



CITY OF SOMERVILLE, MASSACHUSETTS
MAYOR'S OFFICE OF STRATEGIC PLANNING & COMMUNITY DEVELOPMENT
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Case #: ZBA 2013-02
Date: February 14, 2013
Recommendation: Conditional Approval

PLANNING STAFF REPORT

Site: 40 Montrose Street

Applicant Name: Darrell Morrow
Applicant Address: 40 Montrose Street, Somerville, MA 02143
Property Owner Name: same
Agent Name: Stephen Kasper
Agent Address: 59 High St, Reading, MA 01867
Alderman: Thomas Taylor

Legal Notice: Applicant/Owner Darrell Morrow seeks a special permit to construct a dormer within a nonconforming side yard of a single-family home under SZO §4.4.1.

Zoning District/Ward: RA / Ward 3

Zoning Approval Sought: Special Permit SZO §4.4.1

Date of Application: Jan 7, 2013

Dates of Public Hearing: Zoning Board of Appeals 2/20/13

I. PROJECT DESCRIPTION

1. Subject Property: The property is a one-family dwelling on a 3000 square foot parcel in the Spring Hill Neighborhood. The lot is rectangular and there is a slight slope upward from the street to the rear of the property. The structure is 2 ½ stories and wood framed. The Zoning Board issued a special permit for the site in 2008 to add an 86 square foot addition to the rear to expand the kitchen.
2. Proposal: The proposal is to construct two shed dormers, one on each side of the roof. The dormers will provide space for a bedroom, bathroom and closet. The existing 4 foot wide dormer on the right side of the roof that provides headroom for the stairs will remain.





40 Montrose: (left) front and left side, (right) right side and front of abutting house.

3. Nature of Application: The structure is currently nonconforming with respect to several dimensional requirements, including minimum lot area, front yard setback, side yard setback and street frontage. The dormer on the right side of the house is within the side yard setback. The dormer will be setback 3.3 feet and the minimum side yard setback in this district is 7.2 feet with the reduction allowed for a narrow lot. The floor area ratio will continue to be conforming with the 145 square foot increase in livable space. The floor area ratio will be 0.68 and the limit is 0.75. These existing nonconformity requires the Applicant to obtain special permits under §4.4.1 of the Somerville Zoning Ordinance (SZO). Section 4.4.1 states that “[l]awfully existing one- and two-family dwellings which are only used as residences, which are nonconforming with respect to dimensional requirements, may be enlarged, extended, renovated or altered by special permit granted by the SPGA in accordance with the procedures of Article 5.”

4. Surrounding Neighborhood: The surrounding neighborhood is comprised of one-, two-, and three-family homes that typically have minimal side yards.

5. Impacts of Proposal: The dormers are located in the rear of the structure where they will be least impactful. There are no dormers on the neighbor’s house that abuts the nonconforming side yard so privacy concerns with looking into a new bathroom window are not anticipated. The first proposal submitted included a dormer on the right side that would comprise more than 50% of the length of the roof and would have required a variance. The current proposal is scaled back and retains the existing low shed dormer that is closer to the front of the house. Keeping this dormer will better retain the original appearance of the 2 ½ story house. The dormers should be pulled back a few feet from the rear wall of the house so that they appear as elements on the roof and not as though the roof is being lifted to create a third story.

6. Green Building Practices: None listed on the application form.

7. Comments:

Fire Prevention: 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. & 5.1):

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 dormers will be located in the rear of the structure and will be less than 50% of the length of the roof. However, moving the dormer to create three feet between the gable edge and the dormer will more appropriately retain the original gable.

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 maintaining the uniquely integrated structure of uses in the City and preserving the historical and architectural resources of the City.

The proposal is consistent with the purpose of the RA district to preserve one- and two-family homes as the dormer will be constructed on a single-family.

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."

While moving the dormer slightly will better retain the rear gable edge of the roof, the addition of dormers on the house that are less than 50% of the length of the roof to supply space for a bedroom, bathroom and closets in a single-family house is compatible with the surrounding area.

III. RECOMMENDATION

Special Permit under §4.4.1 and 5.1

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 the construction of a 10'2" shed dormer in the nonconforming side yard. 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>January 7, 2013</td><td>Initial application submitted to the City Clerk's Office</td></tr><tr><td>Feb 11, 2013</td><td>Modified plans submitted to OSPCD (A-0 cover, A-1 floor plan, A-2 & A-3 elevations)</td></tr></table>				Date (Stamp Date)	Submission	January 7, 2013	Initial application submitted to the City Clerk's Office	Feb 11, 2013	Modified plans submitted to OSPCD (A-0 cover, A-1 floor plan, A-2 & A-3 elevations)
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Any changes to the approved elevations that are not <i>de minimis</i> must receive SPGA approval.										
2	The proposed dormer shall be moved to create three feet between the gable edge and the dormer.	BP	Plng.							
3	The Applicant or Owner shall meet the Fire Prevention Bureau's requirements.	CO	FP							
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.							

