



CITY OF SOMERVILLE, MASSACHUSETTS
MAYOR'S OFFICE OF STRATEGIC PLANNING & COMMUNITY DEVELOPMENT
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Case #: ZBA 2017-58

Date: June 30, 2017

Recommendation: Conditional Approval

PLANNING STAFF REPORT

Site: 8 Spring Hill Terrace

Applicants / Owners Name: Mae Joyce B. Gay and Daniel T. Kettler
Applicant Address: 8 Spring Hill Terrace, Somerville, MA 02143
Alderman: Robert McWatters

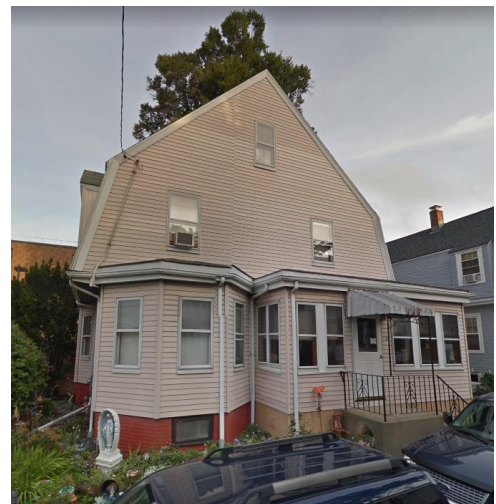
Legal Notice: Applicants / Owners, Mae Joyce B. Gay and Daniel T. Kettler, seek a Special Permit under Section 4.4.1 of the Somerville Zoning Ordinance (SZO) to increase the floor area ratio (FAR) of the nonconforming single family dwelling to finish the third floor attic space. RA Zone. Ward 3.

Dates of Public Hearing: Zoning Board of Appeals – July 12, 2017

I. PROJECT DESCRIPTION

1. Subject Property: The locus is comprised of one parcel of 2,100 square feet and consists of a gambrel roof four-bedroom single family dwelling and an attached garage. The first floor includes a kitchen, living room, and dining room. The second floor includes four bedrooms. The attic is unfinished.

2. Proposal: The proposal is to finish the attic. The second floor will be renovated to have three bedrooms compared to the previous floor plan of four small bedrooms. The attic space will be finished to become a master suite with a bedroom, walk-in closet, and bathroom. In total there will be four bedrooms, which is how many currently exist. Two sky lights, one on either side of the ridge will also be added.



3. Green Building Practices: The application states that the third floor will meet or exceed the stretch energy code.

4. Comments:

Ward Alderman: Alderman McWatters has been informed of this proposal but has yet to comment as of the publication of this report.

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 §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."*

The structure is currently nonconforming with respect to the following dimensional requirements: lot area, lot area per dwelling unit, landscaped area, pervious area, floor area ratio (FAR), front, left, right, and rear yard setbacks, and the number of parking space.

The proposal will impact the nonconforming dimension of FAR. The current dimension is 0.82, the proposal is 1.04, and the requirement in the district is 0.75. The existing house has a net floor area of 1,725 square feet and the proposal to finish the basement will add 450 square feet of net floor area. This alteration to a nonconforming structure requires the Applicant to obtain special permits under §4.4.1 of the Somerville Zoning Ordinance (SZO).

Section 4.4.1 states that "[l]awfully existing one-and two-family dwellings which are only used as residences, which are nonconforming with respect to dimensional requirements, may be enlarged, extended, renovated or altered by special permit granted by the SPGA in accordance with the procedures of Article 5."

In considering a special permit under §4.4 of the SZO, Staff finds that the alterations/use proposed would not be substantially more detrimental to the neighborhood than the existing structure/use. The proposal would allow the homeowners to increase their living area into the currently underutilized attic space without adding onto the structure; while keeping the same number of bedrooms. The proposal has been designed with setbacks that minimally impact the neighbors and the requirements for ground coverage, height, and street frontage will continue to be conforming to the requirements of the SZO.

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 promote the health, safety, and welfare of the inhabitants of the City of Somerville; to provide for and maintain the uniquely integrated structure of uses in the City; to protect health; to secure safety from fire, panic and other dangers; to provide adequate light and air; to conserve the value of land and buildings; to preserve the historical and architectural resources of the City; to adequately protect the natural environment; to encourage the most appropriate use of land throughout the City; and to preserve and increase the amenities of the municipality.

The proposal is consistent with the purpose of the RA district, which is, “to establish and preserve quiet neighborhoods of one- and two-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."*

Surrounding Neighborhood: Spring Hill Terrace is comprised of all single family dwellings, about half of which have gambrel style roofs.

Impacts of Proposal (Design and Compatibility): Exterior alteration are limited to new asphalt shingles on the roof and the installation of two sky lights, one on either side of the ridge.

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

6. SomerVision Plan: Complies with the applicable goals, policies and actions of the SomerVision plan, including the following, as appropriate: Preserve and enhance the character of Somerville's neighborhoods.

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 to finish the attic. This approval is based upon the following application materials and the plans submitted by the Applicant:	BP/CO	ISD/Plng.							
	<table><tr><th>Date (Stamp Date)</th><th>Submission</th></tr><tr><td>June 8, 2017</td><td>Initial application submitted to the City Clerk's Office</td></tr><tr><td>June 7, 2017</td><td>Plans submitted to OSPCD (S1, E1, E2, A1, A2, and A3)</td></tr></table>				Date (Stamp Date)	Submission	June 8, 2017	Initial application submitted to the City Clerk's Office	June 7, 2017	Plans submitted to OSPCD (S1, E1, E2, A1, A2, and A3)
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Any changes to the approved site plan or elevations/use that are not <i>de minimis</i> must receive SPGA approval.										
Construction Impacts										
2	The applicant shall post the name and phone number of the general contractor at the site entrance where it is visible to people passing by.	During Construction	Plng.							
3	The Applicant shall at their 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							
4	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							
Design										
5	Applicant shall provide final material samples for siding, trim, windows, and doors to Planning Staff for review and approval prior to the issuance of a building permit.	BP	Plng.							
Site										
6	Landscaping shall be installed and maintained in compliance with the American Nurserymen's Association Standards;	Perpetual	Plng. / ISD							
Miscellaneous										
7	Granting of the applied for use or alteration does not include the provision for short term rental uses, such as AirBnB, VRBO, or the like. Separate approvals are needed for the aforementioned uses.									
8	The Applicant, its successors and/or assigns, shall be responsible for maintenance of both the building and all on-site amenities, including landscaping, fencing, lighting, parking areas and storm water systems, ensuring they are clean, well kept and in good and safe working order.	Cont.	ISD							
Public Safety										

9	The Applicant or Owner shall meet the Fire Prevention Bureau's requirements.	CO	FP	
Final Sign-Off				
10	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.	

