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## ZONING REVIEW MEMORANDUM

Date: April 29, 2020

To: John Lojek, Commissioner of Inspectional Services

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

Cc: John B. Reichenbach, Applicant  
Peter Sachs, Architect  
Barney S. Heath, Director of Planning and Development  
Jonah Temple, Associate City Solicitor

RE: **Request to exceed FAR, to allow a garage with more than 700 square feet and relief from the dimensional requirements for dormers**

Applicant: John B. Reichenbach	
Site: 43 Prince Street	SBL: 32010 0006
Zoning: SR1	Lot Area: 27,800 square feet
Current use: Single-family dwelling	Proposed use: No change

### BACKGROUND:

The property at 43 Prince Street consists of a 27,800 square foot corner lot improved with a single-family residence constructed in 1885 and a detached garage. The petitioners propose to raze the detached garage and construct a 4,532 square foot two and one-half story addition. The proposed changes require a special permit to exceed FAR, and for an oversized garage and dormers.

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

- Zoning Review Application, prepared by Peter Sachs, architect, dated 3/10/2020
- FAR Worksheet, submitted 3/10/2020
- Existing Site Plan, signed and stamped by Joseph R. Porter, surveyor, dated 10/22/2019, revised 12/12/2019
- Proposed Site Plan, signed and stamped by Joseph R. Porter, surveyor, dated 3/9/2020
- Architectural Plans, signed and stamped by Peter Sachs, architect, dated 2/24/2020

#### **ADMINISTRATIVE DETERMINATIONS:**

1. The petitioner intends to raze 701 square feet found in a detached garage and separate shed and construct a 2.5-story addition totaling 4,532 square feet, creating a total of 9,116 square feet. The existing FAR is .16, where .26 is the maximum allowed. The proposed addition results in an FAR of .33, exceeding the maximum allowed requiring a special permit pursuant to Sections 3.1.3 and 3.1.9.
2. The petitioners propose to raze the detached garage structure and construct an attached 867 square foot three-car garage. Per section 3.4.2.B.1, a special permit is required for a private garage in excess of 700 square feet in area.
3. The maximum allowable lot coverage in the SR1 zoning district for an old lot is 20% per section 3.1.3. The existing lot coverage is 12.1% and the proposed addition increases the lot coverage to 22.3%, 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 867 square feet, which equates to 3% lot coverage. Eliminating the 3% lot coverage of the garage renders the total proposed lot coverage 19.3%, which is less than the maximum allowed.
4. The petitioner proposes a dormer in the attic level on the southern-facing façade of the dwelling. The proposed dormer vertically continues a bay on the second story and mirrors an existing dormer on the wall plane. Per section 1.5.4.G.2.a, the roofline overhang must be continued between the dormer and the story next below so as not to appear to be an uninterrupted wall plane extending beyond two stories. The proposed dormer extends the existing second floor bay without interruption into the attic, requiring a special permit.
5. Per section 1.5.4.G.2.b a dormer may be no wider than 50% of the wall plane of the story next below it. The proposed dormer is the entire bay, and thus the entire wall plane of the story below, requiring a special permit.
6. Per section 1.5.4.G.2.c the vertical plane of the sidewall of a dormer may not be closer than three feet from the vertical plane of the intersection of the roof and the main building end wall nearest the dormer. The proposed dormer continues the vertical plane of the main building and is therefore less than three feet from the intersection of the roof and main building, requiring a special permit.

SR1 Zone	Required	Existing	Proposed
Lot Size	15,000 square feet	27,800 square feet	No change
Frontage	80 feet	202 feet	No change
Setbacks <ul style="list-style-type: none"> <li>• Front (Prince St)</li> <li>• Front (Sewall St)</li> <li>• Side</li> <li>• Rear</li> </ul>	25 feet 25 feet 12.5 feet 25 feet	31.3 feet 39.9 feet 92.7 feet 49.3 feet	No change 25.2 feet 35 feet 25.1 feet
Max Number of Stories	2.5	2.5	No change
FAR	.26	.16	<b>.32</b>
Max Lot Coverage	20%	12.1%	22.3% (19.3% w/o garage)
Min. Open Space	65%	81.9%	71.2%

1. See “Zoning Relief Summary” below:

Zoning Relief Required		
<i>Ordinance</i>		<i>Action Required</i>
§3.1.3, §3.1.9	Request to exceed FAR	S.P. per §7.3.3
§3.4.2.B.1	Request to allow a garage exceeding 700 square feet	S.P. per §7.3.3
§1.5.4.G.2.a	To allow a dormer that extends the second floor wall plane vertically	S.P. per §7.3.3
§1.5.4.G.2.b	To allow a dormer that is greater than 50% of the wall plane below it	S.P. per §7.3.3
§1.5.4.G.2.c	To allow a dormer within three feet of the intersection of the roofline and main building	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