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ZONING REVIEW MEMORANDUM

Date: March 15, 2012

To: John Lojek, Commissioner of Inspectional Services

From: Seth Zeren, Chief Zoning Code Official
Eve Tapper, Chief Planner for Current Planning ET

Cc: Alan Mayer, architect representing applicant
Candace Havens, Director of Planning and Development
Ouida Young, Associate City Solicitor

RE: Request to allow a third-story addition in a single-residence district

Applicant: Geoffrey and Robin Pedder	
Site: 112 Exeter Street	SBL: 32028 0021
Zoning: SR1	Lot Area: 16,080 square feet
Current use: Single-family dwelling	Proposed use: Single-family dwelling

Background:

The property at 112 Exeter Street consists of a 16,080 square foot lot occupied by a split-level, single-family dwelling built in 1954 on a lot created in 1949. Due to the grade of the site and the split-level configuration, the northern half of the lower level counts as a basement and the southern half counts as a first floor. The applicant proposes to add a third story above the southern portion of the structure. The applicant applied for an initial building permit on October 13, 2011, which was rejected. Therefore, the project is subject to the Floor Area Ratio regulations in effect before October 15, 2011.

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

- Building Permit Refusal Form, signed by John Lojek, Commissioner, dated 10/28/11
- Existing conditions site plan, unsigned and unstamped, by Bruce Bradford, Surveyor, dated 9/15/11
- Proposed site plan, signed and stamped by Bruce Bradford, Surveyor, dated 12/7/11
- Architectural plans, signed and stamped by Alan J. Mayer, Architect, dated 12/15/11
 - A1-0: Existing Basement Plan
 - A1-1: Existing First Floor Plan
 - A2-1,2,3: Existing Exterior Elevations
 - A3-0: Proposed Basement Plan
 - A3-1: Proposed First Floor Plan
 - A3-2: Proposed Second Floor Plan (misnamed "Basement Plan")

- o A4-1,2,3: Proposed Exterior Elevations

ADMINISTRATIVE DETERMINATIONS:

1. The property is in the SR1 zone and must comply with the dimensional standards of Section 30-15, Table 1 for a pre-1953 lot (see chart below).

SR1 Zone	Required/Allowed	Existing	Proposed
Lot Size	15,000 square feet	16,080 square feet	No change
Frontage	100 feet	123.47 feet	No change
Setbacks			
• Front	25 feet	25.6 feet	No change
• Side	12.5 feet	51.1 feet	42.1 feet
• Rear	25 feet	27.2 feet	No change
FAR (pre-October 15, 2011 regulations)	0.32*	0.29	0.36
Building Height	36 feet	26.4	30.5
Maximum Stories	2.5	2	3
Max. Lot Coverage	20%	17.8%	18.8%
Min. Open Space	65%	77%	75%

*Includes a .07 bonus for a proposed addition on an old lot which meets post-1953 setbacks or does not extend further into any setback.

2. The applicant's site plan shows that the southern half of the lower level, below the proposed addition, is more than 50% above grade and therefore qualifies as the first story, per the definition of a basement in Section 30-1. Therefore, the proposed addition would add a third story to the existing two-story dwelling. Per Section 30-15, Table 1, Footnote 4, a third story may be allowed by special permit "if the proposed structure is consistent with and not in derogation of the size scale and design of other structures in the neighborhood." To construct the addition as proposed, the applicant must obtain a special permit from the Board of Aldermen per Section 30-15 Table 1, Footnote 4.
3. The applicant applied for a building permit (which was rejected for exceeding the allowed number of stories) prior to October 15, 2011 and may therefore employ the FAR rules in existence at the time. The northern half of the lower level is classified as a basement and does not count for FAR while the southern half of the lower level is classified as a first floor and does count for FAR. As the lot was created prior to 1953, the base FAR is .25. A bonus of .07 FAR is available because the house is more than ten years old and the proposed addition meets post-1953 setbacks except for the front setback where the addition does not extend any further into the setback than the existing home. Therefore an FAR of .32 is allowed. Per the applicant's revised calculations, the proposed addition would increase the FAR of the property to .36. Therefore, the applicant must obtain a special permit from the Board of Aldermen per Section 30-15 Table 1, Footnote 5.

4. See "Zoning Relief Summary" below:

Zoning Relief Required		
<i>Ordinance</i>	<i>Structure</i>	<i>Action Required</i>
§30-15, Table 1, Footnote 4	Allow a three-story dwelling in an SR1 district	S.P. per §30-24
§30-15, Table 1, Footnote 5	Allow an FAR of .36 where .32 is allowed by right	S.P. per §30-24