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James Freas
Acting Director

ZONING REVIEW MEMORANDUM

Date: December 21, 2015

To: John Lojek, Commissioner of Inspectional Services

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

Cc: David Whitney, architect
Rebecca Searles and John McNally, applicants
James Freas, Acting Director of Planning and Development
Ouida Young, Associate City Solicitor

RE: Request to extend a nonconforming structure

Applicant: Rebecca Searles & John McNally	
Site: 147 Newtonville Ave	SBL: 12017 0019
Zoning: MR1	Lot Area: 16,748 square feet
Current use: Single-family dwelling	Proposed use: No change

BACKGROUND:

The property at 147 Newtonville Ave consists of a 16,748 square foot lot improved with a single-family residence constructed circa 1885. The structure consists of two and a half stories and a basement. Due to the sloping topography of the site, the average grade plane renders the basement as the first floor, creating a three and one-half story structure for the purposes of zoning.

The applicants propose to remove an existing sunroom on the side of the house, and replace it with a larger room with finished space above and added basement space below. Due to the existing nonconforming number of stories, and an existing nonconforming front setback, a special permit is required.

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

- Zoning Review Application, prepared by David Whitney, architect, submitted 12/9/2015
- Site Plan, signed and stamped by Paul J. Tyrell, surveyor, dated 12/1/2015
- FAR Worksheet, prepared by David Whitney, architect, submitted 12/9/2015
- Photos, submitted by David Whitney, architect, submitted 12/9/2015
- Existing and Proposed Plans, signed and stamped by David Whitney, architect, dated 12/7/2015
- Proposed Elevations, signed and stamped by David Whitney, architect, dated 12/7/2015

ADMINISTRATIVE DETERMINATIONS:

1. The maximum number of stories allowed in the MR1 zoning district is 2.5 according to Section 3.2.3 of the Zoning Ordinance. Because of the average grade plane, the slope creates a 3.5-story structure. The addition does not extend the number of stories, but does create more three-story space. The addition requires a special permit to extend per Section 7.8.2.C.2.
2. The existing front setback for the dwelling is 19.3 feet, where 25 feet are required per Section 3.2.3. The proposed addition is within the front setback at 20.7 feet, though not closer. To expand the structure further requires a special permit per Section 7.8.2.C.2.

MR1 Zone	Required	Existing	Proposed
Lot Size	7,000 square feet	16,748 square feet	No change
Frontage	70 feet	123.57 feet	No change
Setbacks			
• Front	25 feet	19.3 feet	No change
• Side	7.5 feet	6.3 feet	No change
• Rear	15 feet	+/-125 feet	No change
Building Height	36 feet	34.3 feet	34.2 feet
Max Number of Stories	2.5	3.5	No change
FAR	.46	.20	.23
Max Lot Coverage	30%	11.3%	12.1%
Min. Open Space	50%	81%	80%

1. See "Zoning Relief Summary" below:

Zoning Relief Required		
<i>Ordinance</i>		<i>Action Required</i>
§3.2.3 §7.8.2.C.2	To extend a nonconforming 3.5-story structure	S.P. per §7.3.3
§3.2.3 §7.8.2.C.2	To extend a nonconforming front setback	S.P. per §7.3.3