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Candace Havens
Director

ZONING REVIEW MEMORANDUM

Date: April 14, 2014

To: John Lojek, Commissioner of Inspectional Services

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

Cc: Henry Delicata, applicant
Candace Havens, Director of Planning and Development
Ouida Young, Associate City Solicitor

RE: Request to create two parking stalls in the front and side setbacks

Applicant: Henry Delicata	
Site: 358-360 Nevada Street	SBL: 14016 0044
Zoning: MR1	Lot Area: 7,140 square feet
Current use: Two-family dwelling	Proposed use: No change

BACKGROUND:

The property at 358-360 Nevada Street consists of a 7,140 square foot lot improved with a two-family residence. The structure was built as a single-family residence in 1951, and converted to a two-family dwelling in 1972. There is currently two off-street parking stalls on the property which are for the exclusive use of the tenants in 358 Nevada Street. The applicants are proposing to create two tandem parking stalls on the right side of the structure to serve 360 Nevada Street. Both stalls will be within (entirely or partially) the front and side setbacks and require a special permit.

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

- Zoning Review Application, prepared by Henry Delicata, applicant, submitted 3/3/2014
- Site Plan, signed and stamped by George C. Collins, surveyor, dated 6/13/2013

ADMINISTRATIVE DETERMINATIONS:

1. The applicant proposes to construct two tandem parking stalls on the right side of the dwelling. Both stalls will be 2.1 feet from the side lot line. One stall will be entirely within the front setback, and the second stall will be partially located in the front setback. Further, the existing stalls serving 358 Nevada are both located within the front setback. A special permit per Section 30-19(g)(1) is required to allow parking in the front setback. While Section 30-19(d)(1) allows for parking for a two-family dwelling to be within the sideyard setback, Section 30-19(g)(1) allows for only one stall in a required setback. Given the contradiction, the applicant should seek a special permit from Section 30-19(g)(1) to ensure compliance.
2. The two existing stalls are not dimensionally compliant in both width and length. To legitimize the existing parking dimensions requires a special permit per Section 30-19(g)(2).

MR1 Zone	Required	Existing	Proposed
Lot Size	7,000 square feet	7,140 square feet	No change
Frontage	70 feet	85 feet	No change
Setbacks for existing structure			
• Front	25 feet	16.55 feet	No change
• Side	7.5 feet	8 feet	No change
• Rear	15 feet	+/- 40 feet	No change

1. See “Zoning Relief Summary” below:

Zoning Relief Required		
§30-19(g)(1), 30-19(m)	Allow four parking stalls in the front setback, two of which will be in the side setback as well.	S.P. per §30-24
§30-19(g)(2), 30-19(m)	Allow undersized parking stalls	S.P. per §30-24