



City of Somerville

# ZONING BOARD OF APPEALS

City Hall 3<sup>rd</sup> Floor, 93 Highland Avenue, Somerville MA 02143

**TO:** Zoning Board of Appeals  
**FROM:** OSPCD Staff  
**SUBJECT:** 36 Beacon Street, ZP25-000075/ZP25-000084  
**POSTED:** October 30, 2025

**RECOMMENDATION:** No change

This memo is supplemental to the PPZ Staff Memo dated October 10, 2025, found [here](#). Since the original Staff Memo was posted PPZ Staff have amended the findings regarding criterion “a” and included conditions discussed at the hearing. The applicant has not presented updated plans.

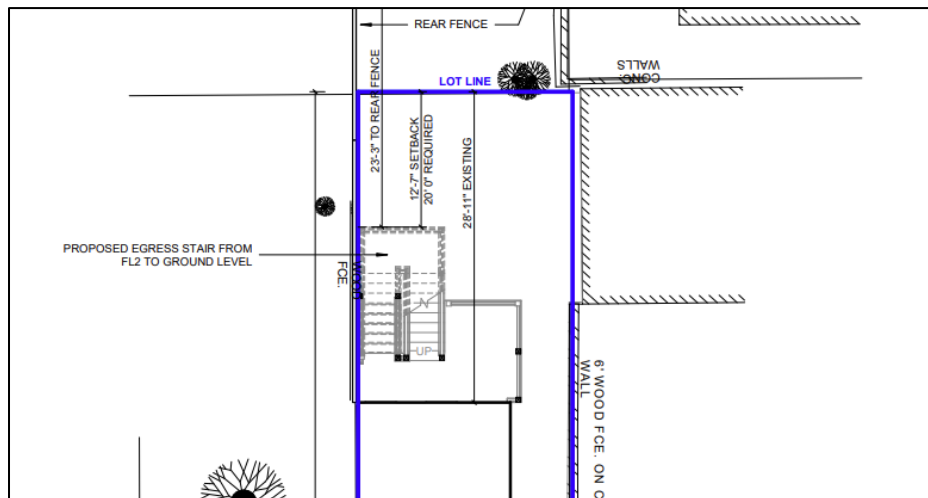
## BACKGROUND

The hearing for the case was opened and heard at the October 15, 2025 ZBA meeting, but was continued by the Board to give the applicant an opportunity to revise the plan set to match the board’s desired conditions, and to give staff an opportunity to clarify the relief needed for ZP25-000084 with the Inspectional Services Department (ISD). The board requested that the rear porches shall not extend into the 20-foot rear setback. The applicant was amenable to that revision/condition. Since updated plans have not been shared by the applicant at the time of publishing of this staff memo, PPZ Staff have added that as a condition.

## ANALYSIS

### ZP25-000075:

During the hearing on October 15, 2025, the board discussed the rear porches on the stair structure and requested that a condition that states the porches shall not extend past the 20-foot required setback as they are not necessary for life-safety and egress reasons.



*Original plan showing rear addition*

ZP25-000084:

ISD Staff have clarified that due to the lot's pre-existing nonconforming lot coverage, any reduction of lot coverage in any kind would result in needing relief from SZO 14.1.7.b.ii to further reduce nonconforming landscape and permeable area. The lot coverage maximum in the UR district is 65%, the lot currently has a lot coverage of 70.4%. Because this is not a substantial renovation or a new building, the applicant does not need to conform to green score standards. The SZO defines permeable area as "the landscaped area of a lot plus any area covered by porous asphalt, pervious concrete, paving stones, or grass pavers".

**CONSIDERATIONS & FINDINGS**

The Zoning Board of Appeals is required by the Somerville Zoning Ordinance to deliberate each of the following considerations at the public hearing. The Board must discuss and draw conclusions for each consideration, but may make additional findings beyond this minimum statutory requirement.

At the hearing on October 15, the ZBA asked staff to amend the staff report to reflect their findings made for the first hardship variance. The hardship variance criteria are as follows:

Pursuant to MGL Chapter 40A, Section 10, the Applicant must meet the following criteria to qualify for a Hardship Variance:

- a. Special circumstances exist relating to the soil conditions, shape, or topography of a parcel of land or the unusual character of an existing structure but not affecting generally the zoning district in which the land or structure is located;
- b. Literal enforcement of the provision of this Ordinance for the district where the subject land or structure is located would involve substantial hardship, financial or otherwise, to the petitioner or appellant due to said special circumstances; and
- c. Desirable relief could be granted without causing substantial detriment to the public good and without nullifying or substantially derogating from the intent and purpose of a specific district in this Ordinance or the Ordinance in general.

Staff believe that the unusual character of the existing structure creates a special circumstance as 36 Beacon is the only unit in the row that has rear additions. The rear additions create a special circumstance relating to the applicant's ability to build a rear addition without further decreasing landscaped and permeable area and extending into the rear setback.

Staff's analysis of criterion "b" and "c" have not changed.

**PERMIT CONDITIONS**

*Note: New conditions are in red.*

Should the Board approve the required Hardship Variance to construct rear egress stairs within the rear setback PPZ Staff recommend the following conditions:

**ZP25-000075**

Permit Validity

1. This Decision must be recorded with the Middlesex South Registry of Deeds.
2. The rear porches attached to the rear stairs may not extend past the 20-foot rear setback. One digital copy of updated plans reflecting physical changes required by this condition must be uploaded to Citizenserve.

Public Record

3. A digital copy of the recorded Decision stamped by the Middlesex South Registry of Deeds must be submitted to the Planning, Preservation, & Zoning Division for the public record.

**ZP25-000084**

Should the Board approve the required Hardship Variance for relief to further reduce nonconforming landscape and permeable area, PPZ Staff recommend the following conditions:

Permit Validity

1. This Decision must be recorded with the Middlesex South Registry of Deeds.
2. The rear porches attached to the rear stairs may not extend past the 20-foot rear setback. One digital copy of updated plans reflecting physical changes required by this condition will be uploaded to Citizenserve.

Public Record

3. A digital copy of the recorded Decision stamped by the Middlesex South Registry of Deeds must be submitted to the Planning, Preservation, & Zoning Division for the public record.