



CITY OF SOMERVILLE, MASSACHUSETTS
PLANNING BOARD
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Case #: ZBA 2008-60

Date: November 24, 2008

Recommendation: Conditional Approval

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: Applicant & owner Brian Hickey seeks a Special Permit (SZO §4.4.1) to alter a non-conforming structure in order to construct a gambrel 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: November 5, 2008

Date(s) of Public Hearing: ZBA: December 3, 2008

Date of Decision: N/A

Vote: N/A

Dear ZBA members:

At its regular meeting on November 30, 2008 the Planning Board heard the above-referenced application. Based on materials submitted by the Applicant and the Staff recommendation, the Board voted (4-0 with Kevin Prior and James Kirylo absent), to recommend **conditional approval** of 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 gambrel dormer on the left side of the structure to allow for additional living space in the half story. The dormer would be less than 50% of the length of the sloping roof. It would be set back approximately 12' from the front edge of the house. The glass on the dormer windows would be frosted for privacy.



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 deep; the minimum side yard setback in this district is 6.75 feet. This existing nonconformity requires the Applicant to obtain special permits under §4.4.1 of the Somerville Zoning Ordinance (SZO).

The Zoning Board of Appeals denied the Applicant's request for a special permit for a shed dormer in October 2008 (ZBA#2008-46). The SZO Section 3.2.11 and Massachusetts General Law 40A, Section 16 state that no application for a special permit which has been unfavorably acted upon by the Special Permit Granting Authority shall be acted upon favorably within two years after the date of unfavorable action unless the SPGA shall find specific and material changes in the conditions upon which the previous unfavorable action was based, and consent of two-thirds vote of the SPGA is required. See findings below for the specific and material changes from the first proposal to the current proposal.

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 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. Impacts of Proposal: The impacts of the dormer are the change to the roofline pattern on the street and privacy concerns. The Applicant has attempted to address these concerns in the redesign of the dormer as specified in finding two below.

6. Green Building Practices: None.

7. Comments:
Ward Alderman: Alderman Trane is in support of the proposal.



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 alterations proposed would not be substantially more detrimental to the neighborhood than the existing structure.

The Board finds that the new proposal addresses the prior specific concerns related to the dormer design and privacy issues and consents to the second request for a special permit for the dormer. The Applicant changed the style of the dormer from a shed with a shallow slope to gambrel. The gambrel dormer would be more consistent with the design of the dormers on the street, would maintain the predominant ridge

height, and the roof shingles covering the dormer would cause it to better blend in with the roof. The Applicant shifted the dormer so that the windows would not line up with the windows in the dormer on the property adjacent to it. The glass would also be frosted to address privacy concerns.

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 gambrel dormer proposed is more consistent with the purpose of the Ordinance to preserve the historical and architectural resources of the City than the previously proposed shed dormer. The gambrel dormer is similar to the dormers found on the street and better blends with the character of the traditional 2 ½ story gable structure. There are numerous historic examples in the City of gambrel dormers on gable roofs, a configuration that preserves the primacy of the central gable.

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 gambrel dormer is designed in a manner that is compatible with the built surrounding area as outlined in finding two, compliance with standards.

III. RECOMMENDATION

Special Permit under §4.4.1

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

#	Condition	Timeframe for Compliance	Verified (initial)	Notes				
1	Approval is for the construction of an 18± foot gambrel dormer on the left side of the dwelling. 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>November 5, 2008</td><td>Initial application submitted to the City Clerk's Office (Side Elevation, Front Elevation, 3rd Floor Plan)</td></tr></table>				Date	Submission	November 5, 2008	Initial application submitted to the City Clerk's Office (Side Elevation, Front Elevation, 3 rd Floor Plan)
	Date				Submission			
November 5, 2008	Initial application submitted to the City Clerk's Office (Side Elevation, Front Elevation, 3 rd Floor Plan)							
Any changes to the approved elevations that are not <i>de minimis</i> must receive ZBA approval.								
2	The dormer windows shall have privacy glass.	CO	Plng.					
3	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,



Elizabeth Moroney
Acting Chair

Cc: Applicant/Owner: Brian Hickey

