



**CITY OF SOMERVILLE, MASSACHUSETTS**  
**MAYOR'S OFFICE OF STRATEGIC PLANNING & COMMUNITY DEVELOPMENT**  
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**Case #:** ZBA 2015-14

**Date:** April 30, 2015

**Recommendation:** Conditional Approval

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**PLANNING STAFF REPORT**

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**Site:** 26 Fairmount Avenue

**Applicant Name:** North America Development

**Applicant Address:** 10 Franklin Avenue Somerville, MA 02145

**Owner Name:** SBKBLB, LLC

**Owner Address:** 29 Livermore Road Belmont, MA 02478

**Alderman:** Katjana Ballantyne

Legal Notice: Applicant, North America Development, and Owner SBKBLB, LLC, seek a Special Permit to extend a dormer on the nonconforming sideyard. RA zone. Ward 7.

Dates of Public Hearing: May 6, 2014

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**I. PROJECT DESCRIPTION**

1. Subject Property: The subject property is an existing single family house on a 3,733 square foot lot. There are four bedrooms and parking for 2 vehicles.
2. Proposal: The proposal is to make an existing gable dormer wider on a narrow sideyard.
3. Green Building Practices: None listed on the application.
4. Comments:

*Fire Prevention:* Has been contacted and has no comments at this time.

*Ward Alderman:* Has been contacted and has no comments at this time.



## II. FINDINGS FOR SPECIAL PERMIT:

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."*

The existing property has a 2' right sideyard setback on the side with the dormer. Lawfully existing one- and two-family dwellings which are nonconforming with respect to dimensional requirements may be enlarged, expanded, renovated, or altered by special permit. To expand that dormer requires a Special Permit.

In considering a special permit, Staff find that the alterations proposed would not be substantially more detrimental to the neighborhood than the existing structure. The bedroom count will remain the same and no additional parking is necessary.

In the proposed code, dormers are considered building components and are allowed as long as they meet the dimensional requirements. The dormer is less than 50% of the length of the roofline and less than 24' in length (whichever is greater) and the dormer meets the 50% glazing requirement. A Special Permit is required when expanding an existing nonconforming dormer. This dormer does not meet the sidewall setback. Approving this extension meets the findings of the new ordinance that it will be in context with the existing neighborhood and meets the needs of the owner. Where possible, the proposal meets the majority of the dimensional requirements.

### 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 promoting the health, safety, and welfare of the inhabitants of the City of Somerville; to conserve the value of land and buildings and to preserve the historical and architectural resources of the City.

The proposal is consistent with the purpose of the district, which is, "To establish and preserve quiet neighborhoods of one- and two-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 existing structure, just outside of Teele Square, matches the other structures in the neighborhood which are mostly 2 ½ story homes. There are existing single, two, and three family homes on the street. Most of the homes on Fairmount Avenue have a shed or gable dormers

There are little to no impacts of the proposal. The property owner is modestly expanding an existing dormer.

7. Housing Impact: *Will not create adverse impacts on the stock of existing affordable housing.*

The proposal has no effect on the stock of existing affordable housing.

8. SomerVision Plan: *Complies with the applicable goals, policies and actions of the SomerVision plan, including the following, as appropriate: Preserve and enhance the character of Somerville's neighborhoods, transform key opportunity areas, preserve and expand an integrated, balanced mix of safe, affordable and environmentally sound rental and homeownership units for households of all sizes and types from diverse social and economic groups; and, make Somerville a regional employment center with a mix of diverse and high-quality jobs. The areas in the SomerVision map that are designated as enhance and transform should most significantly contribute towards the SomerVision goals that are outlined in the table below. The areas marked as conserve are not expected to greatly increase the figures in the table since these areas are not intended for large scale change.*

The project will not impact the metrics established in SomerVision but will allow a property owner to make modest alterations to their property.

### III. RECOMMENDATION

Based on the materials submitted by the Applicant, the above findings and subject to the following conditions, the Planning Staff recommends **CONDITIONAL APPROVAL** of the requested **SPECIAL PERMIT**.

The recommendation is based upon a technical analysis by Planning Staff of the application material based upon the required findings of the Somerville Zoning Ordinance, and is based only upon information submitted prior to the public hearing. This report may be revised or updated with new recommendations, findings and/or conditions based upon additional information provided to the Planning Staff during the public hearing process.

#	Condition	Timeframe for Compliance	Verified (initial)	Notes						
1	Approval is for extension of a gable dormer on the narrow sideyard. This approval is based upon the following application materials and the plans submitted by the Applicant:	BP/CO	ISD/ Plng.							
	<table><tr><th>Date (Stamp Date)</th><th>Submission</th></tr><tr><td>March 24, 2015</td><td>Initial application submitted to the City Clerk’s Office</td></tr><tr><td>(April 29, 2015)</td><td>Modified plans submitted to OSPCD (Site Plan, Existing Elevation, Proposed Elevation)</td></tr></table>				Date (Stamp Date)	Submission	March 24, 2015	Initial application submitted to the City Clerk’s Office	(April 29, 2015)	Modified plans submitted to OSPCD (Site Plan, Existing Elevation, Proposed Elevation)
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Any changes to the approved elevation that are not <i>de minimis</i> must receive SPGA approval.										
<b>Construction Impacts</b>										
2	The Applicant shall at his expense replace any existing equipment (including, but not limited to street sign poles, signs, traffic signal poles, traffic signal equipment, wheel chair ramps, granite curbing, etc) and the entire sidewalk immediately abutting the subject property if damaged as a result of construction activity. All new sidewalks and driveways must be constructed to DPW standard.	CO	DPW							
3	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							
<b>Design</b>										
4	The dormer siding shall match or be complementary to the existing siding on the home.	BP	Plng.							
<b>Miscellaneous</b>										
5	The Applicant, its successors and/or assigns, shall be responsible for maintenance of both the building and all on-site amenities, including landscaping, fencing, lighting, parking areas and storm water systems, ensuring they are clean, well kept and in good and safe working order.	Cont.	ISD							
<b>Public Safety</b>										
6	The Applicant or Owner shall meet the Fire Prevention Bureau’s requirements.	CO	FP							
<b>Final Sign-Off</b>										
7	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.							

