



**CITY OF SOMERVILLE, MASSACHUSETTS**  
**OFFICE OF STRATEGIC PLANNING & COMMUNITY DEVELOPMENT**  
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FREDERICK J. LUND, *SENIOR DRAFTSMAN*

**Case #:** ZBA 2010-43

**Date:** September 2, 2010

**Recommendation:** Conditional Approval

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**PLANNING STAFF REPORT**

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**Site:** 941 BROADWAY

**Applicant Name:** Gregory Yantz

**Applicant Address:** 941 Broadway, Somerville, MA 02144

**Property Owner Name:** same

**Property Owner Address:** same

**Alderman:** Gewirtz

Legal Notice: Applicant and Owner, Gregory Yantz, seeks Special Permit under SZO §4.4.1 for renovations including addition of a shed dormer to the 3<sup>rd</sup> floor.

Zoning District/Ward: RA/ Ward 6

Zoning Approval Sought: Special Permit under SZO §4.4.1

Date of Application: 8/4/2010

Date(s) of Public Meeting/Hearing: PB 9/2/10 - ZBA 9/15/10

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**I. PROJECT DESCRIPTION**

1. Subject Property: The subject property is an owner-occupied condominium that is a part of a two-family residence. The condo is the 2<sup>nd</sup> and 3<sup>rd</sup> floors of a 2-1/2-story duplex. 941 Broadway is on a 3489 sf lot, located in West Somerville near Powderhouse Circle. There are currently no existing dormers on this slate gable/hip roofed residence.

2. Proposal: The applicant seeks to construct a bathroom on the third floor by building a shed dormer within the required side-yard. The proposed construction also includes renovations to the existing



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sunroom on the second floor.

3. Nature of Application: The structure is currently nonconforming with respect to front and side-yard setbacks. The right-yard setback at 941 Broadway, the side where the shed dormer is proposed, is currently 2-1/2 feet. The minimum required by the Somerville Zoning Ordinance (SZO) is 8 ft for a 2-1/2 story structure.

The proposed shed dormer would affect the nonconforming right side yard. The existing side-yard nonconformity requires the applicant to obtain a special permit under §4.4.1 of the SZO.

4. Surrounding Neighborhood: The immediate neighborhood is predominantly residential, with a mix of one- and two-family homes. There is a historic property at the other end of Leonard Street, by Powderhouse Boulevard.

5. Green Building Practices: Old sunroom windows on the second floor would be replaced with new, energy efficient windows. New insulation will be added to all existing and new structures (walls and attic) on the second and third floors as part of this construction project.

6. Comments:

*Fire Prevention:* Has been contacted but has not yet provided comments.

*Ward Alderman:* Has been contacted. Alderman Gewirtz indicated to Planning Staff that she wanted to ensure that the neighborhood had been informed. The Planning Staff informed the Alderman of the legal advertisement schedule for this property.

## **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. While Staff normally does not encourage shed dormers, Staff finds the design acceptable as the dormer adheres to several of the dormer guidelines including setbacks from the roof apex and edges while providing a visually acceptable pitch and the inclusion of a window.

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 providing for and maintain the uniquely integrated structure of uses in the City. The proposal is also consistent with the purpose of the district, which is “[t]o establish and preserve medium density neighborhoods of one-, two- and three-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.”

