CITY OF SOMERVILLE, MASSACHUSETTS
OFFICE OF STRATEGIC PLANNING & COMMUNITY DEVELOPMENT
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MAYOR

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Case #: ZBA 2010-18
Date: May 19, 2010
Recommendation: Conditional Approval

PLANNING BOARD REPORT

Site: 46 SPRING STREET

Applicant Name: Michelle Apigian and John Dimodica
Applicant Address: 46 Spring Street, Somerville, MA 02143
Property Owner Name: same
Property Owner Address: same
Alderman: Tom Taylor

Legal Notice: Applicant and Owner, Michelle Apigian and John Dimodica, seek a Special Permit under SZO §4.4.1 to increase the height and slope of the roof and construct a 22 foot dormer within the required right side yard and to install three windows within the required left side yard.

Zoning District/Ward: Residence A
Zoning Approval Sought: Special Permit under SZO §4.4.1
Date of Application: 4/13/2010
Date(s) of Public Meeting/Hearing: PB 5/6/10 - ZBA 5/19/10
Date of Decision: N/A
Vote: N/A

Dear ZBA members:

At its regular meeting on May 6, 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) with Kevin Prior 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 6,487+ sf lot. The structure is 2 ½ stories with a gable roof. There is an enclosed sunroom extending from the left side of the house to within 7 ft of the left side yard.

2. Proposal: The proposal includes the reconstruction of the roof to a 12:12 slope, which will extend the height of the apex of the roof from approximately 31 ft to 36.5 ft. A 22 ft shed dormer at a 4:12 slope is proposed for the right side of the building and is situated approximately 10 ft from the front façade of the building. Three windows are proposed for beneath the gable roof on the sunroom façade on the left side of the house. Also the applicant is proposing a smaller dormer in the rear left side of the house that meets all zoning requirements. The dormer and roof reconstruction would facilitate the creation of an additional 766 sf of livable space and enable the owner to construct a bathroom and three bedrooms within the half story.

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

The proposed dormer and roof reconstruction would affect the nonconforming right side yard, which is 4.3 ft. The minimum required by the Somerville Zoning Ordinance (SZO) is 7 ft 9 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 dormer is less than 50 percent of the length of the structure.

The proposed sun room windows would affect the nonconforming left side yard, which is 7 ft. The minimum side yard required by the Somerville Zoning Ordinance (SZO) as previously discussed is 7 ft 9 in.

The roof height to the apex will be 36.5 ft, however the height of the building under the guidelines of the SZO would remain below the 35 ft maximum height in the RA district and not require additional zoning approvals. An additional dormer being proposed on the left side roof meets zoning requirements and can be constructed by-right. The second story unit as proposed would include 5 bedrooms, the existing structure includes 3 bedrooms, and therefore no additional parking is required.

4. Surrounding Neighborhood: The structures in the surrounding neighborhood represent a variety of architectural styles some with gable roofs and gable dormers of varying slope. Homes are typically 2 ½ story structures of wooden construction. Some structures in the immediate vicinity are elaborate structures with several dormer types while others are more modest structures.

5. Green Building Practices: None.

6. Comments:

Fire Prevention: Although it would be recommended, they would not be a required updating to fire alarm system, based on the proposed use of the dormer.

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 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 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 as there is a series of mature evergreen trees that visually screen the structure. Also, there is approximately 40 ft between the houses. The additional height of the structure is acceptable to the Board and the increased slope is visually appealing. The additional windows on the sunroom are not expected to affect the privacy of the neighbors as the windows are situated above the existing windows and above typical viewing level. Overall, the Board finds the design of the proposed structure to be acceptable.

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."

Since there is no predominant style of building in the area, the house would not become inconsistent with other structures on the street. The shed dormer, while not a form typically recommended by the Board, does adhere to many of the dormer design guidelines that historically make for a visually appealing dormer, including a steep roof slope, setbacks from the apex, the sidewall and the front building façade. The increase in the roof height makes the dormer design feasible and the overall project more in proportion and balanced.

