

4 April, 2025

Updated: 6 August, 2025

Hardship Variance Narrative Section SZO 3.1.13.I.i.c

Project: 8 - 8a Melvin Street Renovations

8 – 8a Melvin Street
Somerville, MA

The following is an updated Narrative based on our initial hearing with the zoning board on July, 16th, 2025. This narrative update will briefly describe our request for a hardship variance and the changes we are proposing to make for the board's consideration 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.c.

Dormer Separation (min.) 50% of Width

Dormers require a separation of 50% of dormer width between any new or existing dormers. This project would require a dormer separation of 6'-6 1/2" (50% of new 13'-1" shed dormer) between the new and existing dormers.

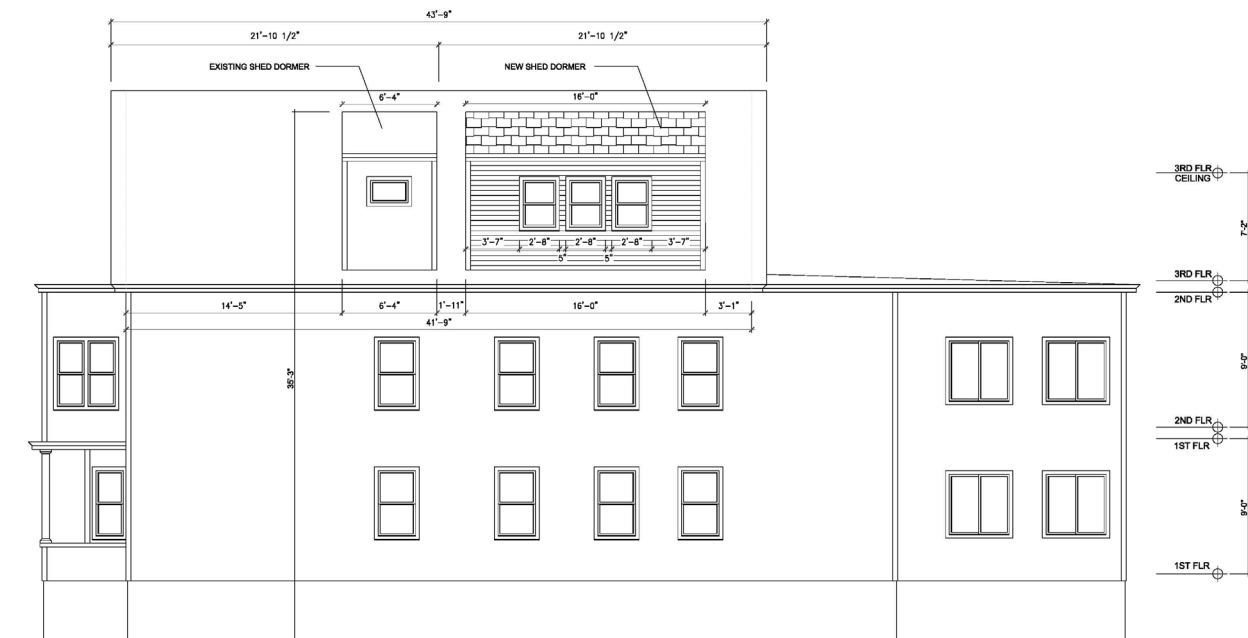
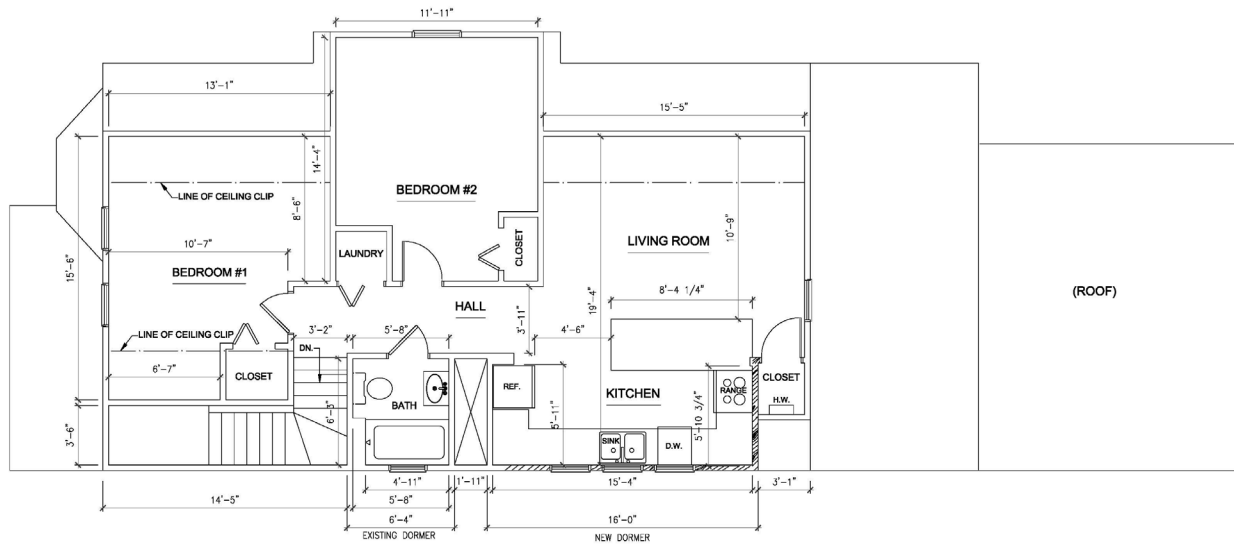
Our request for relief would be to allow a separation of 4'-10" between the new and existing dormer as it is currently represented in an as-built condition.

