



CITY OF SOMERVILLE, MASSACHUSETTS
MAYOR'S OFFICE OF STRATEGIC PLANNING & COMMUNITY DEVELOPMENT
JOSEPH A. CURTATONE
MAYOR

MICHAEL F. GLAVIN
EXECUTIVE DIRECTOR

PLANNING DIVISION STAFF

GEORGE PROAKIS, *DIRECTOR OF PLANNING*
LORI MASSA, *SENIOR PLANNER*
DAN BARTMAN, *SENIOR PLANNER*
AMIE HAYES, *PLANNER*
DAWN PEREIRA, *ADMINISTRATIVE ASSISTANT*

Case #: ZBA 2012-107

Date: January 17, 2013

Recommendation: Conditional Approval

PLANNING STAFF REPORT

Site: 9 Kingman Road

Applicant Name: Susan Boyle

Applicant Address: 9 Kingman Road, Somerville, MA 02143

Property Owner Name: Susan Boyle Revocable Trust

Property Owner Address: c/o Susan Boyle, 9 Kingman Road, Somerville, MA 02143

Architect Name: Alexander E. Corbett

Architect Address: 114 Alexander Avenue, Belmont, MA

Alderman: Maryann Heuston / Ward 2

Legal Notice: Applicant, Susan Boyle, and Owner, Susan Boyle Revocable Trust, seek a Special Permit to alter a nonconforming structure under SZO §4.4.1 to add a dormer to the left side of the roof and to reconstruct a deck above the second story of the rear façade at an existing two-family dwelling. RB Zone. Ward 2.

Zoning District/Ward: RB / 2

Zoning Approval Sought: Special Permit under §4.4.1

Date of Application: December 24, 2012

Dates of Public Hearing: Zoning Board of Appeals – **Wednesday, January 23, 2013**

I. PROJECT DESCRIPTION

1. Subject Property: The subject property is a two-family dwelling on a 2,096 square foot lot near Union Square. This 2½ story, nonconforming gable-end dwelling has a two-story rear addition with an open second story porch and previously had a roof deck above the rear addition. There are 2,429 usable square feet within this structure and the floor area ratio is 1.16. The building is located in a Residence B district and directly abuts an apartment building and a three-family dwelling.



There has been no prior zoning relief.



2. Proposal: Applicant, Susan Boyle, proposes to alter this two-family dwelling by adding a shed dormer to the left side roof plane to enlarge a bathroom and reconstruct a deck above the second story rear addition. The dormer will be more than ten feet from the front gable and will measure 8'-9" in length. Four glass block windows will be centered on the façade of the shed dormer, measuring 4'-4" in length.

The reconstructed deck will be the same dimensions as the previously removed deck, which is 16'-8" feet in length by approximately 15 feet in width. The railings will be 3'-5" in height with posts located every 3.5 feet.



Pre-existing deck above second story rear addition at 9 Kingman Road

3. Nature of Application: The structure is currently nonconforming with respect to several dimensional requirements including a left side yard setback that is less than one foot, a rear yard setback that is less than seven feet and minimum lot size. Under SZO §4.4.1, the alteration of a nonconforming dimension requires Special Permit approval. Therefore, the addition of a dormer in a side yard setback that is less than eight feet requires Special Permit approval. Although the reconstruction of a pre-existing deck above the second-story rear addition does not require approval, the deck was dismantled early on in existing owner's renovation process to fix roof damage and has been added to this Special Permit as a precautionary measure to ensure the Applicant would be able to reconstruct this feature.

4. Surrounding Neighborhood: The subject property is located in a Residence B district within the Union Square neighborhood. The surrounding neighborhood is comprised of a variety of building types and a mix of uses. Immediately surrounding the subject dwelling are predominantly residential and institutional.

5. Impacts of Proposal: The proposed alteration to add a shed dormer to the left side roof plane and to reconstruction a pre-existing deck above the second story rear addition will not be detrimental to the structure.

The design for the shed dormer utilizes glass block so there will be no disruption of privacy for the adjacent property and the rear deck, which existed prior to beginning larger by-right renovations, is a reconstruction in design and dimensions.

6. Green Building Practices: There are no green building practices that have been identified.

7. Comments:

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

Ward Alderman: Has been contacted and commented via email to Staff on 1/4/2013 that the glass block on the façade of the dormer will accommodate the adjacent property.

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 glass block in the façade of the dormer is unobtrusive and would not be highly visible, and the rear deck is pre-existing.

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 provide for and maintain the uniquely integrated structure of uses in the City; to protect health; to secure safety from fire, panic and other dangers; to provide adequate light and air; to preserve the historical and architectural resources of the City; to encourage the most appropriate use of land throughout the City; and to preserve and increase the amenities of the municipality.

The proposal is consistent with the purpose of the Residence B district, §6.1.2, 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 design for the shed dormer on the left side roof plane is compatible with the neighborhood and does not reduce the privacy of the adjacent property. Through the City, numerous decks located above rear additions enable additional outside space for residents.

III. RECOMMENDATION

Special Permit under §4.4.1

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 a Special Permit to alter a nonconforming structure to add a dormer to the left side of the roof and to reconstruct a deck above the second story of the rear façade. 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>December 24, 2012</td><td>Initial application submitted to the City Clerk’s Office</td></tr><tr><td>November 13, 2012 (January 17, 2013)</td><td>Plot plan submitted to OSPCD</td></tr><tr><td>November 8, 2012 (January 15, 2013)</td><td>Elevation/floor plans submitted to OSPCD (A1, A2, A3, A4, R1 & R2)</td></tr></table>				Date (Stamp Date)	Submission	December 24, 2012	Initial application submitted to the City Clerk’s Office	November 13, 2012 (January 17, 2013)	Plot plan submitted to OSPCD	November 8, 2012 (January 15, 2013)	Elevation/floor plans submitted to OSPCD (A1, A2, A3, A4, R1 & R2)
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Any changes to the approved elevations that are not <i>de minimis</i> must receive SPGA approval.												
2	New siding type and color, trim and other materials necessary to replace as a result of the proposal shall match the existing siding, trim and other materials;	Co	Plng.									

3	An exterior light and electrical receptacle is required for the first (or all) level of the porch and an electrical receptacle is required for the second level (if there is no access to the ground);	Final sign off	Wiring Inspector	
4	The Applicant or Owner shall meet the Fire Prevention Bureau's requirements; and	CO	FP	
5	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.	

9 Kingman Road