



**CITY OF SOMERVILLE, MASSACHUSETTS**  
**OFFICE OF STRATEGIC PLANNING & COMMUNITY DEVELOPMENT**  
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**Case #:** ZBA 2011-35  
**Date:** May 18, 2011  
**Recommendation:** Conditional Approval

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**PLANNING STAFF REPORT**

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**Site:** 52 Irving St

**Applicant Name:** Michael Kaplan  
**Applicant Address:** 52 Irving St, Somerville MA 02144  
**Property Owner Name:** Michael Kaplan and Kristin Robbins  
**Property Owner Address:** same  
**Alderman:** Rebekah Gewirtz

Legal Notice: Applicant/Owner Michael Kaplan and Kristin Robbins seek a special permit to alter a nonconforming structure under SZO §4.4.1 to construct a dormer on an existing single-family residence.

Zoning District/Ward: RA / 6  
Zoning Approval Sought: Special Permit under SZO §4.4.1  
Date of Application: April 19, 2011  
Dates of Public Hearing: Zoning Board of Appeals May 18, 2011

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**I. PROJECT DESCRIPTION**

1. Subject Property: The subject property is a single-family dwelling on a 4,500 sf lot. The structure is 2 ½ stories with a gable roof. The half-story of the house is currently not being utilized.
2. Proposal: The proposal is to add a 6.5 foot-wide shed dormer to the house to create headroom at the top of a reconstructed stairway to the half-story. The dormer will be set down 1 to 1.5 feet from the ridge of the house and 3 feet back from the main wall of the house. The house currently has 3 bedrooms and the half story will be converted into a fourth bedroom for guests. The guest room will primarily be used as an extra living space for play, an office and relaxation for the family.



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*52 Irving St: Location of proposed dormer*

3. Nature of Application: The structure is currently nonconforming with respect to the minimum lot size and side yard setback.

The proposal affects the nonconforming side yard setback, which is 2.9 feet on the left side; the minimum side yard setback is 8 feet for a 2 ½ story structure. The face of the dormer will be located 5.9 feet from the side lot line. This existing nonconformities requires the Applicant to obtain a special permit under §4.4.1 of the Somerville Zoning Ordinance (SZO).

The dormer will also affect the following dimensions that will continue to be conforming. The floor area ratio (FAR) will remain conforming with the increased living space. The FAR will increase from 0.39 to 0.47 and the maximum in the district is 0.75. The house would continue to be considered a 2 ½ story structure because the dormer's length is less than 50 percent of the length of the structure. The change in the number of bedrooms from three to four does not require additional parking spaces.

4. Surrounding Neighborhood: The surrounding neighborhood is comprised of one-, two- and three-family homes. Many of the houses on Irving Street have gable roofs. The house adjacent to the subject property has a small dormer in the middle of the roof. The houses to the rear have gambrel roofs with a shed dormer on one side and a gambrel dormer on the other side.

5. Impacts of Proposal: The current design of the small dormer would not have a negative impact on the appearance of the house as noted in finding 4 below. The dormer would not align with the dormer on the adjacent house. The siding of the dormer should match the color of the existing house.

6. Green Building Practices: None listed on the application form.

7. Comments:

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

*Ward Alderman:* Alderman Gewirtz inquired about if there were concerns related to this proposal. Staff responded that we do not have concerns and we have not yet received any comments from neighbors.

## **II. FINDINGS FOR SPECIAL PERMIT (SZO §4.4.1, 5.1):**

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."

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. As detailed in finding four below, the dormer is designed in an appropriate manner. The house would continue to be considered a 2 ½ story structure because the dormer's length is less than 50 percent of the length of the structure.

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 and conserving the value of land and buildings. Adding access to the half story to provide a small amount of additional living space in the single-family house is consistent with the purpose of the RA district, which is to preserve quiet neighborhoods of one- and two-family homes.

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 dormer is designed in a manner that is compatible with the surrounding environment. The dormer would be small in length, start below the ridge of the house and set back 3 feet from the main wall of the house making it appear to be a small element on the roof instead of a massive element that changes the roofline. The dormer would have two large windows that match the windows on the rest of the house. The slope of the dormer is the maximum possible to retain the large windows. The dormer will be visible in its location at the front of the house; however, the location cannot be moved due to the internal stair location. There is a driveway located between the subject house and the abutting house and the dormers do not align so privacy issues are most likely not a concern.

## **III. RECOMMENDATION**

### **Special Permit under §4.4.1 & 5.1**

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 an approx 6' shed dormer on an existing single-family residence. This approval is based upon the following application materials and the plans submitted by the Applicant:	BP/CO	Plng.									
	<table border="1"> <thead> <tr> <th>Date (Stamp Date)</th> <th>Submission</th> </tr> </thead> <tbody> <tr> <td>4/19/11</td> <td>Initial application submitted to the City Clerk's Office</td> </tr> <tr> <td>4/11/11</td> <td>Plans submitted to OSPCD (plot plan with dormer location)</td> </tr> <tr> <td>4/28/11</td> <td>Modified plans submitted to OSPCD (A-1.0 floor plans, A-2.0 rendering and elevations)</td> </tr> </tbody> </table>				Date (Stamp Date)	Submission	4/19/11	Initial application submitted to the City Clerk's Office	4/11/11	Plans submitted to OSPCD (plot plan with dormer location)	4/28/11	Modified plans submitted to OSPCD (A-1.0 floor plans, A-2.0 rendering and elevations)
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Any changes to the approved elevations that are not de minimis must receive SPGA approval.												
2	The Applicant or Owner shall meet the Fire Prevention Bureau's requirements.	CO	FP									
3	The color of the siding of the dormer shall match that of the house.	Final sign off	Plng.									
4	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.									

