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Barney S. Heath
Director

ZONING REVIEW MEMORANDUM

Date: August 8, 2023

To: John Lojek, Commissioner of Inspectional Services

From: Jane Santosuosso, Chief Zoning Code Official
Katie Whewell, Chief Planner for Current Planning

Cc: Laurance Lee, Attorney
2202 Commonwealth Avenue LLC, Applicant
Barney S. Heath, Director of Planning and Development
Jonah Temple, Deputy City Solicitor

RE: **Request to allow four single-family attached dwellings, to waive lot area and lot area per unit requirements and to allow a driveway and parking within setback distances**

Applicant: 2202 Commonwealth Avenue LLC	
Site: 2202 Commonwealth Avenue	SBL: 41013 0006
Zoning: MR1	Lot Area: 13,696 square feet
Current use: Single-family dwelling	Proposed use: Four single-family attached dwellings

BACKGROUND:

The property at 2202 Commonwealth Avenue consists of 13,696 square feet and is improved with a single-family dwelling built circa 1900 in the MR1 zoning district. The petitioner proposes to demolish the existing dwelling and construct four single-family attached dwellings, requiring a special permit.

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

- Zoning Review Application, prepared by Laurance Lee, attorney, submitted 4/20/2023
- Existing Conditions Site Plan, prepared by Dellorco Associates, surveyor, dated 10/13/2022
- Proposed Conditions Site Plan, prepared by Dellorco Associates, surveyor, dated 4/3/2023
- Zoning Plan, prepared by Dellorco Associates, surveyor, dated 4/3/2023
- Floor plans and elevations, prepared by MGD Habitat Design, architect, dated 3/14/2023
- FAR Worksheet, signed and stamped by Ronald F. Jarek, architect, submitted 4/20/2023

ADMINISTRATIVE DETERMINATIONS:

1. The petitioners propose to raze the existing single-family dwelling and construct four single-family attached dwellings. Per section 3.4.1, a special permit is required to construct attached dwellings in the MR1 district.
2. Section 3.2.4 requires a minimum lot area of 15,000 square feet for single-family attached dwelling projects, unless waived by special permit. The lot has a total of 13,696 square feet, requiring an exception per the footnote to the dimensional table in section 3.2.4.
3. Per section 3.2.4 the required minimum lot area per dwelling unit is 4,000 square feet, unless waived or reduced by special permit. With four units proposed on the 13,696 square foot lot, the proposed lot area per unit is 3,424 square feet, requiring an exception per the footnote to the dimensional table in section 3.2.4.
4. Section 3.2.4 requires a minimum side setback of 25 feet. The petitioners propose a setback of 22 feet from the eastern side lot line, requiring an exception per the footnote to the dimensional table in section 3.2.4.
5. Per section 6.2.3.B.2, no parking space may be located within 20 feet of a lot line and no driveway may be located within 10 feet of a side or rear lot line, unless by special permit. The petitioner proposes parking within 11.7 feet of the front lot line, 2.5 feet of the side lot line and within 7 feet of the rear lot line. Additionally, the driveway is within 10 feet of the western side lot line. A special permit is required for a parking within 20 feet of the front, side and rear lot lines and for a driveway within 10 feet of the side lot line.

MR1 Zone	Required	Existing	Proposed
Lot Size	15,000 square feet	13,696 square feet	No change*
Frontage	80 feet	142 feet	No change
Setbacks			
• Front	25 feet	30 feet	27.7 feet
• Side	25 feet	7.9 feet	29.5 feet
• Side	25 feet	50 feet	22 feet*
• Rear	25 feet	47.3 feet	25.7 feet
Building Height	36 feet	31.3 feet	35.3 feet
Max Number of Stories	2.5 (3 by SP)	2.5	2.5
Lot Coverage Max	25%	13.8%	23.7%
Open Space Min	50%	73.9%	56.8%
Lot Area Per Unit	4,000 square feet	13,696 square feet	3,424 square feet*

See "Zoning Relief Summary" below:

Zoning Relief Required		
<i>Ordinance</i>	<i>Requested Relief</i>	<i>Action Required</i>
§3.4.1	To allow attached single-family dwellings	S.P. per §7.3.3
§3.2.4	To waive minimum lot area	S.P. per §7.3.3
§3.2.4	To waive minimum lot area per unit	S.P. per §7.3.3
§3.2.4	To waive minimum side setback	S.P. per §7.3.3
§6.2.3.B.2	To allow parking within 20 feet of a lot line and a driveway within 10 feet of the side lot line	S.P. per §7.3.3