



CITY OF SOMERVILLE, MASSACHUSETTS
OFFICE OF STRATEGIC PLANNING & COMMUNITY DEVELOPMENT
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Case #: ZBA 2010-06

Date: March 4, 2010

Recommendation: Conditional Approval

PLANNING BOARD RECOMMENDATION

Site: 47 Russell Road

Applicant Name: Julia Lull & David Hayes

Applicant Address: 47 Russell Rd, Somerville MA

Property Owner Name: same

Agent Name: BFE Architects, Bill Erickson

Agent Address: 1840 Mass Ave, Lexington, MA 02420

Alderman: Robert Trane

Legal Notice: Applicants & Owners, Julia Lull & David Hayes, seek a Special Permit under SZO §4.4.1 to construct a dormer within the nonconforming side yard setback (8.5.H) and to expand the non-conforming floor area ratio (8.5.E).

Zoning District/Ward: RA / 7

Zoning Approval Sought: Special Permit under SZO §4.4.1

Date of Application: February 9, 2010

Dates of Public Meeting • Hearing: Planning Board 3/4/10 • Zoning Board of Appeals 3/17/10

Dear ZBA members:

At its regular meeting on March 4, 2010 the Planning Board heard the above-referenced application. Based on materials submitted by the Applicant and the Staff recommendation, the Board voted (5-0), to recommend **conditional approval** of the requested **Special Permit**.

In conducting its analysis, the Planning Board found:



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I. PROJECT DESCRIPTION

1. Subject Property: The subject property is a two-family dwelling on a 3,215 sf lot. The structure is 2 ½ stories with a gable roof. There is a bay window on the right side of the house and the house is clad in vinyl. The previous owner received a special permit in May 2007 to construct two dormers; however, the dormers were not constructed and the permit expired.
2. Proposal: The proposal is to add two dormers, one to each side of the house to add headroom for an existing bedroom and bathroom. The dormer on the right side of the house would extend up from the bay window and create a turret feature. There would be a shed dormer extending from bay towards the back of the house. The left side of the house would have a shed dormer and a bathroom ventilator penthouse that would appear to be a chimney. The length of the dormers would be 22 feet per side, which is just less than half of the length of the house.



45-47 Russell Road (l) left side of house, (r) right side of house



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

The proposal affects the nonconforming side yard setback, which is 6.25 feet on the left side; the minimum side yard setback is 7.5 feet, with the reduction allowed for narrow lots. The proposal also affects the nonconforming floor area ratio, which would increase from 1.07 to 1.15; the maximum floor area ratio in the district is 0.75. This existing nonconformities requires the Applicant to obtain a special permit under §4.4.1 of the Somerville Zoning Ordinance (SZO).

The house would continue to be considered

a 2 ½ story structure because the dormer's length is less than 50 percent of the length of the structure. The number of bedrooms is not changing so no additional parking is required.

4. Surrounding Neighborhood: The surrounding neighborhood is comprised of two- and three-family homes. The house adjacent to this structure has a similar bay and turret element. Several of the houses in the area have shed dormers on gable roofs.

5. Impacts of Proposal: The current design would not have a negative impact on the appearance of the house. The dormer on the right side of the house would work with the bay window to add an interesting feature to the house. The turret would somewhat block the shed dormer behind it. Both of the shed dormers would start at the ridge; however, they would be set back slightly from the main wall of the house. They would have several windows that relate to the windows on the rest of the house. There appears to be ten feet between the houses on either side so privacy issues are most likely not a concern.

6. Green Building Practices: None.

7. 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 & 5.1):

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. As detailed in finding four below, the dormer is designed in an appropriate manner. The house would continue to be considered a 2 ½ story structure because the dormer's length is less than 50 percent of the length of the 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."

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 maintaining the uniquely integrated structure of uses in the City and conserving the value of land and buildings. Adding square feet that would be used to expand an existing bedroom and bathroom is consistent with the purpose of the RA district, which is to preserve quiet neighborhoods of one- and two-family homes.

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 would be designed to be compatible with the built and unbuilt surrounding area. The dormer on the right side of the house would work with the bay window to add an interesting feature to the house. The turret would somewhat block the shed dormer behind it. Both of the shed dormers would start at the ridge; however, they would be set back slightly from the main wall of the house. They would have several windows that relate to the windows on the rest of the house. There appears to be ten feet between the houses on either side so privacy issues are most likely not a concern.

III. RECOMMENDATION

Special Permit under §4.4.1 & 5.1

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 two 22± ft dormers that would add 262± sf of living space. 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>Feb 9, 2010</td><td>Initial application submitted to the City Clerk's Office</td></tr><tr><td>Feb 9, 2010 – zoning submittal Feb 22 (Mar 1, 2010)</td><td>Modified plans submitted to OSPCD (existing floor plan, proposed floor plan, proposed elevations, building cross section)</td></tr></table>				Date (Stamp Date)	Submission	Feb 9, 2010	Initial application submitted to the City Clerk's Office	Feb 9, 2010 – zoning submittal Feb 22 (Mar 1, 2010)	Modified plans submitted to OSPCD (existing floor plan, proposed floor plan, proposed elevations, building cross section)
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Any changes to the approved elevations that are not <i>de minimis</i> must receive ZBA approval.										
2	The Applicant or Owner shall submit information or samples of siding materials and color to Planning Staff for review and approval.	BP	Plng.							
3	The Applicant or Owner shall meet the Fire Prevention Bureau's requirements.	CO	FP							
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.							

Sincerely,

Kevin Prior
Chairman

Cc: Applicant/Owner: Julia Lull/David Hayes
Agent: Bill Erickson

