. Since the current front yard setback is less than 15 feet and the existing stairs extend to the front property line, Special Permit approval is required.

4. Surrounding Neighborhood: The structure is located in a Residence A district, near the City of Medford, and predominantly abuts two-family residential dwellings. The neighborhood is within walking distance to Tufts University, Dilboy Field, and Alewife Brook Parkway.

5. Impacts of Proposal: The proposal to alter the existing front staircase will not be detrimental to the structure.

The current owners are doing a variety of interior and exterior renovations to update the property and to enhance the structure. The existing staircase extends to the front property line, is very steep, and is composed of crumbling concrete that is in need of replacement. This proposal will enhance the structure by providing a safe accessible staircase and additional landscaping to the left of the property by the removal of the concrete stair leading to the rear yard.

6. Green Building Practices: The application does not identify any green building practices as part of this proposal.

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 alterations proposed would not be substantially more detrimental to the neighborhood than the existing structure. The proposal to alter the existing front stair will minimally impact abutters while creating safe access to the front porch. This proposal will enhance the structure as a brick retaining wall would be constructed along the front property line, landscaping would be added and the overall streetscape improves as a result of the larger investment in this property.

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 protect health; 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; and to encourage the most appropriate use of land throughout the City."

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.”

The current owners are doing a variety of interior and exterior renovations to update the property, enhance the structure, and create safe access to the front porch. This proposal will improve the structure as a brick retaining wall would be constructed along the front property line, landscaping would be added and the overall streetscape improves as a result of the larger investment in this property. Additionally, if the existing brick retaining wall is further displaced as a result of removing the existing concrete stairs and path, this retaining wall will be reconstructed to be consistent with the new retaining wall along the front property line.

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 the orientation of the front stair at an existing nonconforming two-family dwelling This approval is based upon the following application materials and the plans submitted by the Applicant:	BP/CO	ISD/Pln g.									
	<table><tr><th>Date (Stamp Date)</th><th>Submission</th></tr><tr><td>(August 30, 2013)</td><td>Initial application submitted to the City Clerk’s Office</td></tr><tr><td>March 18, 2013 (September 19, 2013)</td><td>Existing and proposed modified plot plan submitted to OSPCD</td></tr><tr><td>September 9, 2013 (September 19, 2013)</td><td>Plans submitted to OSPCD (A1, A2, A3, & A4)</td></tr></table>				Date (Stamp Date)	Submission	(August 30, 2013)	Initial application submitted to the City Clerk’s Office	March 18, 2013 (September 19, 2013)	Existing and proposed modified plot plan submitted to OSPCD	September 9, 2013 (September 19, 2013)	Plans submitted to OSPCD (A1, A2, A3, & A4)
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Any changes to the approved (site plan or elevations/use) that are not <i>de minimis</i> must receive SPGA approval.												
Construction Impacts												

2	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	
Design				
3	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	
Site				
4	All new sidewalks will be installed by the Applicant in accordance with the specifications of the Highway Superintendent. Specifically, all driveway aprons shall be concrete.	CO	Plng.	
5	The Applicant shall remove the concrete stairs and sidewalk to the left of the house that leads to the rear yard. This area shall be landscaped and new stairs shall be constructed at the rear of the building.	CO	Plng.	
6	Should the existing brick retaining wall, located between 141 and 145 North Street, be further displaced as a result of removing the concrete stairs and path, the Applicant shall reconstruct this retaining wall along the entire length of the property.	CO	Plng.	
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	Plng.	

141-143 North Street

