



**CITY OF SOMERVILLE, MASSACHUSETTS**  
**MAYOR'S OFFICE OF STRATEGIC PLANNING & COMMUNITY DEVELOPMENT**  
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**Case #:** ZBA 2014-28

**Date:** May 1, 2014

**Recommendation:** Conditional Approval

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**PLANNING STAFF REPORT**

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**Site:** 119 Rogers Ave

**Applicant Name:** Jack Higham & Pam Hearon

**Applicant Address:** 119 Rogers Avenue

**Property Owner Name:** Jack Higham & Pam Hearon

**Property Owner Address:** 119 Rogers Avenue

**Agent:** Zach Pursley & Sandra Lannan

**Agent Address:** 59 Pearson Road, Somerville, MA 02144

**Alderman:** Mark Niedergang

**Legal Notice:** The Applicants and Owners, Jack Higham and Pam Hearon, seek a Special Permit under SZO §4.4.1 to alter a nonconforming structure to add a gable dormer on the left side and modify windows on the front façade of a single-family dwelling. RA zone. Ward 5.

**Dates of Public Hearing:** **Wednesday, May 7, 2014**

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**I. PROJECT DESCRIPTION**

1. **Subject Property:** The subject parcel is 3,097 square feet, composed of a single-family, 2½ story dwelling. The structure is located in a residential neighborhood, near Ball Square at the intersection of Boston and Rogers avenues, and Broadway. Nearby business establishments include Pescatore Restaurant and Crowley's Liquor. The surrounding area along Broadway includes a mix of commercial and office uses while Rogers Avenue is predominantly residential, with single, two-, and three-family dwellings. There has been no prior zoning relief.
2. **Proposal:** The Applicants propose to add a gable dormer to the left, or north side façade and alter the window openings beneath the gable on the front façade.



Currently, there are two windows beneath the gable on the front façade. This opening would be modified to accommodate a Palladian style window pattern which is composed of three windows, each two feet in width for a total width of 6". The center window extends slightly taller at 4'-6" than the two flanking windows at 3'-10".

The north facing proposed gable dormer would be located nearest the rear of the structure and retain approximately 4' from the gable edge of the roof. The dormer itself would be 15'-6" in length, which is slightly less than 50% of the north roof plane. This dormer would also have the same Palladian window pattern as noted above and this new space would accommodate a new master suite by combining two existing third floor bedrooms.



*119 Rogers Avenue*

3. Green Building Practices: The application indicates that the building owners will use low VOC and green materials on the interior where feasible and cost effective.

4. Comments:

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

*Engineering*: Has been contacted and has requested a letter from the designer stating that there is no expected increase in storm water run-off as a result of the construction to adjacent properties or the public right of way.

*Ward Alderman*: Has been contacted and has no 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."

Under SZO §4.4.1, an existing single or two-family dwelling may alter a nonconformity through the granting of a Special Permit. Therefore, due to the existing nonconforming left side and front yard setbacks, the proposed window alterations to the primary façade and gable dormer require a Special Permit.

In considering a special permit under §4.4 of the SZO, Staff find that the alteration proposed would not be substantially more detrimental to the neighborhood than the existing structure. The proposed window alteration will not impact abutters, but allow views of Rogers Avenue that are consistent with the existing. The dormer would look out onto the adjacent garage and Pescatore Restaurant. While this proposal reduces the bedroom count, this proposal does not alter the parking requirement and enables the occupants to better utilize the interior space. This proposal would increase the floor area ratio (FAR) to 0.74, while the ground coverage (43%), landscape (43.6%) and pervious area (43.6%) are all in compliance.

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; and to preserve the historical and architectural resources of the City."

The proposal is consistent with the purpose of the RA district, §6.1.1, 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."

The proposal to alter windows and add a gable dormer is not detrimental to the structure, nor the adjacent abutters. This proposal enables the occupants to better utilize the interior space, is consistent with the Queen Anne style of the building and surrounding neighborhood, and does not alter the footprint or increase the parking requirement.

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."

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Crowley's Liquor. The surrounding area along Broadway includes a mix of commercial and office uses while Rogers Avenue is predominantly residential, with single, two-, and three-family dwellings.

The proposal to alter windows and add a gable dormer is not detrimental to the structure, nor the adjacent abutters. This proposal enables the occupants to better utilize the interior space, is consistent with the Queen Anne style of the building and surrounding neighborhood, and does not alter the footprint or increase the parking requirement.

### 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 alter a nonconforming structure to add a gable dormer on the left side and modify windows on the front façade of a single-family dwelling. This approval is based upon the following application materials and the plans submitted by the Applicant:	BP/CO	ISD/Pln g.									
	<table><tr><th>Date (Stamp Date)</th><th>Submission</th></tr><tr><td>(April 3, 2014)</td><td>Initial application submitted to the City Clerk’s Office</td></tr><tr><td>February 24, 2014 (April 28, 2014)</td><td>Plot plan submitted to OSPCD</td></tr><tr><td>March 26, 2014 (April 28, 2014)</td><td>Plans submitted to OSPCD (00, 01, 02, 03, 04, &amp; 05)</td></tr></table>				Date (Stamp Date)	Submission	(April 3, 2014)	Initial application submitted to the City Clerk’s Office	February 24, 2014 (April 28, 2014)	Plot plan submitted to OSPCD	March 26, 2014 (April 28, 2014)	Plans submitted to OSPCD (00, 01, 02, 03, 04, & 05)
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Any changes to the approved site plan or elevations that are not <i>de minimis</i> must receive SPGA approval.												
<b>Pre-Construction</b>												
2	The Applicant will be required to demonstrate that the project plans meet the current City of Somerville storm water policy.	BP	Eng.									
<b>Design</b>												
3	The new siding, trim, roofing material, and other exterior wall details shall match or be complimentary to the existing in size, color and detail.	CO	Plng.									
<b>Public Safety</b>												

*119 Rogers Avenue*

