



CITY OF SOMERVILLE, MASSACHUSETTS
OFFICE OF STRATEGIC PLANNING & COMMUNITY DEVELOPMENT
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Case #: ZBA 2009-51
Date: November 23, 2009
Recommendation: Conditional Approval

PLANNING STAFF REPORT

Site: 61 Rogers Avenue

Applicant Name: David Crockett

Applicant Address: 100 Crest Road, Lynnfield, MA

Property Owner Name: Robert Chihade

Property Owner Address: 61 Rogers Avenue, Somerville, MA 02144

Agent Name: none

Alderman: O'Donovan

Legal Notice: Applicant, David Crockett, & Owner, Robert Chihade seek a Special Permit under SZO §4.4.1 in order to construct a dormer within the non-conforming side yard (§8.5.H).

Zoning District/Ward: Residence A / 5

Zoning Approval Sought: Special Permit under SZO §4.4.1

Date of Application: October 16, 2009

Date(s) of Public Meeting/Hearing: PB 12/3/09 / ZBA 12/16/09

Date of Decision: N/A

Vote: N/A

I. PROJECT DESCRIPTION

1. Subject Property: The subject property is a two-family dwelling on a 3440 sf lot. The structure is 2 ½ stories with a gable roof. There is an existing gable dormer on the right side of the house and an existing 14 ft shed dormer on the left side of the house.
2. Proposal: The proposal is to construct a 6 ft 4 in wide shed dormer on the left side of the house that would match the style and slope of the existing dormer. The proposed dormer would be separated



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from the existing dormer by 4 ft 8 in and located towards the rear of the structure. The dormer would enable the owner to construct a bathroom within the half story.

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 and side yard setbacks, and street frontage.

The proposed dormer would affect the nonconforming left side yard, which is 3 ft 1 in. The minimum required by the Somerville Zoning Ordinance (SZO) is 7 ft 5 in for a 2 ½ story structure (reduced from 8 feet because it is a narrow lot). The existing nonconformity requires the Applicant to obtain a special permit under §4.4.1 of the SZO.

The house would continue to be considered a 2 ½ story structure because the combined length of the dormers is less than 50 percent of the length of the structure.

4. Surrounding Neighborhood: The structures in the surrounding neighborhood are predominantly of a similar architectural style with a gable roof, a gable dormer and a shed dormer. Homes are typically 2 ½ story structures of wooden construction.

5. Green Building Practices: None.

6. Comments:

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

Ward Alderman: Has been contacted but has 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 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. The dormer is not expected to impact the house adjacent to the nonconforming side yard. There is approximately 14 ft between the houses and a smaller sized bathroom window is being proposed for the dormer. While Staff would normally want to see a larger window to mimic those on the existing shed dormer, the use of the proposed area as a bathroom requires a need for privacy of both the owner and neighbor. Staff finds the design with to be acceptable. The house would remain a 2 ½ story because the dormers would be less than 50% of the length of the roof.

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 and purpose of the RA district in altering this two-family home.

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.”

