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ZONING REVIEW MEMORANDUM

Date: August 12, 2020

To: John Lojek, Commissioner of Inspectional Services

From: Jane Santosuosso, Chief Zoning Code Official
Neil Cronin, Chief Planner for Current Planning

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

RE: Request to allow a private garage exceeding 700 square feet with provision for more than three vehicles, to further extend a nonconforming side setback, to allow dormers exceeding 50% and to further extend nonconforming FAR

Applicant: Tiffany Barqawi	
Site: 44 Billings Park	SBL: 72008 0015
Zoning: SR2	Lot Area: 9,014 square feet
Current use: Single-family dwelling	Proposed use: No change

BACKGROUND:

The property at 44 Billings Park consists of a 9,014 square foot lot improved with a single-family dwelling constructed in 1890 and a detached one-car garage. The petitioner seeks to construct a mudroom addition to the rear of the dwelling and to construct a detached garage that exceeds the by right dimensions and further extends a nonconforming side setback, both further extending the nonconforming FAR. Further, the garage exceeds the maximum by-right footprint.

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

- Zoning Review Application, prepared by Tiffany Barqawi, dated 5/26/2020
- FAR worksheet, submitted 5/26/2020, revised 7/27/2020, revised 8/4/2020
- Certified Plot Plan, signed and stamped by George C. Collins, dated 5/27/2020, revised 8/6/2020
- Architectural plans and elevations, signed and stamped by Paul Lessard, architect, dated 7/25/2020, revised 8/5/2020

ADMINISTRATIVE DETERMINATIONS:

1. The petitioner proposes to construct a first-floor mudroom addition to the dwelling of 58.5 square feet. Additionally, a 1.5-story detached garage is proposed with 1,419 square feet, of which 880 square feet is on the ground level. The proposed additions increase the nonconforming FAR from .56 to .69 where .40 is the maximum allowed per sections 3.1.3 and 3.1.9. A special permit is required to further increase the nonconforming FAR per sections 3.1.3, 3.1.9 and 7.8.2.C.2.
2. The petitioner proposes to construct a detached garage with an 880 square foot footprint accommodating four vehicles. Per section 3.4.2.B.1 a special permit is required for a private garage with a footprint larger than 700 square feet and accommodating more than three vehicles.
3. The existing detached garage on the property is located 3 feet from the southwestern lot line, where 5 feet is required per section 3.4.3.A.1. The petitioner proposes to raze the existing garage and construct a larger garage, further extending the nonconforming side setback, requiring a special permit per section 7.8.2.C.2.
4. Section 1.5.4.G.2.b requires a special permit for a dormer (or the sum of multiple dormers on the same side of the roof) that is greater than 50% of the length of the exterior wall of the story next below. The petitioner proposes to construct three dormers, each 7.33 feet wide, on both sides of the roof. The dormers total 21.99 feet where the exterior wall next below is 40 feet, resulting in dormers totaling 55%, requiring a special permit.
5. The maximum allowable lot coverage in the SR2 zoning district for an old lot is 30% per section 3.1.3. The existing lot coverage is 23.9% and the proposed additions increase the lot coverage to 30.2%, exceeding the maximum allowed. Per section 1.5.2.D.2, the lot coverage requirements do not apply to the construction of a private garage in connection with a single- or two-family dwelling in existence on December 27, 1922. The proposed garage is 880 square feet, which equates to 9.8% lot coverage. Eliminating the 9.8% lot coverage of the garage renders the total proposed lot coverage 20.4%, which is less than the maximum allowed.

SR2 Zone	Required	Existing	Proposed
Lot Size	10,000 square feet	9,014 square feet	No change
Frontage	80 feet	80 feet	No change
Setbacks - Principal <ul style="list-style-type: none"> • Front • Side • Rear 	25 feet 7.5 feet 15 feet	13.1 feet 10.6 feet 35.9 feet	No change No change No change
Setbacks – Accessory <ul style="list-style-type: none"> • Front • Side • Rear 	25 feet 5 feet 5 feet	>60 feet 3 feet 15 feet	58.1 feet No change No change
Height – <ul style="list-style-type: none"> • Principal • Accessory 	36 feet 22 feet	35.9 feet <22 feet	No change 21.5 feet
Stories – <ul style="list-style-type: none"> • Principal • Accessory 	2.5 1.5	2.5 1	No change 1.5
FAR	.40	.56	.69
Max Lot Coverage	30%	23.9%	30.2%
Min. Open Space	50%	62.7%	56.9%

See “Zoning Relief Summary” below:

Zoning Relief Required		
Ordinance		Action Required
§3.1.3 §3.1.9 §7.8.2.C.2	To further extend nonconforming FAR	S.P. per §7.3.3
§3.4.2.B.1	To allow a detached garage with a footprint in excess of 700 square feet and accommodating more than three vehicles	S.P. per §7.3.3
§3.4.3.A.1 §7.8.2.C.2	To further extend the nonconforming side setback of an accessory structure	S.P. per §7.3.3
§1.5.4.G.2.b	To allow a dormer in excess of 50% of the wall plane below	S.P. per §7.3.3