



**CITY OF SOMERVILLE, MASSACHUSETTS**  
**MAYOR'S OFFICE OF STRATEGIC PLANNING & COMMUNITY DEVELOPMENT**  
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DAWN PEREIRA, *ADMINISTRATIVE ASSISTANT*

**Case #:** ZBA 2015-102

**Date:** December 3, 2015

**Recommendation:** Conditional Approval

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**PLANNING STAFF REPORT**

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**Site:** 19 Spring Hill Terrace

**Applicant Name:** Jeffery W. Johannes & Cassandra Johannes

**Applicant Address:** 19 Spring Hill Terrace, Somerville, MA

**Owner Name:** Jeffery W. Johannes & Cassandra Johannes

**Owner Address:** 19 Spring Hill Terrace, Somerville, MA

**Agent Name:** Adam Dash, Esq.

**Agent Address:** 48 Grove Street, Suite 304, Somerville, MA 02144

**Alderman:** Robert McWatters

Legal Notice: Applicants & Owners, Jeffery W. Johannes & Cassandra Johannes, seek a Special Permit under SZO §4.4.1 to alter a nonconforming single-family house to add living space in the basement\*. RA zone/Ward 3

Dates of Public Hearing: December 9, 2015

\*The addition living space is proposed to be in the attic, not the basement.

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**I. PROJECT DESCRIPTION**

1. Subject Property: The subject property is a 1,713 square foot single-family house on a 2,122 square foot lot. The structure has four bedrooms and an unfinished basement and attic.
2. Proposal: The proposal is to add 289 square feet of living space in the attic. The attic will be used as a home office. No exterior changes are proposed.





*19 Spring Hill Terrace: front and aerial view*



3. Green Building Practices: All walls and ceiling of the attic will be insulated with closed cell spray foam which has an R value of approximately 6.5 per inch. Applicants recently installed a new 93% energy efficient boiler in September 2015.

4. Comments:

*Fire Prevention:* Fire Prevention did not have concerns with the proposal.

*Ward Alderman:* Alderman McWatters 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 structure is currently nonconforming with respect to the following dimensional requirements: lot area, floor area ratio, front and side yard setbacks, and street frontage.

The proposal will impact the nonconforming floor area ratio. The current dimension is 0.807, the proposal is 0.943, and the requirement in the district is 0.75. 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 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.”

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 additional floor area will be in the existing attic space and the exterior of the building will not change. The house will remain a single-family house. The number of bedrooms will not change. If the proposed office space on the third floor was used as a bedroom to make a five bedroom house, the parking requirement would not change from the current two parking space requirement.

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 maintain the uniquely integrated structure of uses in the City and purpose of the RA district in altering this single-family home

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 proposal has been designed to not require exterior alterations to the house. Adding 289 square feet of additional living space to a 1,713 square foot single-family house is compatible with the neighborhood.

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

The increase in living space of the house will make it more expensive; however, the house is not restricted as an affordable unit. The additional living space will make the house more viable for a family to live here, which is another housing type desired in the city.

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 property is in an area that is to be conserved in the SomerVision map. A single-family house is a building type that fits in with the conservation goal and also the policy of allowing neighborhood properties to adapt and change to meet the needs of residents, while respecting the character of the neighborhood.

<u>SomerVision Summary</u>	<u>Existing</u>	<u>Proposed</u>
<u>Dwelling Units:</u>	1	1

**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 addition of 289 sf of living space in the attic. 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>November 5, 2015</td><td>Initial application submitted to the City Clerk's Office</td></tr><tr><td>November 5, 2015</td><td>Plans submitted to OSPCD (A101 Existing floor plans, A102 Proposed floor plans, )</td></tr><tr><td>June 30, 2015</td><td>Plans submitted to OSPCD (mortgage inspection plan)</td></tr></table>				Date (Stamp Date)	Submission	November 5, 2015	Initial application submitted to the City Clerk's Office	November 5, 2015	Plans submitted to OSPCD (A101 Existing floor plans, A102 Proposed floor plans, )	June 30, 2015	Plans submitted to OSPCD (mortgage inspection plan)
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Any changes to the approved plans that are not <i>de minimis</i> must receive SPGA approval.												
<b>Final Sign-Off</b>												
2	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.									

