

*City of Somerville*  
*Zoning Board of Appeals*  
*Swain Residence*  
*Projecting Porch - Special Permit*

Address: 11 Garfield Avenue  
Owner / Applicant: Duncan Swain  
Agent: Julia Marsh Rabin, R.A.  
Zoning: Urban Residential (UR)

**Special Permit - Overview**

- Applicants seek a Special Permit for the following:
  - To reconfigure an existing first-level side entry projecting porch and extend the structure around to the rear of the building, projecting out six feet from the rear face of the building.

The property is located in the UR zoning district and is not in a Transit Area or a pedestrian Street District.

The lot contains two living units as a side by side duplex, which are pre-existing non-conforming.

**Description of Work**

The existing 1<sup>st</sup> level side entry porch at the rear of the building is proposed to be removed, along with an existing one-story vestibule. A new Projecting Porch is proposed for the side/rear of the building at the 1<sup>st</sup> level, connecting to a relocated entrance. The porch will have the similar dimensions to the existing porch on the side of the lot: approximately 4'-0" from the outside face of the main structure, and will extend toward the front of the building to serve the relocated side entrance. The porch will then wrap around to the rear with a 6'-0" deep deck off the rear of the building at the first level, stopping short of the right-side property line by approximately 3'-0" to leave enough space for reconfigured HVAC equipment.

**Applicable Special Permit Criteria**

Applicants seek a Special Permit pursuant to Somerville Zoning Ordinance Sections 14.1.5, 15.2.1 and M.G.L. Ch. 40A

**14.1.5 Non-Conforming Structures**

- c. Modifications

- i. Any modification to an existing principal building type, building component, or accessory building type that is not one of the building types permitted in a zoning district is prohibited, except as follows:
      - a) Any conforming building component permitted within the same zoning district may be added to a nonconforming principal or accessory building type by Special Permit.
  - e. Special Permits
    - i. In addition to the review criteria for all Special Permits specified in §15.2.1.e. Review Criteria, the review board shall make findings considering the following in its discretion to approve or deny a Special Permit authorizing the modification of a nonconforming structure:
      - a) The extent and nature of the proposed alteration;
      - b) The ability of conforming alterations to meet the demonstrated need of the Applicant;
      - c) Consistency of the proposed alterations with the evolution of neighboring structures.
      - d) Establishment of permeable lot surface, to the maximum extent possible.
      - e) Conformance to design guidelines applicable to the district where the property is located.

#### 15.2.1 Special Permit

- a. Purpose
  - i. A special permit authorizes development that is not otherwise permitted, provided that it meets certain criteria set out in this ordinance.
- e. Review Criteria
  - i. In its discretion to approve or deny a Special Permit required by this Ordinance, the review board shall make findings considering, at least, each of the following:
    - a. The Comprehensive Plan and existing policy plans and standards established by the City.
    - b. The intent of the zoning district where the property is located.
    - c. Considerations indicated elsewhere in this Ordinance for the required Special Permit.

#### Responses to Special Permit Criteria (Response in bold):

##### 14.1.5 Non-Conforming Structures, e. Special Permits, i. Review Criteria:

- a. The extent and nature of the proposed alteration;
  - **The Projecting Porch on the 1<sup>st</sup> level is replacing and existing porch where the side entrance to the home is being relocated. This side entrance requires the new portion of deck for access into the building. Per section**

**3.2.12 Urban Residence – Building Components, a Projecting Porch is an allowed building component in the UR district.**

- b. The ability of conforming alterations to meet the demonstrated need of the *applicant*; -
  - **The proposed projecting porch at the 1<sup>st</sup> level will provide access to the relocated side entrance, which will comply with applicable codes for building egress. The existing entrance does not meet these requirements. Additionally, it will improve outdoor living space and create a connection between the upgraded 1<sup>st</sup> level area and the exterior environment.**
- c. Consistency of the proposed alterations with the evolution of neighboring structures.
  - **It is common in the area to have side entrance porches and modest size decks.**
  - **The proposed Projecting Porch will fit into the existing style of the home and improve the look and usability of the property.**
- d. Establishment of permeable *lot* surface, to the maximum extent possible.
  - **A segment of the current porch on the 1<sup>st</sup> level consists of solid concrete with no underlying permeable soil. The area beneath the proposed projecting porch at the 1<sup>st</sup> level, excluding the structural footings, will be converted back to soil, effectively removing the concrete and increasing the permeable surface area.**
- e. Conformance to design guidelines applicable to the district where the property is located.
  - **The proposed 1<sup>st</sup> level Projecting Porch is toward the rear of the building will be an improvement to the existing. The side and back yard are screened by either fence or trees and very private. The front elevation of the building is not changing.**

**15.2.1 Special Permits, e. Review Criteria:**

- i. In its discretion to approve or deny a Special Permit required by this Ordinance, the review board shall make findings considering, at least, each of the following:
  - a. The Comprehensive Plan and existing policy plans and standards established by the City.
    - **Response with quotes from the Somervision goals: The homeowner recently married and wants to make a home in Somerville for his new family to grow. The proposed Projecting Porch will give them more usable outdoor space, creating a "healthier, more prosperous and more attractive place to live, work, play and raise a family". The look of the front of the home will not change: "properties can adapt and change to meet the needs of residents, while respecting the character of the neighborhood".**
  - b. The intent of the zoning district where the property is located.
    - **The side by side duplex configuration of the structure is existing non-conforming in the UR district. The structure is most similar to 3.2.11 Row Houses: 'A moderate floor plate, multi-story, principal building type designed as series of four (4) or more small floor plate, attached, residential buildings, each with one (1) dwelling unit.' Other building types in the UR**

**district have the 1st level projecting porches similar to the configuration in this project.**

- c. Considerations indicated elsewhere in this Ordinance for the required Special Permit. –  
**See responses to 14.1.5 above:**