



City of Somerville

ZONING BOARD OF APPEALS

City Hall, 93 Highland Avenue, Somerville MA 02143

TO: Zoning Board of Appeals
FROM: Planning Staff
SUBJECT: 2 Carver Street, ZP26-000071
POSTED: July 27, 2026

RECOMMENDATION: Approve with conditions

Staff memos are used to communicate background information, analysis, responses to public comments, review of statutory requirements and other information from Planning staff to the Review Board members.

This memo summarizes the Hardship Variance request submitted for 2 Carver Street, identifies any additional discretionary or administrative development review that is required by the Somerville Zoning Ordinance, and provides related analysis or feedback as necessary. The application was deemed complete on July 16, 2026, and is scheduled for a public hearing on August 5, 2026. Any Staff recommended findings, conditions, and decisions in this memo are based on the information available to date prior to any public comment at the scheduled public hearing.

LEGAL NOTICE

Athanasios Dousis seeks relief from SZO 2.4.4. regarding the roof rafter intersection height for a half story in the Neighborhood Residence (NR) zoning district, which requires a Hardship Variance.

SUMMARY OF PROPOSAL

The Applicant is proposing to build roof rafters on the top-floor half-story of a 2.5 story principal building that will intersect the wall plate at a height greater than two feet (>2') above the finished floor which requires a Hardship Variance.

BACKGROUND

2 Carver Street is located in the Neighborhood Residence (NR) zoning district in the Spring Hill neighborhood represented by Ward 5 Councilor Naima Sait. Following the Board's decision regarding the Hardship Variance, the proposal will be by-right.

ANALYSIS

The parcel at 2 Carver Street contains a two-family residential principal building. The building fronts Carver Street, with its left elevation facing Porter Street. The requested relief applies only to the rear addition's left elevation of the top half-story but is part of a

larger project to increase the usable square footage for the top half-story by adding dormers to the top half-story. The other proposed changes are compliant and permitted by-right.

Pursuant to SZO § 2.4.4.a.viii., roof rafters must intersect the wall plate or top of wall frame of the exterior walls at a height no greater than two feet (2') above the finished floor of the half-story of a principal building type. The Applicant requests relief to allow the roof rafters to intersect the wall plate at a height greater than two feet (>2') from the finished floor of the top half-story.



Submitted Plan- rear elevation

The Applicant provided a narrative as part of this application addressing the review criteria for the requested Hardship Variance.

Pursuant to M.G.L. 40A § 10, the Applicant must meet the following criteria to qualify for a Hardship Variance:

1. Special circumstances exist relating to the soil conditions, shape, or topography of a parcel of land or the unusual character of an existing structure but not affecting generally the zoning district in which the land or structure is located;
2. Literal enforcement of the provision of this Ordinance for the district where the subject land or structure is located would involve substantial hardship, financial or otherwise, to the petitioner or appellant due to said special circumstances; and
3. Desirable relief could be granted without causing substantial detriment to the public good and without nullifying or substantially derogating from the intent and purpose of a specific district in this Ordinance or the Ordinance in general.

The following is Planning Staff's analysis related to the review criteria for the requested Hardship Variance.

The Applicant addresses criterion 1 by stating a special circumstance exists because of the unusual character of the existing structure. The principal building has a centered

gable ridge, while the existing rear addition on the left elevation is partial width and offset to one side. Therefore, the two existing exterior walls of the rear addition are not equidistant from the principal ridge. Planning Staff believe that the centered gable ridge and the offset left elevation of the rear addition create a special circumstance relating to the roof rafter intersection height.

The Applicant addresses criterion 2 by stating that literal enforcement would impose substantial financial and practical hardship because a compliant design would require substantial work beyond reframing the roof over the existing extension. Generally, Planning Staff do not provide analysis or recommendations regarding the existence of hardship, financial or otherwise under criterion 2.

The Applicant addresses criterion 3 by stating that the requested relief can be granted without substantial detriment to the public good and the proposed modification is intended to match and preserve the existing gabled roofline. Additionally, the proposed change will maintain the existing residential use of the property without adding to or altering the building footprint, parking, or traffic patterns.

Upon analysis of the material submitted by the Applicant, Planning Staff do not believe that the granting of the requested Hardship Variance would cause a substantial detriment to the public good or nullify or substantially derogate from the intent and purpose of the NR district copied here:

Intent:

- To implement the objectives of the Comprehensive Plan of the City of Somerville.
- To conserve already established areas of detached and semi-detached residential buildings.

Purpose

- To permit the development of one-, two-, and three-unit detached and semi-detached residential buildings on individual lots.
- To permit contextual modifications to existing detached and semi-detached residential buildings.
- To create dwelling unit types, sizes, and bedroom counts ideal for larger households in houses, Semi-Attached Houses, Duplexes, and Triple Deckers

Additionally, PPZ Staff do not believe that granting the requested hardship variances would undermine the broader intent of the Somerville Zoning Ordinance, including, but not limited to, the following:

- To permit development and redevelopment according to plans that are collaboratively developed with the Somerville Community
- To protect health, safety, and general welfare

Massachusetts courts have stated that variances will naturally deviate from the intent and purpose of a zoning ordinance to some degree and that the discretionary approval of a variance is defensible if the deviation is not substantial or significant in comparison to the intent and purpose for the district in appraising the effect of the proposal on the

entire neighborhood, including future impacts and other development approved or denied in the general vicinity of the development site.

CONSIDERATIONS & FINDINGS

In accordance with the Somerville Zoning Ordinance, the Zoning Board of Appeals may grant a Hardship Variance only upon deliberating and finding all of the following at the public hearing for each requested variance:

Hardship Variance Considerations

1. Special circumstances exist relating to the soil conditions, shape, or topography of a parcel of land or the unusual character of an existing structure but not affecting generally the Neighborhood Residence zoning district in which the land or structure is located;
2. Literal enforcement of the provision of this Ordinance for the district where the subject land or structure is located would involve substantial hardship, financial or otherwise, to the petitioner or appellant, Athanasios Dousis, due to said special circumstances; and
3. Desirable relief could be granted without causing substantial detriment to the public good and without nullifying or substantially derogating from the intent and purpose of the Neighborhood Residence district in this Ordinance or the Ordinance in general.

PERMIT CONDITIONS

Should the Board approve the required Hardship Variance for relief from roof rafter intersection height, Planning Staff recommend the following conditions.

Permit Validity

1. This Decision must be recorded with the Middlesex South Registry of Deeds

Public Record

2. A Digital copy of the recorded Decision stamped by the Middlesex South Registry of Deeds must be submitted to the Planning Division for the public record.