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27 Fountain Ave
Somerville, MA 02145

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Zoning Board of Appeals
City Hall
93 Highland Avenue
Somerville, MA 02143

Dear Zoning Board of Appeals,

We are applying for hardship variances and zoning relief for three items related to a small home improvement project at our home at 27 Fountain Ave. We are renovating a small “mudroom” space in the rear of our property to add much needed interior closet/storage space and maximize use of the space for our family. The renovation does not change the size or shape of our house, rather the design relocates the egress from the rear of our house to the side and therefore adds a small stoop/landing, steps and canopy. Specifically, for this project, we are seeking the following:

1. hardship variance related to encroachment into sum of side setbacks (SZO 3.1.7.b.C) for the landing and stairs (stoop) for new entry
2. hardship variance related to encroachment into sum of side setbacks (SZO 3.1.7.b.C) for the canopy over landing for new entry
3. hardship variance related to required Projection of the landing portion of a Stoop type building component in Neighborhood Residence (SZO 3.1.13.f.i.B)

Hardship Variance 1 - encroachment of new landing and stairs (stoop) into sum of side yard setbacks

We are seeking a hardship variance for the sum of the side yard setbacks (SZO 3.1.7.b.C) in the Somerville Zoning Ordinance (SZO) for new Stoop (SZO 3.1.13.f.i) in a Neighborhood Residence - as shown in green in our attached drawings.

Criteria A:

Our house is a Cottage in a Neighborhood Residence district with front driveway access. The existing footprint of our house is currently non-conforming for the sum of side yard setbacks zoning requirement (SZO 3.1.7.b.C) - the required sum of setbacks is 12.0', and - as the attached Plot Plan for our property shows - the existing sum of side yard setbacks for our home is 7.3' (1.0' on non-driveway side, 6.3' on driveway side). Our house, like the majority of houses in our neighborhood, was built in the early 1900s, and our non-compliant side yard setbacks are typical of those surrounding us in the neighborhood. Through our project, we are not changing the size or shape of the house itself, rather we are reconfiguring a "mudroom" area in the back of the house to improve use of the space and add much needed closet/cabinet/storage space. Our proposed Stoop (landing and stairs) would encroach 2.9' feet into the existing 7.3' sum of side yard setbacks (see table below). The stoop would not impact our neighbors or zoning district.

Criteria B:

Our house is currently nonconforming both with respect to the sum of the side setbacks and the rear setback. The purpose of the proposed project is to improve our “mudroom” space of approximately 74.25sf, and we worked with an architect to evaluate designs that would enable us to maximize the use of this space. Considering the size of the space and the layout of the interior, the most efficient design requires moving the egress from the back to the side of our house. Keeping the egress at the back of the space would negate the space improvements we’re aiming for, which would produce substantial hardship, both in terms of cost for design and with respect to the impact it would have on our amount of living space.

Criteria C:

Our house, like the majority of houses in our neighborhood, was built in the early 1900s, and our non-compliant side yard setbacks are typical of those surrounding us in the neighborhood. Our proposal does not change the size or shape of our current house; the proposed Stoop (landing and stairs) are in an area of our yard that is inside a gated side yard that is currently the main path we use to get from our car to our rear entry. Our proposal does not produce substantial detriment to the public good, because it does not change the impact that our use of that space has on our neighbor’s property. Since we purchased this house in 2019, we have made substantial improvements to the side and rear space of our property, including removal of impervious cover, installation of rain barrels, and installation of wood fence to replace chain link - this project would only enhance the visual presentation of that space.

SZO Sum of Side Yard Setback requirements in NR District (for property with Front Driveway Access)	EXISTING Sum of Side Yard Setback for 27 Fountain Ave property	Impact of proposed new Stoop on Sum of Side Yard Setback
12.0’	7.3’ (6.3’ on driveway side, 1.0’ on non-driveway side)	4.4’ (3.4’ on driveway side, 1.0’ on non-driveway side)

Hardship Variance #2 - Encroachment of new canopy into sum of the side yard setbacks

We are seeking a hardship variance Variance for the encroachment of a new canopy over our proposed landing and stairs into the sum of the side yard setbacks (SZO 3.1.7.b) in a Neighborhood Residence - as shown in red in our attached drawings.

Criteria A:

Our house is a Cottage in a Neighborhood Residence district with front driveway access. The existing footprint of our house is currently non-conforming for the sum of side yard setbacks zoning requirement (SZO 3.1.7.b.C) - the required sum of setbacks is 12.0’, and the existing sum of side yard setbacks for our home is 7.3’ (1.0’ on non-driveway side, 6.3’ on driveway side). Our house, like the majority of houses in our neighborhood, was built in the early 1900s, and our non-compliant side yard setbacks are typical of those surrounding us in the neighborhood. The construction of a 3.0’ canopy over the landing and stairs to sufficiently protect from inclement weather would encroach 1.3’ into the sum of side yard setbacks. The canopy would not impact the neighbor at 29 Fountain Ave or the zoning district.

