



CITY OF SOMERVILLE, MASSACHUSETTS
STRATEGIC PLANNING AND COMMUNITY DEVELOPMENT
JOSEPH A. CURTATONE, MAYOR

STAFF

MADELEINE MASTERS, *PLANNING DIRECTOR*
CHRISTOPHER DI IORIO, *PLANNER/ZONING ADMINISTRATOR*
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DAWN PEREIRA, *ADMINISTRATIVE ASSISTANT*
FREDERICK J. LUND, *SENIOR DRAFTSMAN*

Case #: ZBA 2008-73
Date: January 12, 2008
Recommendation: Conditional Approval

PLANNING STAFF REPORT

Site: 33 Springfield Street

Applicant Name: Scott Barrett

Applicant Address: 33 Springfield Street

Property Owner Name: same

Alderman: Heuston

Legal Notice: Applicant & Owner: Scott Barrett seeks a special permit (SZO §4.4.1) to alter a nonconforming dwelling by extending a third floor above the existing second floor.

Zoning District/Ward: RB / 2

Zoning Approval Sought: Special Permit (SZO §4.4.1)

Date of Application: December 11, 2008

Date(s) of Public Meeting / Hearing: Planning Board: January 15, 2008 / ZBA: January 21, 2008

Date of Decision: N/A

Vote: N/A

I. PROJECT DESCRIPTION

1. Subject Property: The subject property is a three-family dwelling on a 4171 square foot lot. The applicant/owner lives in the building and rents the remaining units. The structure is three stories in height; however the third story does not extend into the rear yard as far as the first and second floors. On the roof of the two-story section of the building is an enclosed 10' long by 3' wide hallway leading to a stairway down to the second floor.

2. Proposal: The proposal is to extend the third floor out to cover the existing two-story section of the structure adding a bedroom, bathroom and laundry room, while enclosing the existing hallway and stairway. The proposed addition would be 21' by 19.5'.

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 a side yard setback.

The proposed dormer would increase the square footage of the structure within the nonconforming side yard, which is 1.7' deep; the minimum side yard setback in this district is 10'. The existing nonconformity requires the Applicant to obtain a special permit under §4.4.1 of the Somerville Zoning Ordinance (SZO).

4. Surrounding Neighborhood: The surrounding neighborhood is predominantly comprised of one-, two- and three-family homes. In the immediate area there are several structures designed in a similar style to the subject building with and without the complete third floor, several 2.5 story gabled roof structures and classic triple deckers.

6. Green Building Practices: None.

7. Comments:

Alderman: Alderman Heuston has been contacted but has not yet provided comments.

Fire Prevention: Deputy Chief Keenan: "The proposal to extend a third floor above the existing second floor will require that the added addition will have to have code compliant fire alarm protection and perhaps a fire suppression system (if Inspectional Services determines that they have to sprinkler the building because of the extent of the work, renovations, etc)."

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. Staff finds that the addition would visually improve the structure by enclosing the unusually constructed hall and stairway on the second floor roof. In addition, the third floor extension would be located towards the rear of the structure and would have limited visual impact on the street. It is not anticipated that there will be any privacy concerns due to the addition.

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 proposed addition is consistent with the purpose of the Ordinance to preserve the historical and architectural resources of the City. Staff finds that with the proposed addition, the structure would maintain its historical and architectural qualities.

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.”

