

8 April, 2025

## **Hardship Variance Narrative** **Section SZO 3.1.13.I.i.a**

Project: 8 - 8a Melvin Street Renovations

8 – 8a Melvin Street  
Somerville, MA

The following Narrative will briefly describe our request for a hardship variance as it relates to the installation of a new shed dormer at the third floor affordable housing dwelling unit for the property located at 8 – 8a Melving Street in Somerville.

As part of this hardship variance application, the applicant seeks relief from section SZO 3.1.13.I.i.a.

### Face Width (max.) window(s) width + 36"

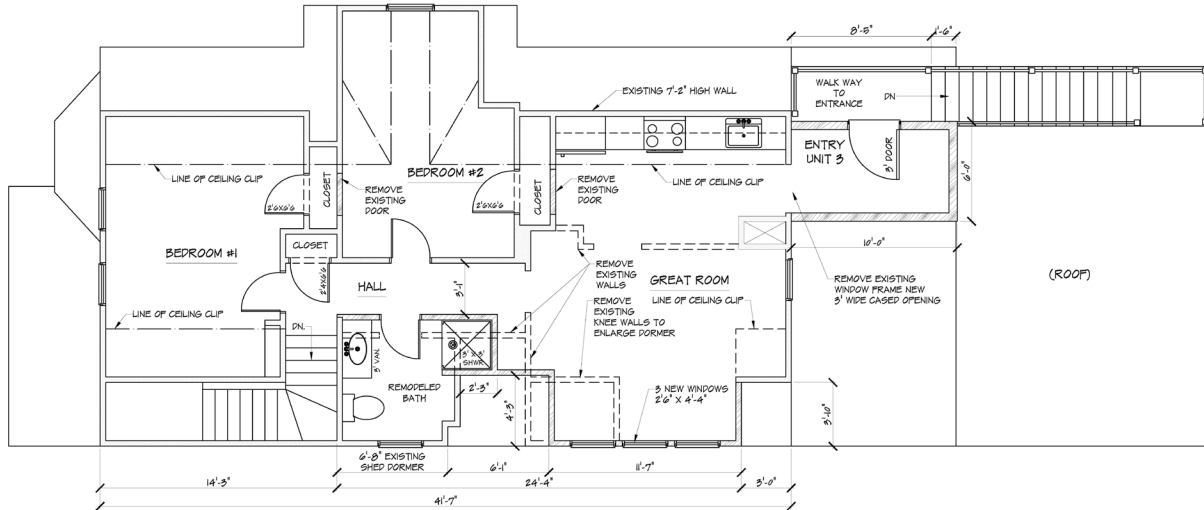
New dormers are required to have a maximum of 36" of linear solid exterior wall width, the remainder shall be window space. As currently configured a 16'-0" wide dormer with 36" of linear wall space would require a minimum of 13'-0" of linear window space.

Our request for relief would be to allow a total of 9'-0" of linear window space and 7'-0" of linear solid wall space.