This would represent a request for relief of 1'- 8 1/2".

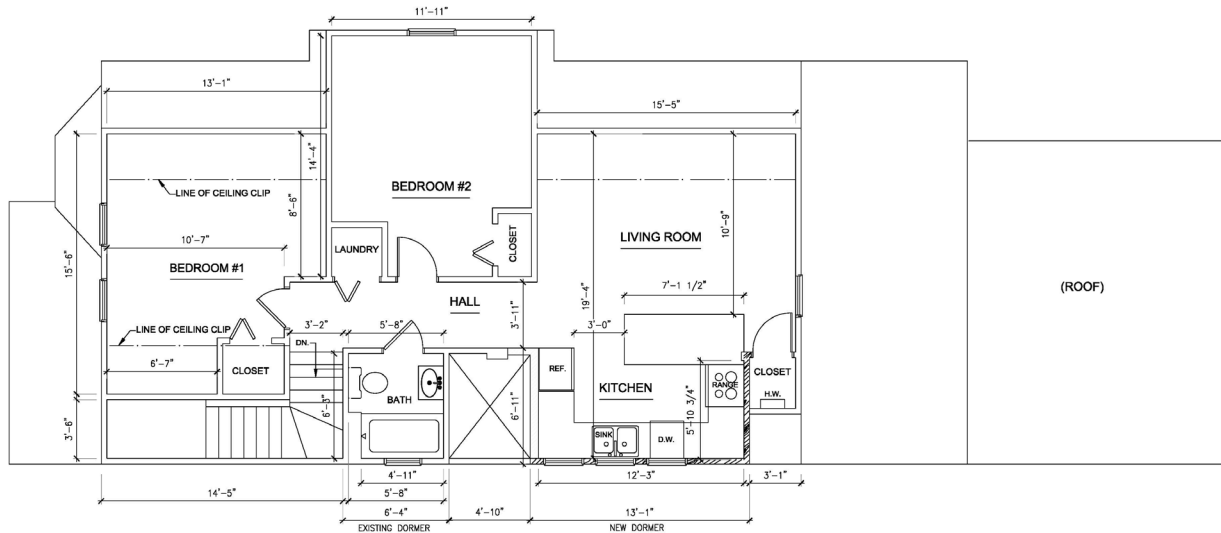
Project History:

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:

As presented in our initial zoning board hearing the as-built condition of the current dormer did not meet zoning requirements as constructed. The drawings for those as-built conditions are shown below. The board suggested we consider revising the dormers to bring them closer to meeting zoning code as approval would not be granted for the current as-built condition.



After reviewing with the owner and contractor, we would like to request a reduction in the dormer size to be 13'-1" wide which would leave a separation of 4'-10" between the dormers were a 6' – 6 ½" separation would be required. This would represent a request for relief of 1'-8 ½", a significant improvement from our initial request.



Third Floor Plan – Proposed Revised Dormer



Right Side Elevation – Proposed Revised Dormer

As noted above, the change in the dormer during construction and subsequent completion of the project did not meet the SZO 3.1.13.l.i.c 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. We feel the existing bathroom dormer and the new larger kitchen dormers are appropriately sized to meet what would be expected for this type of unit, even though their proximity to each other does not meet zoning requirements. 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 provide a dormer configuration at a separation of 4'-10" between the new and existing dormer 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 bathroom dormer has remained as existing, but while small, does meet the standards of a typical bathroom for this type of unit. 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 the dormer separation 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 matters in detail with the board.

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

Sincerely,
Rob Paccione, RA, LEED AP