



CITY OF SOMERVILLE, MASSACHUSETTS
MAYOR'S OFFICE OF STRATEGIC PLANNING & COMMUNITY DEVELOPMENT
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Case #: ZBA 2015-72
Date: October 1, 2015
Recommendation: Conditional Approval

PLANNING STAFF REPORT

Site: 74 Morrison Avenue

Applicant Name: Buster Bronze LLC
Applicant Address: 165 Armory Street, Cambridge, MA 02139
Owner Name: Buster Bronze LLC
Owner Address: 165 Armory Street, Cambridge, MA 02139
Alderman: Rebekah Gewirtz

Legal Notice: Applicant & Owner, Buster Bronze LLC, seeks a Special Permit to alter a nonconforming three-family structure to add a dormer to the nonconforming side yard. RA zone. Ward 6.

Dates of Public Hearing: October 7, 2015

I. PROJECT DESCRIPTION

1. Subject Property: The subject property is a 3-family house on a 4,313 square foot lot. The Zoning Board of Appeals (ZBA) allowed for the conversion from a two- to a three-family house in the 1940's. The ZBA also approved a Special Permit of August of 2015 to add a third floor to the rear porch and turn a window into a door to access the porch. The property is located on the Community Path.
2. Proposal: The proposal is to construct a small shed dormer in the rear of the structure to add height head to an existing staircase as is required by Inspectional Services due to the level of renovation to the structure.
3. Green Building Practices: None listed on the application form.





4. Comments:

Ward Alderman: Alderman Gewirtz has been contacted about the proposal.

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."*

The proposal will impact the nonconforming side yard. The current dimension is 3 feet 8 inches, the proposal will alter the structure within this setback with the addition of a dormer. The requirement in the district is 8 feet. This alteration to a nonconforming structure 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 nonconforming structures other than one- and two-family dwellings may be enlarged, extended, renovated or altered only by special permit authorized by the SPGA in accordance with the procedures of Article 5. The SPGA must find that such extension, enlargement, renovation or alteration is not substantially more detrimental to the neighborhood than the existing nonconforming building. In making the finding that the enlargement, extension, renovation or alteration will not be substantially more detrimental, the SPGA may consider, without limitation, impacts upon the following: traffic volumes, traffic congestion, adequacy of municipal water supply and sewer capacity, noise, odor, scale, on-street parking, shading, visual effects and neighborhood character."

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 proposal is for a small dormer that has the minimum dimensions that would allow for the required ceiling height in the

stairway. The dormer will start well below the ridge of the house and will have such a significant slope that there is not space for a window to be placed on the dormer. The dormer will be minimally visible. It will be located at the back of the house behind the cross gable. In the rear it will be slightly visible but its low profile will limit view of it.

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.

The proposal is consistent with the purpose of the RA district, in making improvements to the three-family house.

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 of the dormer was designed to the minimum dimensions to allow for the required head height in the stair.

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

The third floor unit will be more expensive with a renovation; however, the units are not restricted as affordable units and even without the expansion of the building the owner could increase the cost of the units.

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 proposal will allow for a safer egress from the third floor unit which is not counter to the goals of SomerVision for this lot in the area of the City marked to be preserved.

<u>SomerVision Summary</u>	<u>Existing</u>	<u>Proposed</u>
<u>Dwelling Units:</u>	3	3

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 the construction of a dormer. 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>September 3, 2015</td><td>Initial application submitted to the City Clerk's Office</td></tr><tr><td>Oct 7, 2014</td><td>Modified plans submitted to OSPCD (Plot Plan)</td></tr><tr><td>(September 30, 2015)</td><td>Modified plans submitted to OSPCD (Proposed side elevation, rear elevation, third floor plan)</td></tr></table>				Date (Stamp Date)	Submission	September 3, 2015	Initial application submitted to the City Clerk's Office	Oct 7, 2014	Modified plans submitted to OSPCD (Plot Plan)	(September 30, 2015)	Modified plans submitted to OSPCD (Proposed side elevation, rear elevation, third floor plan)
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Any changes to the approved plans that are not <i>de minimis</i> must receive SPGA approval.												
2	The siding on the dormer shall match the siding on the house in material and color.	Final sign off	Plng.									
Final Sign-Off												
3	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.									

