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Barney S. Heath
Director

ZONING REVIEW MEMORANDUM

Date: October 5, 2016

To: John Lojek, Commissioner of Inspectional Services

From: Jane Santosuosso, Chief Zoning Code Official
Alexandra Ananth, Chief Planner for Current Planning

Cc: Alan Mayer, architect
Ana and Matthew Vopi, applicants
Barney S. Heath, Director of Planning and Development
Ouida Young, Associate City Solicitor

RE: Request to extend a nonconforming three-story single-family structure

Applicant: Ana and Matthew Vopi	
Site: 44 Oakmont Road	SBL: 65019 0077
Zoning: SR3	Lot Area: 7,840 square feet
Current use: Single-family dwelling	Proposed use: No change

BACKGROUND:

The property at 44 Oakmont Road consists of a 7,840 square foot lot improved with a single-family dwelling constructed in 1947. Due to the average grade of the property, the basement counts as the first story, creating a three-story structure, where 2.5 is the maximum allowed. The applicant proposes to construct a rear addition adding to the basement, first floor and second floor levels, which will further increase the nonconforming third story, requiring a special permit.

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

- Zoning Review Application, prepared by Peter Sachs, architect, dated 3/23/2016
- FAR Worksheet, submitted 8/19/2016, revised 10/5/2016
- Site Plan, existing conditions, prepared by Everett M. Brooks, surveyor, dated 6/15/2016
- Site Plan, proposed conditions, signed and stamped by Bruce Bradford, surveyor, dated 6/15/2016
- Architectural Plans, existing and proposed, prepared by Mayer & Associates, architect, dated 8/18/2016
 - Basement Floor
 - First Floor
 - Second Floor
 - Elevations

ADMINISTRATIVE DETERMINATIONS:

1. The average grade plane surrounding the structure creates 3 stories per Section 1.5.4.D through F. Section 3.1.3 allows a maximum of 2.5 stories in the SR3 zoning district by right. To add third floor space further increases the nonconformity of the number of stories. A special permit pursuant to Sections 3.1.3 and 7.8.2.C.2 is required to further increase the already nonconforming number of stories.

SR3 Zone	Required	Existing	Proposed
Lot Size	7,000 square feet	7,840 square feet	No change
Frontage	70 feet	59 feet	No change
Setbacks			
• Front	25 feet	21.9 feet	No change
• Side	7.5 feet	17.3 feet	No change
• Rear	15 feet	33.3 feet	18.5 feet
Building Height	36	27.2 feet	29.1 feet
Max Number of Stories	2.5	3	No change
FAR	.48 (.46 + .02 bonus)	.24	.48
Max Lot Coverage	30%	8.2%	17.1%
Min Open Space	50%	78%	70%

1. See “Zoning Relief Summary” below:

Zoning Relief Required		
<i>Ordinance</i>		<i>Action Required</i>
§1.5.4.D §3.1.3, §7.8.2.C.2	Request to further increase nonconforming number of stories	S.P. per §7.3.3