Criteria B:

Our house is currently nonconforming both with respect to the sum of the side setbacks and the rear setback. As previously noted, the purpose of the proposed project is to improve our “mudroom” space. Keeping the egress at the back of the space would negate the space improvements we’re aiming for and would mean the design we’ve selected would not be viable. The proposed 3’ canopy provides protection from elements at that new entry - redesigning the canopy to have a smaller projection (so that it doesn’t encroach on the existing side yard setback) would involve substantial hardship, both in terms of the decreased protection from elements at that entry and with respect to the costs associated with architectural redesign.

Criteria C:

Our house, like the majority of houses in our neighborhood, was built in the early 1900s, and our non-compliant side yard setbacks are typical of those surrounding us in the neighborhood. Our proposal does not change the size or shape of our current house; the canopy over the proposed landing and stairs are in an area of our yard that is inside a gated side yard that is currently the main path we use to get from our car to our rear entry. Our proposal does not produce substantial detriment to the public good, because it does not change the impact that our use of that space has on our neighbor’s property. Since we purchased this house in 2019, we have made substantial improvements to the side and rear space, including removal of impervious cover, installation of rain barrels, and installation of wood fence to replace chain link - this project would only enhance the visual presentation of that space.

SZO Sum of Side Yard Setback requirements in NR District (for property with Front Driveway Access)	EXISTING Sum of Side Yard Setback for 27 Fountain Ave property	Impact of proposed new Canopy on Sum of Side Yard Setback
12.0’	7.3’ (6.3’ on driveway side, 1.0’ on non-driveway side)	6.0’ (5.0’ on driveway side, 1.0’ on non-driveway side)

Hardship Variance #3 - Landing Projection for new stoop

We are seeking a hardship variance Variance for the minimum landing projection for a Stoop Component in the NR the Somerville Zoning Ordinance (SZO 3.1.13.f.i.B) - as shown in green in our attached drawings. We propose a stoop that has a 3’ landing projection rather than a 4’ landing projection.

Criteria A

Our house is a Cottage in a Neighborhood Residence district with front driveway access. The existing footprint of our house is currently non-conforming for the sum of side yard setbacks zoning requirement (SZO 3.1.7.b.C) - the required sum of setbacks is 12.0’, and the existing sum of side yard setbacks for our home is 7.3’ (1.0’ on non-driveway side, 6.3’ on driveway side). Our proposed stoop - with a 3.0’ landing and stairs - would encroach 2.9’ feet into the existing 7.3’ sum of side yard setbacks. A stoop that meets the 4.0’ landing projection standard in SZO 3.1.13.f.i.B would further encroach on that already

non-conforming side yard setback. This proposed landing projection is smaller than the minimum landing required in SZO 3.1.13.f.i.B in order to better use the available space and is in line with landing size of 36" outlined in the International Residential Code R311.3 Floors and landings at exterior doors.

Criteria B

Our house is a Cottage in a Neighborhood Residence district with front driveway access. Our house, like the majority of houses in our neighborhood, was built in the early 1900s, and our non-compliant side yard setbacks are typical of those surrounding us in the neighborhood. Our proposed stoop - with a 3.0' landing - would encroach 2.9' feet into the existing 7.3' sum of side yard setbacks, leaving 3.4' of side setback on this side of our property. This design would both allow for safe entry/egress and for reasonable space beside the stoop for passage into our back yard. Designing the new stoop with a 4.0' projection would create substantial hardship to us moving forward by forcing us either to:

- A. further encroach into the side setback - leaving just 2.4' of side setback and making passage into our backyard difficult, or
- B. eliminate side-facing steps from the stoop to maintain the 3.4' side setback - creating a 24" drop off the side of the landing that we feel would decrease the safety of that entry/egress.

Criteria C

Our house, like the majority of houses in our neighborhood, was built in the early 1900s, and our non-compliant side yard setbacks are typical of those surrounding us in the neighborhood. Our proposal does not produce substantial detriment to the public good, because it does not change the impact that our use of that space has on our neighbor's property. Since we purchased this house in 2019, we have made substantial improvements to the rear space, including: removal of impervious cover, installation of rain barrels, and installation of wood fence to replace chain link - this project would only enhance the visual presentation of that space.

Thank you for your time and consideration.

Andrea Traviglia & Andre Pelletier