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Barney S. Heath
Director

ZONING REVIEW MEMORANDUM

Date: March 29, 2022

To: John Lojek, Commissioner of Inspectional Services

From: Jane Santosuosso, Chief Zoning Code Official

Cc: Eyal Lieb, Applicant
Barney S. Heath, Director of Planning and Development
Jonah Temple, Assistant City Solicitor

RE: Request to further exceed nonconforming FAR

Applicant: Eyal Lieb	
Site: 109 Prince Street	SBL: 32030 0010
Zoning: SR1	Lot Area: 15,000 square feet
Current use: Single-family dwelling	Proposed use: No change

BACKGROUND:

The property at 109 Prince Street consists of a 15,000 square foot corner lot improved with a single-family dwelling constructed circa 1890. The petitioner proposes to construct a one-story rear addition of a mudroom and breezeway. The proposed construction will further extend the nonconforming FAR, requiring a special permit.

The following review is based on plans and materials submitted to date as noted below.

- Zoning Review Application, prepared Eyal Lieb, submitted 2/9/2022
- Site Plan-Existing Conditions, prepared by Spruhan Engineering, dated 10/27/2021
- Site Plan-Proposed Conditions, signed and stamped by Christopher C. Charlton, surveyor, dated 11/22/2022
- Floor Plans and Elevations, prepared by I.S. Henedez Services, dated 1/4/2022, revised 1/18/2022, 1/19/2022
- FAR calculations, submitted 2/9/2022

ADMINISTRATIVE DETERMINATIONS:

1. The petitioner proposes to construct a one-story rear addition of a mudroom and covered breezeway. The proposed construction increases the nonconforming FAR from .34 to .35, where .31 is the maximum allowed per sections 3.1.3 and 3.1.9. A special permit per sections 3.1.9 and 7.8.2.C.2 is required to further extend nonconforming FAR.
2. The dwelling has an existing nonconforming side setback of 3.4 feet, where 12.5 feet is required per section 3.1.3. The additions have a proposed setback of 9.7 feet. Per section 7.8.2.B.2.c, first floor additions of no more than 200 square feet in the side and rear setbacks of a dwelling with an existing nonconforming setback are allowed by de minimis. The proposed additions are allowed by de minimis and require no relief.

SR1 Zone	Required	Existing	Proposed
Lot Size	15,000 square feet	15,000 square feet	No change
Frontage	100 feet	105 feet	No change
Setbacks			
• Front (Prince St)	25 feet	32.5 feet	No change
• Front (Berkeley St)	25 feet	54.8 feet	No change
• Side	7.5 feet	3.4 feet	No change
• Rear	15 feet	51.6 feet	36.1 feet
Height	36 feet	36.8 feet	No change
Stories	2.5	2.5	No change
FAR	.31	.34	.35*
Max Lot Coverage	30%	NA	19.8%
Min. Open Space	65%	NA	71.6%

Figures in **BOLD** are nonconforming

*Requires relief

1. See “Zoning Relief Summary” below:

Zoning Relief Required		
Ordinance		Action Required
§3.1.3 §3.1.9 §7.8.2.C.2	Request to further extend nonconforming FAR	S.P. per §7.3.3

Next Steps

Please contact a Planner by calling 617.796.1120 to obtain a copy of the Special Permit Application. If there have been any changes made to the plans since receipt of your Zoning Review Memorandum you must inform the Zoning Code Official to ensure additional relief is not required. You will need an appointment with a Planner to file your Special Permit Application. **Incomplete applications will not be accepted.**

The following must be included when filing a Special Permit Application:

2. Two (2) copies of the completed Special Permit Application (signed by property owner)
3. Filing Fee (see Special Permit Application)
4. Two (2) copies of the Zoning Review Memorandum
5. Plans (Thirteen sets signed and stamped by a design professional). Each set shall contain:
 - Site Plans showing existing and proposed conditions (including topography as applicable)
 - Architectural plans showing existing and proposed conditions (including façade materials)
 - Landscape plan (as applicable)
6. One (1) Floor Area Ratio (FAR) Worksheet, (signed and stamped by a design professional)
7. One (1) copy of any previous special permits or variances on the property (as applicable)
8. One (1) copy of any other review/sign-off (Historic, Conservation, Tree Removal, etc. as applicable)
9. Two (2) electronic copies of the application with all above attachments (USB or CD)

Copies of all plans shall either be 8.5 x 11 or 11 x 17, except as requested by staff

Special Permit Sign (\$20 fee)

Incomplete applications will delay the intake and review of your project.

Depending on the complexity of the project additional information may be requested to facilitate a full review of the application.

Has the proposed project been presented to and discussed with abutting property owners? Y/N