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Barney S. Heath
Director

ZONING REVIEW MEMORANDUM

Date: September 9, 2019

To: John Lojek, Commissioner of Inspectional Services

From: Jane Santosuosso, Chief Zoning Code Official

Cc: Terrence P. Morris, Attorney
70 Walker Street LLC, Applicants
Barney S. Heath, Director of Planning and Development
Jonah Temple, Assistant City Solicitor

RE: Request to allow four single-family attached dwellings in two structures

Applicant: 70 Walker Street LLC	
Site: 70 Walker Street	SBL: 21033 0007
Zoning: MR1	Lot Area: 21,962 square feet
Current use: Single-family dwelling	Proposed use: Four single-family attached dwellings

BACKGROUND:

The property at 70 Walker Street consists of 21,962 square feet and is improved with a single-family dwelling built in 1865 and a detached accessory building in the MR1 zoning district. The petitioners propose to add a second dwelling unit to the existing single-family dwelling, and to convert the existing garage into a dwelling unit and attach a second unit to it as well, creating four attached dwellings in two separate structures.

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

- Zoning Review Application, prepared by Terrence P. Morris, Attorney, dated 6/12/2019
- Topographic Site Plan, prepared by VTP Associates, surveyor, dated 1/21/2019
- Site Plan, signed and stamped by Ronald Jarek, architect, dated 6/5/2019
- Architectural Plans Elevations, prepared by arco design build, dated 6/5/2019

ADMINISTRATIVE DETERMINATIONS:

1. The petitioners propose to construct four attached single-family dwellings within two separate structures in the Multi Residence 1 zoning district. Per section 3.4.1, a special permit is required to construct attached dwellings in the MR1 district.
2. Per section 3.2.4, a special permit is required for single-family attached dwellings with three stories. The existing single-family dwelling is 2.5 stories per submitted plans. The petitioner proposes to add an additional unit to the existing dwelling, increasing the overall floor area. ~~The additional floor area renders the attic level a full third story.~~ A special permit per section 3.2.4 is required.
3. The existing single-family dwelling has an existing nonconforming height of 38.65 feet. The petitioners intend to construct a rear addition which further extends the existing height, though does not increase it. A special permit per sections 3.2.4 and 7.8.2.C.2 is required.
4. Section 3.2.4 requires a 25-foot setback for the front, side and rear of a single-family attached dwelling project. The petitioners propose to maintain the existing side setback of the front dwelling of 21.3 feet, and the existing 11.8-foot side setback of the rear garage structure, requiring a special permit from the side setback requirement of section 3.2.4.
- ~~5. Section 3.2.4 allows a maximum 25% lot coverage. With the additional dwelling units, the petitioners propose 27% lot coverage, requiring a special permit to exceed the maximum allowed.~~
6. The petitioners propose to construct a driveway along the northern property boundary, less than ten feet from the side lot line. Per section 6.2.3.B.2, a special permit is required to locate a driveway within ten feet of a side or rear lot line within a single-family attached dwelling project.

SR3 Zone	Required	Existing	Proposed
Lot Size	15,000 square feet	21,962 square feet	No change
Frontage	80 feet	80 feet	No change
Setbacks			
• Front	25 feet	25.1 feet	No change
• Side	25 feet	11.8 feet	No change 13.9
• Rear	25 feet	29.2 feet	25.9 feet
Building Height	36 feet	38.65 feet	Units 1-2: 38.65 feet Units 3-4: 32.34 feet
Max Number of Stories	2.5 (3 by special permit)	2.5	3 2.5
Lot Coverage	25%	12.4%	27% 24.9%
Open Space	50%	85.6%	59%
Lot Area Per Unit	4,000 square feet	21,962 square feet	5,490 square feet

See "Zoning Relief Summary" below:

Zoning Relief Required		
<i>Ordinance</i>	<i>Site</i>	<i>Action Required</i>
§3.2.4	To allow attached single-family dwellings	S.P. per §7.3.3
§3.2.4	To allow attached single-family dwellings with three stories	S.P. per §7.3.3
§3.2.4 §7.8.2.C.2	To further extend nonconforming height	S.P. per §7.3.3
§3.2.4	To reduce required side setback	S.P. per §7.3.3
§3.2.4	To exceed maximum lot coverage	S.P. per §7.3.3
§6.2.3.B.2	To allow a driveway within 10 feet of the side lot line	S.P. per §7.3.3