



CITY OF SOMERVILLE, MASSACHUSETTS
MAYOR'S OFFICE OF STRATEGIC PLANNING & COMMUNITY DEVELOPMENT
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CHARLOTTE LEIS, *PLANNING INTERN*

Case #: ZBA 2018-172
Date: February 6, 2019
Recommendation: Conditional approval

PLANNING STAFF REPORT

Site: 14 Bonner Avenue

Applicant / Owner Name: James Gogos
Applicant / Owner Address: 87 Long Avenue, Belmont, MA 02478
Alderman: Ben Ewen-Campen

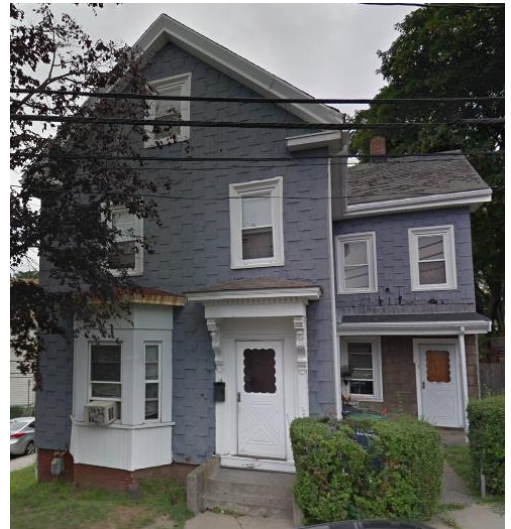
Legal Notice: Applicant and Owner, James Gogos, seeks a special permit under §4.4.1 to alter a nonconforming structure to construct a dormer on the right side of the ridge. RA Zone. Ward 3.

Dates of Public Hearing: Zoning Board of Appeals – February 6, 2019

I. PROJECT DESCRIPTION

1. Subject Property: The subject property consists of one parcel totaling 2,300 square feet that contains a single family dwelling.
2. Proposal: The proposal is to construct a dormer on the right side of the roof.
3. Green Building Practices: None listed on the application form.
4. Comments:

Ward Alderman: Alderman Ewen-Campen has no objections to 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 (FAR), front yard setback, and rear yard setback.

The proposal will impact the nonconforming dimensions of FAR and front yard setback. The current FAR is .76, the proposal is .84, and the requirement in the district is .75. The proposed work will be within the required front yard setback, which is currently 3.8 feet. The proposed dormer will be 7.3 feet from the front property line. 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 finds that the alterations proposed would not be substantially more detrimental to the neighborhood than the existing structure. The proposal will allow for the construction of a matching dormer to make more living space in a small single-family dwelling on a small lot. The proposal has been designed with setbacks that minimally impact the neighbors and the requirements for lot area per dwelling unit, ground coverage, landscaped area, pervious area, building height, left side yard setback, right side yard setback, street frontage, and parking will continue to be conforming to the requirements of the SZO.

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 promote the health, safety, and welfare of the inhabitants of the City of Somerville; to provide for and maintain the uniquely integrated structure of uses in the City; 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 encourage the most appropriate use of land throughout the City; and to preserve and increase the amenities of the municipality.

The proposal is consistent with the purpose of the RA district, 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.”

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."*

Surrounding Neighborhood: Bonner Avenue is located in Union Square. The street contains the former Union Square Post Office building and residential dwellings of 2.5 and three stories.

Impacts of Proposal (Design and Compatibility): The proposed dormer will be compatible with the structure and the surrounding neighborhood. It will match the as-of-right dormer on the opposite side of the roof.

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

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.

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 border="1"> <thead> <tr> <th>Date (Stamp Date)</th> <th>Submission</th> </tr> </thead> <tbody> <tr> <td>November 29, 2018</td> <td>Initial application submitted to the City Clerk’s Office</td> </tr> <tr> <td>January 15, 2019</td> <td>Plans submitted to OSPCD (1, 2, 3, 4, net calcs 1 and 2, site plan existing, and site plan proposed)</td> </tr> </tbody> </table>				Date (Stamp Date)	Submission	November 29, 2018	Initial application submitted to the City Clerk’s Office	January 15, 2019	Plans submitted to OSPCD (1, 2, 3, 4, net calcs 1 and 2, site plan existing, and site plan proposed)
	Date (Stamp Date)				Submission					
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Any changes to the approved elevations that are not <i>de minimis</i> must receive SPGA approval.										

Construction Impacts				
2	The applicant shall post the name and phone number of the general contractor at the site entrance where it is visible to people passing by.	During Construction	Plng.	
3	All construction materials and equipment must be stored onsite. If occupancy of the street layout is required, such occupancy must be in conformance with the requirements of the Manual on Uniform Traffic Control Devices and the prior approval of the Traffic and Parking Department must be obtained.	During Construction	T&P	
4	For the convenience of and respect for the neighborhood, during the construction phase, construction work shall not begin prior to 7:30am and shall finish no later than 5pm Monday through Friday. There shall be no construction or construction-related work performed on weekends or holidays.	During Construction	ISD	
Design				
5	Applicant shall provide final material samples for siding, trim, windows, and doors to Planning Staff for review and approval prior to the issuance of a building permit.	BP	Plng.	
Miscellaneous				
6	Granting of the applied for use or alteration does not include the provision for short term rental uses, such as AirBnB, VRBO, or the like. Separate approvals are needed for the aforementioned uses.	Ongoing	ISD / Plng.	
7	The Applicant, its successors and/or assigns, shall be responsible for maintenance of both the building and all on-site amenities, including landscaping, fencing, lighting, parking areas and storm water systems, ensuring they are clean, well kept and in good and safe working order.	Cont.	ISD	
Public Safety				
8	The Applicant or Owner shall meet the Fire Prevention Bureau's requirements.	CO	FP	
Final Sign-Off				
9	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.	