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.**

<table>
<tr><th>#</th><th>Condition</th><th>Timeframe for Compliance</th><th>Verified (initial)</th><th>Notes</th></tr>
<tr><td>1</td><td>Approval is for the construction of an approximately 22 ft shed dormer in the right side yard, the reconstruction of the roof to an apex of approximately 36.5 ft and the installation of three windows in the left side yard. This approval is based upon the following application materials and the plans submitted by the Applicant:
<table><tr><th>Date (Stamp Date)</th><th>Submission</th></tr><tr><td>(4/13/2010)</td><td>Initial application submitted to the City Clerk’s Office</td></tr><tr><td>4/12/2010 (5/4/2010)</td><td>Plans and elevations submitted to OSPCD</td></tr></table>Any changes to the approved plans and elevations that are not de minimis must receive ZBA approval.</td><td>BP/CO</td><td>Plng.</td><td></td></tr>
<tr><td>2</td><td>Specific details regarding the windows, doors, siding, trim and cornice details shall be submitted to and approved by Planning and Historic Staff prior to issuance of a building permit.</td><td>BP</td><td>Plng.</td><td></td></tr>
<tr><td>3</td><td>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.</td><td>Final sign off</td><td>Plng.</td><td></td></tr>
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Sincerely,

Elizabeth Moroney
Acting Chair

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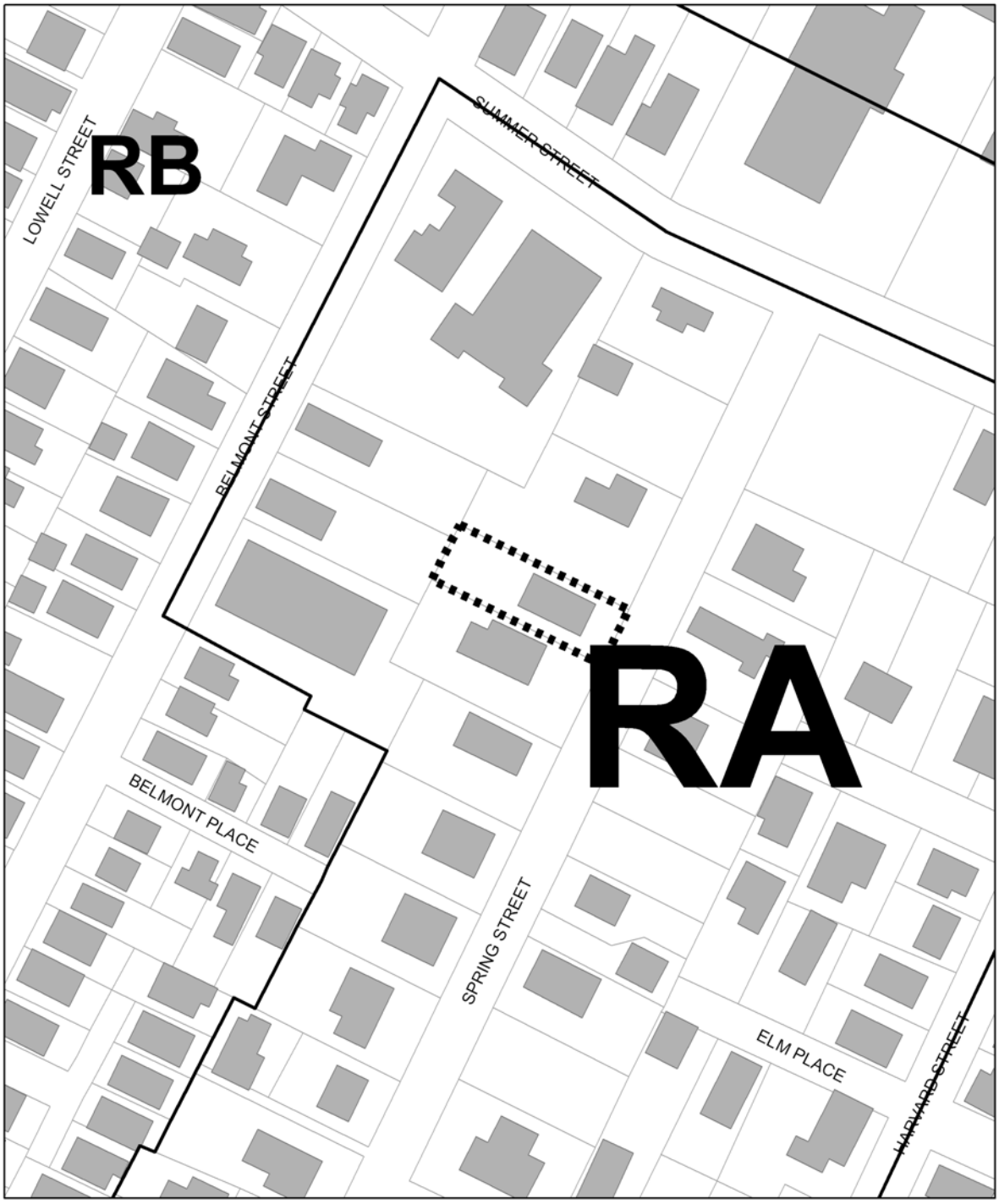

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