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Barney S. Heath
Director

ZONING REVIEW MEMORANDUM

Date: January 9, 2019

To: John Lojek, Commissioner of Inspectional Services

From: Jane Santosuosso, Chief Zoning Code Official
Jennifer Caira, Chief Planner for Current Planning

Cc: Laurance Lee, Attorney
Matthew and Dina Wosk, Applicant
Barney S. Heath, Director of Planning and Development
Jonah Temple, Assistant City Solicitor

RE: **Request to allow more than one garage, a garage in excess of 700 square feet, and a retaining wall in excess of four feet in the setback**

| Applicant: Matthew and Dina Wosk | |
|-------------------------------------|------------------------------|
| Site: 32 Baldpate Hill | SBL: 82026 0001 |
| Zoning: SR1 | Lot Area: 25,225 square feet |
| Current use: Single-family dwelling | Proposed use: No change |

BACKGROUND:

The property at 32 Baldpate Hill consists of a 25,225 square foot lot improved with a single-family residence constructed in 1958. The lot is pie-shaped, coming to point at the rear, resulting in no rear lot line. It also has a significant front to back upward slope, with 64 feet of grade change. The petitioners seek to construct a detached single-car garage in addition to the existing attached two-car garage, as well as a patios and pool area requiring retaining walls exceeding four feet.

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

- Zoning Review Application, prepared Laurance Lee, attorney, dated 11/15/2018
- FAR Worksheet, submitted 11/15/2018
- Proposed Conditions Plan, signed and stamped by Verne T. Porter, Jr, surveyor, dated 10/24/2018
- Zoning Review Grading Plan, prepared by Gregory Lombardi Design, dated 10/26/2018
- Architectural plans and elevations, prepared by babbitt design, CMD Design Inc and Gregory Lombardi Design, dated 11/12/2018

ADMINISTRATIVE DETERMINATIONS:

1. Sections 3.4.2.B.1 and 3.4.3.A.4.a requires that there be no more than one garage per single-family dwelling or dwelling unit. The petitioners have an existing attached two-car garage in the basement level and propose to construct a third garage bay in a separate detached structure. To have the three garage bays within two separate garage structures requires a special permit.
2. The proposed detached garage adds 478 square feet, in addition to the existing two-car attached garage under the dwelling. Per sections 3.4.2.B.1 and 3.4.3.A.4.c, a private garage may not exceed 700 square feet of ground floor area. A special permit is required for the additional detached garage exceeding the maximum 700 square feet.
3. Section 5.4.2 requires a special permit for retaining walls exceeding four feet in height within a setback. The petitioners propose construction of retaining walls behind the existing dwelling to accommodate construction of a pool and accompanying patios. In certain locations, the walls will exceed four feet in height within the side setbacks, requiring a special permit.

| SR1 Zone | Required | Existing | Proposed |
|-----------------------|--------------------|--------------------|-----------------|
| Lot Size | 25,000 square feet | 25,225 square feet | No change |
| Frontage | 140 feet | 163 feet | No change |
| Setbacks - Principal | | | |
| • Front | 40 feet | 50.1 feet | No change |
| • Side | 20 feet | 20.5 feet | No change |
| • Rear | 25 feet | N/A | No change |
| Setbacks – Accessory | | | |
| • Front | 40 feet | N/A | 44.2 feet |
| • Side | 5 feet | N/A | 7 feet |
| • Rear | 5 feet | N/A | N/A |
| Max Number of Stories | 2.5 | 2.5 | No change |
| Max Height Principal | 36 feet | 29.7 feet | No change |
| Max Height Accessory | 18 feet | N/A | 14.06 feet |
| FAR | .26 | .22 | .24 |
| Max Lot Coverage | 20% | 9.72% | 11.9% |
| Min. Open Space | 65% | 76.21% | 72.98% |

1. See "Zoning Relief Summary" below:

| Zoning Relief Required | | |
|-------------------------------|--|------------------------|
| <i>Ordinance</i> | | <i>Action Required</i> |
| §3.4.2.B.1 §3.4.3.A.4.a | Request to allow more than one garage | S.P. per §7.3.3 |
| §3.4.2.B.1 §3.4.3.A.4.c | Request to allow for garage space exceeding 700 square feet | S.P. per §7.3.3 |
| §5.4.2 | Request to allow a retaining wall exceeding four feet in height in a setback | 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