



CITY OF SOMERVILLE, MASSACHUSETTS
MAYOR'S OFFICE OF STRATEGIC PLANNING & COMMUNITY DEVELOPMENT
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Case #: ZBA 2016-32

Date: May 4, 2016

Recommendation: Conditional Approval

PLANNING STAFF REPORT

Site: 44 Victoria Street

Applicant Name: Meredith Amenkhiyan
Applicant Address: 44 Victoria Street, Somerville, MA
02143
Owner Name: Meredith Amenkhiyan
Owner Address: 44 Victoria Street, Somerville, MA
02143
Alderman: Katjana Ballantyne



Legal Notice: 44 Victoria Street. Applicant and Owner, Meredith Amenkhiyan, seeks a Special Permit per SZO §4.4.1 to add a dormer within the side yard setback. RB Zone. Ward 7.

Dates of Public Hearings: May 4, 2016

I. PROJECT DESCRIPTION

1. **Subject Property:** The subject property is a c. 1900 2 ½-story single-family residence resting on a 2,614 square foot lot in the RB district.
2. **Proposal:** The Applicant proposes to construct two shed dormers, both of which trigger the need for a special permit. The left side of the house currently is 4 feet from the property line in a district where a minimum of 8 feet is required. The right side of the house currently is 7.4 feet from the property line in a

district where a minimum 8 foot right side yard setback is required. The Applicant proposes constructing the two shed dormers within the same setbacks. Both dormers are proposed at less than 50% of the rooflines to which each is attached.

3. Green Building Practices: Non listed.

4. Comments:

Ward Alderman: Katjana Ballantyne has been advised of this project.

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 §4.4.1 of the SZO. This section of the report goes through §4.4.1 in detail.

1. Information Supplied:

Staff finds that the information provided by the Applicant conforms to the requirements of §4.4.1 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."*

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 §4.4.1 of the SZO, Staff finds that the alterations proposed would not be substantially more detrimental to the neighborhood than the existing structure. Although, it should be noted that the other gable-ended structures of the same style, form, design and massing, do not have dormers of any kind, including shed dormers. Otherwise, the surrounding neighborhood is comprised of mostly two- and three-family residential structures.

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 to add two shed dormers to 44 Victoria Street is consistent with the purpose of the RB district, which is, "[t]o establish and preserve medium density neighborhoods of one-, two- and three-

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."*

In considering a special permit under §4.4.1 of the SZO, Staff finds that the alterations proposed would not be substantially more detrimental to the neighborhood than the existing structure. The addition of these dormers is a reasonable accommodation to provide the owners in order for them to achieve some additional living space in their home.

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

The proposal will not add to the existing stock of affordable housing.

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 two shed dormers.	BP/CO	ISD/PIng.	
	<table border="1"> <thead> <tr> <th>Date (Stamp Date)</th> <th>Submission</th> </tr> </thead> <tbody> <tr> <td>March 25, 2016</td> <td>Initial application submitted to the City Clerk’s Office</td> </tr> </tbody> </table> <p><i>Any changes to the approved site plan or elevations that are not de minimis must receive SPGA approval. Whether or not a change is de minimis in nature must be determined by the Planning Office.</i></p>			
Date (Stamp Date)	Submission			
March 25, 2016	Initial application submitted to the City Clerk’s Office			
Design				
2	The dormer shall be clad in wood shakes similar to those extant on the main body of the house. Horizontal clapboarding shall not be used. Pressure-treated wood shall not be used.	CO	Planning Staff / ISD	
3	No composite or synthetic materials shall be used for the exterior trim or cladding of the dormers.	CO	Planning Staff / ISD	
4	The window placement shall be exactly as approved by the ZBA on the plans dated February 28, 2016.	CO	Planning Staff / ISD	

5	Windows shall be one-over-one to be in keeping with the other windows on the first and second stories of the house.	CO	Planning Staff / ISD	
6	Any changes to the design, style, massing, form, elements, and materials of the shed dormers shall be submitted to and approved by Planning Staff (or, as necessary, the ZBA) prior to their execution on the building.	CO	Planning Staff / ISD	
Construction Impacts				
7	The Applicant shall, at his expense, replace any existing equipment (including, but not limited to street sign poles, signs, traffic signal poles, traffic signal equipment, wheel chair ramps, granite curbing, etc) and the entire sidewalk immediately abutting the subject property if damaged as a result of construction activity. All new sidewalks and driveways must be constructed to DPW standard.	CO	DPW	
8	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	
Public Safety				
9	The Applicant or Owner shall meet the Fire Prevention Bureau's requirements.	CO	FP	
10	All smoke detectors shall be hard-wired.	CO	Fire Prevention / ISD	
Final Sign-Off				
11	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.	