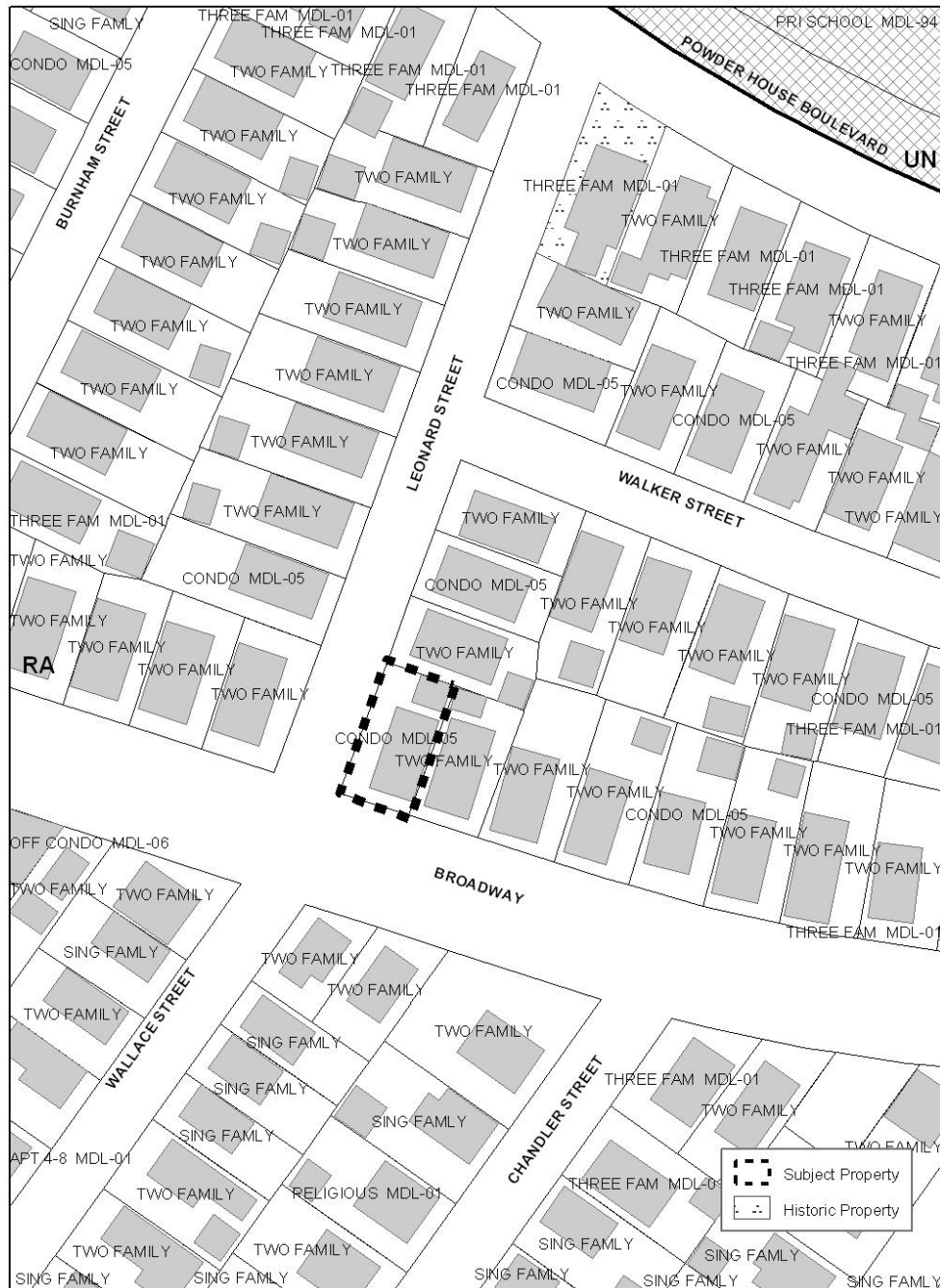
The style of the house would remain consistent with other structures on the street. The presence of shed dormers on other nearby homes makes it an acceptable form. The dormer is minimized in size so that it does not detract from the character of the structure. The impact on the structure's appearance from the street is minimal.

### III. RECOMMENDATION

#### Special Permit under §4.4.1

Based on the above findings and subject to the following conditions, the Planning Staff recommends **CONDITIONAL APPROVAL** of the requested **SPECIAL PERMIT**.

#	Condition	Timeframe for Compliance	Verified (initial)	Notes						
1	Approval is for the construction of a shed dormer within the non-conforming right side-yard. This approval is based upon the following application materials and the plans submitted by the Applicant:	BP/CO	Plng.							
	<table><tr><th>Date (Stamp Date)</th><th>Submission</th></tr><tr><td>(8/4/2010)</td><td>Initial application submitted to the City Clerk's Office</td></tr><tr><td>8/10/2010</td><td>Plans submitted to OSPCD (Floor plans and elevations, sheets A1 &amp; A2)</td></tr></table>				Date (Stamp Date)	Submission	(8/4/2010)	Initial application submitted to the City Clerk's Office	8/10/2010	Plans submitted to OSPCD (Floor plans and elevations, sheets A1 & A2)
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Any changes to the approved site plan or elevations that are not <i>de minimis</i> must receive SPGA approval.										
2	The Applicant or Owner shall meet all Fire Prevention Bureau's requirements.	CO	FP							
3	The material and color of the dormer shall match the material and color of the remainder of the house	CO	Planning							
4	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.							



**941 BROADWAY**