



CITY OF SOMERVILLE, MASSACHUSETTS
MAYOR'S OFFICE OF STRATEGIC PLANNING & COMMUNITY DEVELOPMENT
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Case #: ZBA 2013-65
Date: October 31, 2013
Recommendation: Conditional Approval

PLANNING STAFF REPORT

Site: 21 Malvern Avenue

Applicant Name: Madelaine Starr
Applicant Address: 21 Malvern Avenue, Unit 1, Somerville, MA 02144
Property Owner Name: Madelaine Starr
Property Owner Address: 21 Malvern Avenue, Unit 1, Somerville, MA 02144
Agent Name: John Serven
Agent Address: 14 Griffin Terrace, Lynn, MA 01902
Alderman: Robert Trane

Legal Notice: Applicant and Owner, Madeline Starr, seeks a Special Permit under SZO §4.4.1 to build a dormer on the left side façade of an existing nonconforming two-family dwelling. RB zone. Ward 7.

Zoning District/Ward: RB zone / Ward 7

Zoning Approval Sought: Special Permit under SZO §4.4.1

Date of Application: September 17, 2013

Dates of Public Hearing: Zoning Board of Appeals – **Wednesday, November 6, 2013**

I. PROJECT DESCRIPTION

1. Subject Property: The subject property is a 3,167 square foot parcel of land comprised of two-family dwelling. The structure is 2 ½ stories with a roof configuration that is a combination between a gable-end and gambrel roof. The parcel is located south of Teele Square near Cambridge. The property has a net floor area of 2,208 with a 0.70 floor area ratio (FAR). The property is located in a Residence B district and the surrounding neighborhood is composed of single, two- and three-family dwellings.



There has been no prior zoning relief.

2. Proposal: Applicant and Owner, Madeline Starr, proposes to add a small shed dormer to the front portion of the left side façade of an existing two-family dwelling. The Applicant has recently renovated and updated the interior of the structure which includes a dormer on the by-right, or right side of the building. However, in modifying the stairwell that leads to the half-story, there is not sufficient height when using these stairs; therefore, the addition of a small shed dormer will provide sufficient height to become compliant with the current Massachusetts State Building Code.

The dormer would be 11' in width and maintain three feet between the front exterior wall of the dormer and the eaves of the gable portion of the roof. In addition, due to the complex roof configuration, which combines the gable and gambrel roof styles, the gambrel portion of the roof extends beyond the eaves of the gable portion of the roof (see photo).



*Left: Front and left side façade
Top: Front and right side façade*

3. Nature of Application: The structure is currently nonconforming with regard to dimensional requirements that include minimum lot size and the left side yard setback. In accordance with the Somerville Zoning Ordinance (SZO) §4.4.1, a nonconforming two-family dwelling may alter a nonconforming dimension through Special Permit approval. Therefore, the addition of a small shed dormer within the left side yard setback requires Special Permit approval.

4. Surrounding Neighborhood: The subject parcel is located in a Residential B district south of Teele Square near Cambridge. The surrounding neighborhood is residential and predominantly composed of a mix of single, two- and three-family dwellings.

5. Impacts of Proposal: The proposal to add a small shed dormer to the front portion of the left side façade will not be detrimental to the structure.

The addition of a small shed dormer to the left side façade will enable the stairs leading to the half-story to become code compliant with regard to headroom. The use of this additional space allows for more storage, which enables the second floor to have more usable living space. The dormer would look to the roof and nearby dormer of the adjacent building but would not appear to have an impact on the abutting property.

6. Green Building Practices: There have been no green building practices indicated on the application.

7. Comments:

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

Wiring Inspection: Has been contacted but has not yet provided comments.

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 addition of a shed dormer on the left side façade will create code compliant stairs, which are necessary due to other alterations that have already been completed. There will likely be no impact on the surrounding neighborhood as the window located in the dormer is to introduce natural light and looks onto the adjacent roof.

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 protect health; to secure safety from fire, panic and other dangers; to provide adequate light and air; to conserve the value of land and buildings; to preserve the historical and architectural resources of the City; to encourage the most appropriate use of land throughout the City; to encourage housing for persons of all income levels; 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 addition of a small shed dormer to the left side façade will enable the stairs leading to the half-story to become code compliant with regard to headroom. The use of this additional space allows for more storage, which enables the second floor to have more usable living space. The dormer would look to the roof and nearby dormer of the adjacent building but would not appear to have an impact on the abutting property. There should be no impact to the surrounding neighborhood as the dormer does not increase the number of cars, people or usable floor area.

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 build a dormer on the left side façade of an existing nonconforming two-family dwelling. This approval is based upon the following application materials and the plans submitted by the Applicant:	BP/CO	ISD/Plng.									
	<table border="1"> <thead> <tr> <th>Date (Stamp Date)</th> <th>Submission</th> </tr> </thead> <tbody> <tr> <td>(September 17, 2013)</td> <td>Initial application submitted to the City Clerk’s Office</td> </tr> <tr> <td>January 19, 2013 (October 30, 2013)</td> <td>Plot plan submitted to OSPCD</td> </tr> <tr> <td>(October 30, 2013)</td> <td>Elevation & floor plans (A-1) submitted to OSPCD</td> </tr> </tbody> </table>				Date (Stamp Date)	Submission	(September 17, 2013)	Initial application submitted to the City Clerk’s Office	January 19, 2013 (October 30, 2013)	Plot plan submitted to OSPCD	(October 30, 2013)	Elevation & floor plans (A-1) submitted to OSPCD
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Any changes to the approved elevations that are not <i>de minimis</i> must receive SPGA approval.												
Design												

2	New siding type and color, roofing, trim and materials of the dormer shall match or be complimentary to the existing structure.	BP	Plng.	
Public Safety				
3	The Applicant or Owner shall meet the Fire Prevention Bureau's requirements.	CO	FP	
Final Sign-Off				
4	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.	

21 Malvern Avenue

