



CITY OF SOMERVILLE, MASSACHUSETTS

PLANNING BOARD

JOSEPH A. CURTATONE, MAYOR

MEMBERS

KEVIN PRIOR, *CHAIRMAN*

JOSEPH FAVALORO

ELIZABETH MORONEY

JAMES KIRYLO

LINDA BOHAN

MICHAEL A. CAPUANO, ESQ. (ALT.)

Case #: ZBA 2008-46

Date: October 2, 2008

Recommendation: Unable to Recommend

PLANNING BOARD REPORT

Site: 9-11 Glendale Avenue

Applicant Name: Brian Hickey

Applicant Address: 117 Beacon St, Somerville MA 02143

Property Owner Name: same

Alderman: Trane

Legal Notice: The Applicant seeks a Special Permit §4.4.1 to alter a non-conforming structure in order to construct a dormer on the side of the dwelling.

Zoning District/Ward: RB / 7

Zoning Approval Sought: Special Permit under SZO §4.4.1

Date of Application: September 4, 2008

Date(s) of Public Hearing: ZBA: October 15, 2008

Date of Decision: N/A

Vote: N/A

Dear ZBA members:

At its regular meeting on October 2, 2008 the Planning Board heard the above-referenced application. Based on materials submitted by the Applicant and the Staff recommendation, the Board voted (5-0, with Kevin Prior absent) to be **unable to recommend** the requested **Special Permit**.

In conducting its analysis, the Planning Board found:

I. PROJECT DESCRIPTION

1. Subject Property: The subject property is a two-family dwelling on a 2475 square foot lot. The structure is 2 ½ stories and there is an enclosed porch on the front of the building. There is a bay on the right side of the house with a gable dormer above it.
2. Proposal: The proposal is to construct a shed dormer on the left side of the structure to allow for additional living space in the half story. The dormer would be 19' in length which is 50% of the length of the sloping roof. It would be setback approximately 12' from the front edge of the house.



9-11 Glendale Ave: Front of structure (left), Proximity to adjacent dormer (right)

3. Nature of Application: The structure is currently nonconforming with respect to several dimensional requirements, including minimum lot size, lot area per dwelling unit, front yard setback, side yard setbacks, and street frontage.

The proposed dormer would increase the structure's encroachment on the nonconforming side yard, which is 4 feet; the minimum side yard setback in this district is 6.75 feet. These existing nonconformity requires the Applicant to obtain special permits under §4.4.1 of the Somerville Zoning Ordinance (SZO). Section 4.4.1 states that "[l]awfully existing one- and two-family dwellings which are only used as residences, which are nonconforming with respect to dimensional requirements, may be enlarged, extended, renovated or altered by special permit granted by the SPGA in accordance with the procedures of Article 5."

4. Surrounding Neighborhood: The surrounding neighborhood is comprised of one- and two-family homes. On Glendale Avenue the structures are 2 ½ stories with gable roofs. On the northern side of the street several houses have a gable dormer on the right side of the structures and on the southern side of the street all of the houses have dormers on the left side of the structures. The dormers are not adjacent to one another except in two instances where a low shed dormer is adjacent to a gable dormer.

5. Green Building Practices: None.

6. Comments:
Fire Prevention/Ward Alderman: Have been contacted but have not provided comments.



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 Board 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, the Board finds that the proposed dormer would be substantially more detrimental to the neighborhood than the existing structure. The dormer would be four feet away from a dormer on the adjacent structure.

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."

One purpose of the Ordinance is to preserve the historical and architectural resources of the City; this particularly applies to this proposal. The shed dormer would change the character of the traditional 2 ½ story gable structure. These structures are prevalent in this neighborhood and the City. This house is not designated as a Local Historic District but it contributes to the architectural fabric of the City. The Board finds that the special permit would not be consistent with the general purpose and intent of the Ordinance.

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 dormer was not designed in a manner that is compatible with the built surrounding area. It would not be consistent with the design of the street which is comprised of houses with a gable roof and a gable dormer on only one side of the structure. The existing dormers on other houses on this street do not face one another except in two instances, where a low shed dormer faces a gable dormer. The continuation of this trend of shed dormers adjacent to gable dormers would further change the architectural fabric of the street and lead to intrusions of privacy.

III. RECOMMENDATION

Special Permit under §4.4.1

Based on the above findings and subject to the following conditions, the Planning Board is **unable to recommend approval** of the requested special permit.

If the Zoning Board of Appeals approves the Special Permit, the Planning Board recommends attaching the following conditions.

#	Condition	Timeframe for Compliance	Verified (initial)	Notes						
1	Approval is for the construction of a dormer 19' in length which is 50% of the length of the sloping roof. This approval is based upon the following application materials and the plans submitted by the Applicant:	BP/CO	Plng.							
	<table><tr><th>Date</th><th>Submission</th></tr><tr><td>September 4, 2008</td><td>Initial application submitted to the City Clerk's Office</td></tr><tr><td>September 8, 2008</td><td>OSPCD Stamp (existing section, existing third floor plan, third floor scheme, front elevation, side elevation, site plan)</td></tr></table>				Date	Submission	September 4, 2008	Initial application submitted to the City Clerk's Office	September 8, 2008	OSPCD Stamp (existing section, existing third floor plan, third floor scheme, front elevation, side elevation, site plan)
	Date				Submission					
	September 4, 2008				Initial application submitted to the City Clerk's Office					
September 8, 2008	OSPCD Stamp (existing section, existing third floor plan, third floor scheme, front elevation, side elevation, site plan)									
Any changes to the approved site plan and elevations that are not <i>de minimis</i> must receive ZBA approval.										
2	A code compliant fire alarm system shall be installed.	CO	FP							
3	The Applicant shall work with Planning Staff to determine the paint color of the dormer.	CO	Plng.							
4	There shall be no new hearing if the dormer is redesigned as a gable or gambrel. Only staff review is required.	BP	Plng. / ISD							
5	The Applicant shall contact Planning Staff at least five working days in advance of a request for a final sign-off on the building permit 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.							

Sincerely,

A handwritten signature in blue ink, appearing to read "Elizabeth Moroney". The signature is fluid and cursive, with a large, sweeping flourish at the end.

Elizabeth Moroney
Acting Chair

Cc: Applicant/Owner: Brian Hickey