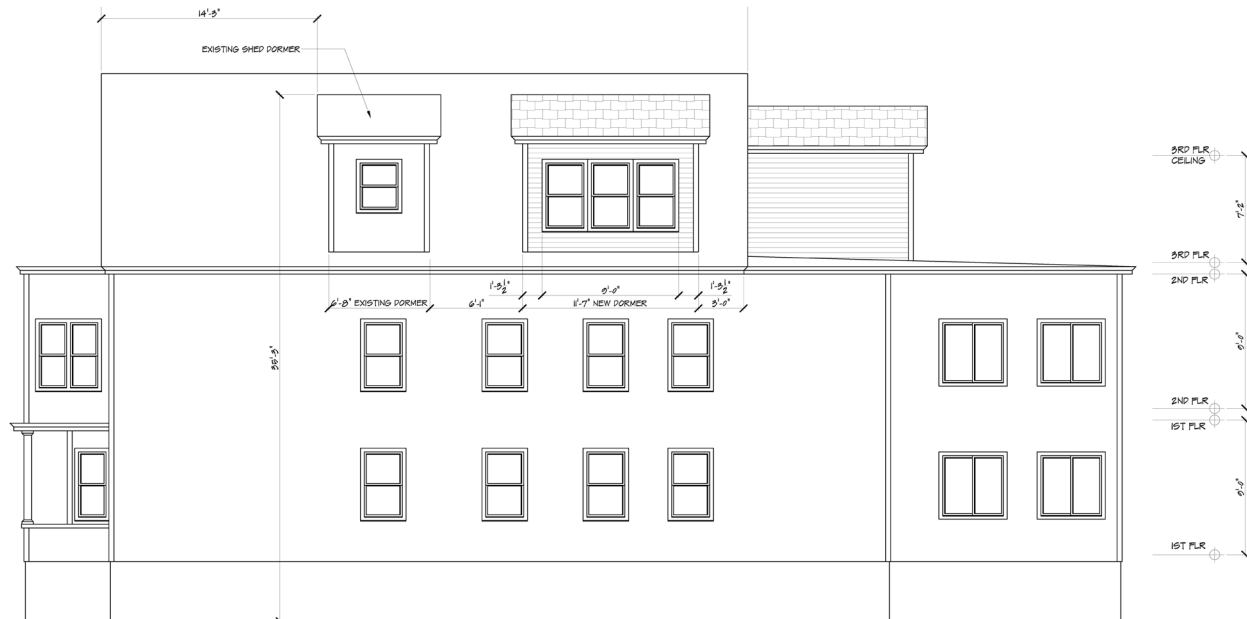
### **Project History:**

The applicants filed for building permits in 2021 and started construction in early 2022. After the long permitting / construction process during the covid era they completed construction in 2024. While performing their final walkthrough it was noted by the building department that the completed dormers at the third floor affordable unit did not meet zoning code, and the applicant was informed to file for a zoning hardship variance or reconstruct the new dormer and kitchen area to meet current zoning code.

As part of the original approved building permit, the applicant proposed a new 11'-7" wide dormer with 9'-0" of linear windows. The purpose of the dormer was due to the existing sloped gable roof that created a significant headroom issue at the rear of the home. Those same drawings showed the new dormer area as an open concept living space with a kitchen at the opposite side of the room as seen here:

