



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

**PLANNING DIVISION**

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**Case #:** ZBA 2010-41

**Date:** September 16, 2010

**Recommendation:** Conditional Approval

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**PLANNING STAFF REPORT**

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**Site:** 30 Ivaloo Street

**Applicant Name:** Michael Batterton

**Applicant Address:** 30 Ivaloo Street

**Property Owner Name:** Michael Batterton

**Property Owner Address:** same

**Agent Name:** none

**Agent Address:** none

**Alderman:** Maryann M. Heuston

Legal Notice: Applicant and Owner, Michael Batterton, seeks a Special Permit under SZO §4.4.1 in order to increase floor area ratio and construct a 28.5 ft. shed dormer on the right side of the house.

Zoning District/Ward: Residence B \ 2

Zoning Approval Sought: Special permit under SZO §4.4.1

Date of Application: August 10, 2010

Dates of Public Meeting • Hearing: PB 9/16/2010 • ZBA 10/6/2010

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**I. PROJECT DESCRIPTION**

1. Subject Property: The subject property is a two-family dwelling on a 2996 sq. ft. lot, located on the southeast side of Ivaloo St. near the corner of Ivaloo St. and Harrison St. The structure is 2 ½ stories with a gable roof. There is an existing 15 ft. gable dormer on the right side of the house.

2. Proposal: Applicant proposes to construct a 28.5 ft shed dormer on the southwest side with a 2 ft. setback from the front of the existing roof and a steep pitch. The dormer would be flush



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with the rear roof line to allow for installation of a 6 ft. French door and a new 8.5 ft. x 2 ft terrace with a railing. Two new windows would be installed to line up with and match the windows on the first and second floors. There would also be two Velux skydomes. The new dormer would allow for additional living space in an expanded bedroom, the creation of office space and a full bathroom.



Front of 30 Ivaloo St.



30 Ivaloo St. left side and existing dormer.



Right side of 30 Ivaloo where shed dormer would be constructed. 32 Ivaloo is also shown.



Right side of 30 Ivaloo St. viewed from rear of driveway.



Arial view of 30 Ivaloo St (center) from Google Maps. Image shows existing 15 ft. dormer on northeast side of the house, and the existing 30 ft. roof on southwest side where proposed 28.5 ft. shed dormer would be located.

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.

The existing nonconformities require the Applicant to obtain a special permit under §4.4.1 of the SZO. Additionally, the proposal would increase the nonconforming nature of the property because the house would change from a 2 ½ story to a 3 story structure and a 3 story structure has greater minimum front and side setback requirements. The change in number of stories results because the length of the proposed 28.5 ft. dormer on the right side is more than 50 percent of the structure's total length.

4. Surrounding Neighborhood: The immediate neighborhood is predominantly residential, with a mix of one-family homes, two-family homes, apartments and condominiums. The surrounding homes vary from 1.75 to 4 story structures with gable, mansard, and flat roofs. Nearby building display a variety of dormer types including shed. The condominiums at 17 Ivaloo St. have large shed dormers. However they are different from the shed dormer proposed by applicant because there is a break in the middle of the roof line. The only comparable shed dormer is in the rear of 32 Ivaloo St.





Rear of 37 Ivaloo St. showing large shed dormer similar to that proposed by the applicant.

5. Impacts of Proposal: The impact of the new shed dormer would be most felt by the next door neighbors at 32 Ivaloo. 32 Ivaloo St. does not appear to have any windows at the height of the proposed dormer, so there would be no negative impact on privacy for residents of that property. The new dormer would be setback 2' from the front roofline making it distinct from the main gable-roof.

6. Green Building Practices:

7. Comments:

*Fire Prevention:* Has been contacted but has not yet provided comments

*Historic Preservation:* Has been contacted and has reviewed plans with Planning staff.

*Ward Alderman:* Has been contacted but has not yet 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 adjacent house. While Staff normally does not encourage shed dormers extending from the roof apex, Staff finds the design acceptable as it is an extension of the existing form. The applicant is working to make sure that there overhang in the rear roof line remains in some form. The staff will continue to work with the applicant on this detail. While staff would prefer the dormer to end two feet before the rear wall of the structure, this particular rear yard is screened in such a way that the rear of the dormer will not create any impact on neighboring properties. The increase in floor area ratio will not cause the structure to exceed the allowable FAR for a Residence B Zone.

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. The proposal is also consistent with the purpose of the district, which is "To establish and preserve medium density neighborhoods of one-, two- and three-family homes, free from other uses except those which are both compatible with and convenient to the residents of such districts.

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 presence of shed dormers on neighboring homes and condominiums makes it an acceptable form. The impact of the expansion of the existing dormer on the structure's appearance from the street is minimal, as the close proximity of the adjacent structure acts as a screen and the dormer is toward the rear of the property. The impact of the new shed dormer will be reduced because it will be setback 2 ft. from the front face to maintain the gable roofline in the front of the home.

### **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 a new dormer. This approval is based upon the following application materials and the plans submitted by the Applicant:	BP/CO	PIng.									
	<table><tr><th>Date (Stamp Date)</th><th>Submission</th></tr><tr><td>August 10, 2010</td><td>Initial application submitted to the City Clerk’s Office</td></tr><tr><td>August 25, 2010</td><td>Modified plans submitted to OSPCD</td></tr><tr><td>September 9, 2010</td><td>Modified plans submitted to OSPCD</td></tr></table>				Date (Stamp Date)	Submission	August 10, 2010	Initial application submitted to the City Clerk’s Office	August 25, 2010	Modified plans submitted to OSPCD	September 9, 2010	Modified plans submitted to OSPCD
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Any changes to the approved site plan or elevations that are not <i>de minimis</i> must receive SPGA approval.												
2	The Applicant or Owner shall meet the Fire Prevention Bureau’s requirements.	CO	FP									
3	The applicant shall continue to work with Planning Staff on the design of the rear of the dormer. If the applicant finds it possible to move the door to the center of the rear roof line, the applicant shall revise plans to pull the rear of the dormer back from the rear roof line by a minimum of two feet. Final design of this detail shall be subject to review and approval by Planning Staff.	BP	PIng.									
4	The material and colors of siding on the dormer shall match the siding and colors of the existing structure.	BP	PIng..									
5	All construction materials and equipment must be stored onsite. If occupancy of the street layout is required, such occupancy must be in conformance with the requirements of the Manual on Uniform Traffic Control Devices and the prior approval of the Traffic and Parking Department must be obtained.	During Construction	T&P									
6	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	PIng.									