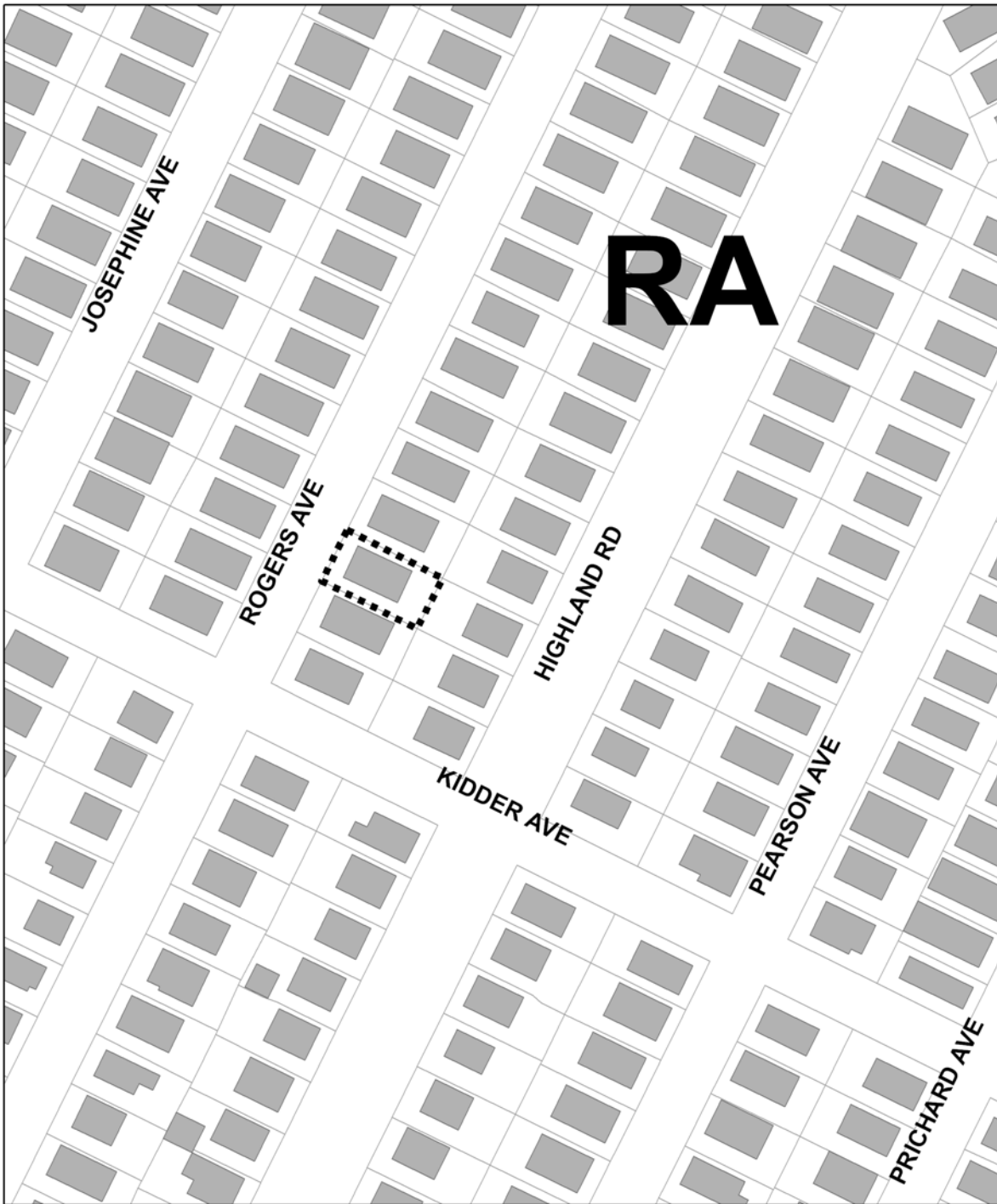
The style of the house would remain consistent with other structures on the street. The shed dormer extending from the roof apex is a design characteristic that is predominant in this neighborhood. While this design is a form that would not typically be recommended by Staff, the existence of this type of dormer on the existing structure and neighboring homes makes it acceptable to Staff.

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 an approximately 6 ft 4 in shed dormer on a gable roof. 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>(10/16/2009)</td><td>Initial application submitted to the City Clerk's Office</td></tr><tr><td>(11/23/09)</td><td>Plans and elevations submitted to OSPCD</td></tr></table>				Date (Stamp Date)	Submission	(10/16/2009)	Initial application submitted to the City Clerk's Office	(11/23/09)	Plans and elevations submitted to OSPCD
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Any changes to the approved plans and elevations that are not <i>de minimis</i> must receive ZBA approval.										
2	The siding and color shall match that of the existing house.	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.							



61 ROGERS AVENUE