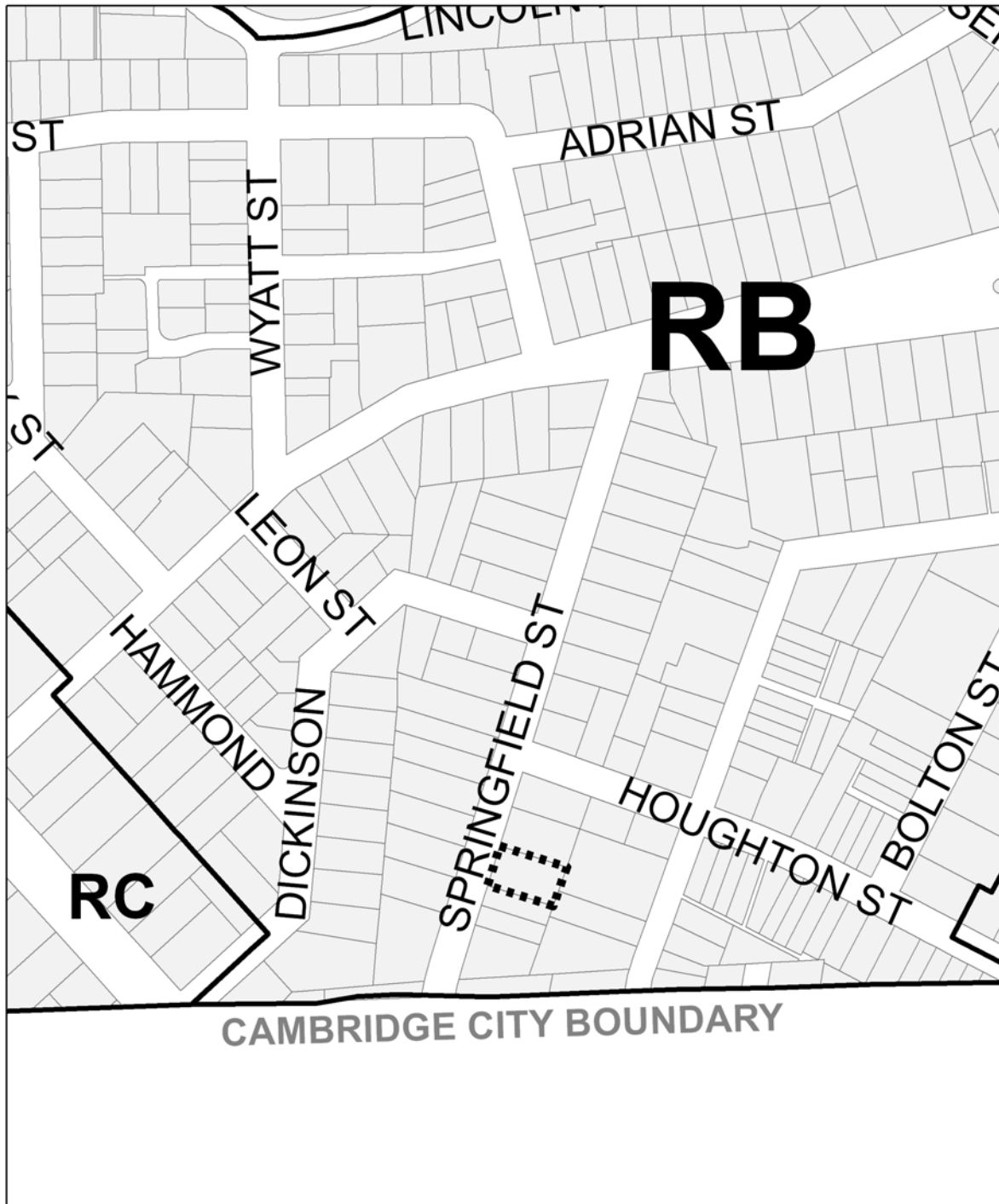
The proposed addition would be compatible with the built surrounding area as it has been designed to visually match the existing building. The footprint of the building and ground coverage will not be affected, and the resulting massing and height would reflect many of the structures in the surrounding area.

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 a 21' by 19.5' third floor addition above an existing second floor. 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>(12/11/08)</td><td>Initial application submitted to the City Clerk's Office</td></tr><tr><td>6/17/08 (1/13/09) 11/18/08 (1/13/09)</td><td>Site Plan Elevations A8, A9</td></tr></table>				Date (Stamp Date)	Submission	(12/11/08)	Initial application submitted to the City Clerk's Office	6/17/08 (1/13/09) 11/18/08 (1/13/09)	Site Plan Elevations A8, A9
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Any changes to the approved elevations or site plan that are not <i>de minimis</i> must receive ZBA approval.										
2	The siding materials and colors used shall match the existing structure.	CO	Plng.							
3	A code compliant fire alarm system shall be installed unless determined by Inspectional services that a fire suppression system is necessary in which case that shall be required.	CO	ISD							
4	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.							



33 SPRINGFIELD STREET