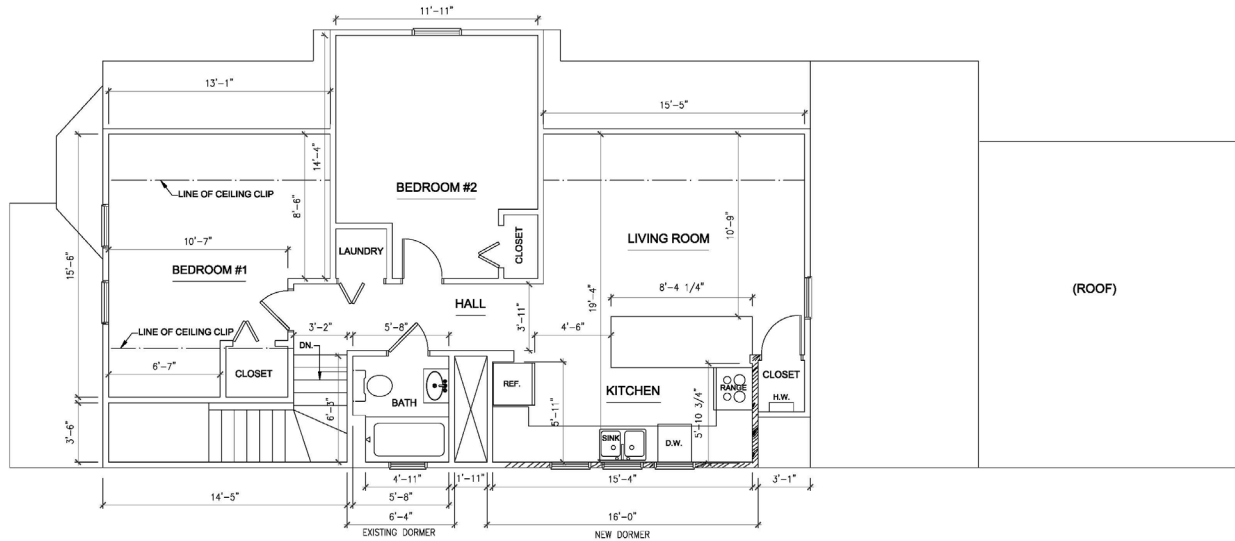


Third Floor Plan – Approved Permit Drawing



Right Side Elevation – Approved Permit Drawing

Unfortunately, during construction the original architect did not realize there would be head room issue where the kitchen was shown due to the previously mentioned sloped roof, so the contractor suggested relocating the kitchen to the new dormer side to alleviate the headroom issue. He also recommended the dormer be enlarged and to keep the original windows to provide adequate room for a full-sized kitchen. The revised plan and elevation (currently as-built) is as follows:



**Third Floor Plan – Revised Dormer (As-built Condition)**



**Right Side Elevation – Revised Dormer (As-built Condition)**

The owner approved the changes and hired RP Architectural Studio to provide structural framing plans for the enlarged dormer. Construction was then completed from there.

As noted above, the change in the dormer during construction and subsequent completion of the project did not meet the SZO 3.1.13.I.i.a dormer zoning requirements unbeknownst to the applicant. As such, they are seeking a hardship variance for the conditions listed under that

section as the project has already been completed and it would be a significant financial cost for the applicant to modify the construction at this point in the project.

When reviewing the hardship variance criteria, it is our belief that this project is a good candidate for relief and hope that the board agrees. The following is a summary of the ways in which we feel this project meets requirements for a hardship variance:

- A. While we do not believe that there are site related circumstances, we do feel the unusual character of the existing structure does create a circumstance to allow for a variance. More specifically, a third floor dwelling unit is permitted for this multi-family structure, but due to the low slope of the existing roof at the rear of the third floor, a reasonable space to allow for a living area and kitchen could not be provided. This necessitated the construction of a large dormer to provide adequate headroom for these living spaces and bring the third floor unit up to the standards that would be expected for this type of multi-family building in Somerville. Additionally, an existing dormer at the bathroom was located in a section of the roof that limited the size of a new adjacent dormer (due to the required separation distance and close proximity to the rear roof edge) to a point where providing a reasonable size kitchen would be difficult. Additionally, in order to achieve adequate upper cabinet space, providing a full width of 13'-0" of windows would eliminate all upper cabinets at the dormer wall face and lower the usefulness of the kitchen by limiting storage options. Lastly, the owner fully completed construction and received all inspection approvals from the building department, except for the certificate of occupancy, and reconstructing the current as-built condition of the property would also create a financial hardship for the applicant.
- B. The hardship variance to enlarge this dormer and reduce the window width over what is permitted by zoning is being pursued as under the current by-right zoning a smaller permitted dormer would create a kitchen space that would not meet the market value of what would be expected of this type of unit in Somerville, thus creating a financial hardship for the applicant. Unfortunately, as originally submitted the kitchen area was located on a wall with insufficient ceiling height due to the roof slopes and was relocated to the new dormer which was enlarged to provide an adequately sized kitchen for this market. The windows were kept as the smaller version from the original design to provide upper cabinet storage space in an otherwise small kitchen. Additionally, the owner fully completed construction and received all inspection approvals from the building department except for the certificate of occupancy, and reconstructing the current as-built condition of the property would create a financial hardship for the applicant.
- C. We do not believe that approval of this variance would create any type of detrimental effect to the neighborhood or nullify or derogate the intent of the zoning code. We would suggest that this enlarged dormer and window configuration still fits the overall architecture of the existing structure, is located on a side lot between two homes so is more difficult to see, and provides adequate living area for an affordable dwelling unit which increases the value and diversity of the neighborhood.

We hope this narrative provides some clarity as to why we are seeking this hardship variance and the justifications for doing so. We look forward to discussing these items in detail with the board.

As always, please let me know if you have any questions.

Sincerely,  
Rob Paccione, RA, LEED AP