



City of Somerville

ZONING BOARD OF APPEALS

City Hall 3rd Floor, 93 Highland Avenue, Somerville MA 02143

TO: Zoning Board of Appeals
FROM: Planning, Preservation, & Zoning Staff
SUBJECT: 292-294 Beacon Street, P&Z 22-047
POSTED: April 29, 2022

RECOMMENDATION: Approve (Extension for Hardship Variance)

Staff memos are used to communicate background information, analysis, responses to public comments, review of statutory requirements and other information from Planning, Preservation, & Zoning Staff to the Review Board members.

This memo summarizes the request for an extension of the duration of the validity of a Hardship Variance previously granted for 292-294 Beacon Street and provides related analysis or feedback as necessary. The application was deemed complete on April 19, 2022, and is scheduled for a public hearing on May 4, 2022. Any Staff recommended findings, conditions, and decisions in this memo are based on the information available to date prior to any public comment at the scheduled public hearing.

LEGAL NOTICE

Kenneth Spera requests an extension to a previously approved Variance (ZBA 2018-118).

SUMMARY OF PROPOSAL

Kenneth Spera is requesting a 1-year extension to the validity of a previously granted Hardship Variance (ZBA2018-118).

ANALYSIS

Staff is supportive of the Applicant's request for this extension. The original approval was under the previous zoning ordinance and included a Special Permit under SZO §7.11.1.c and §9.13 as well as a Variance under §5.5 and §8.5 to construct a new four-story wood framed structure with five dwelling units and underground parking. While the request is for 1-year, M.G.L 40A Section 10 only permits an extension of 6-months. Granting this extension would extend the validity of the permit from June 15, 2022 to December 15, 2022.

CONSIDERATIONS & FINDINGS

Upon written request by an Applicant, the Zoning Board of Appeals may, in its discretion, extend the time period that a Hardship Variance remains valid for up to six (6) months. The Somerville Zoning Ordinance does not require any findings to be made.

PERMIT CONDITIONS

Should the Board approve the requested extension of the duration of the validity of the Hardship Variance, Planning, Preservation & Zoning Staff does not recommend any conditions at this time.