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Barney S. Heath  
Director

## ZONING REVIEW MEMORANDUM

Date: September 20, 2017

To: John Lojek, Commissioner of Inspectional Services

From: Jane Santosuosso, Chief Zoning Code Official

Cc: Diego Tebaldi, Applicant  
Barney S. Heath, Director of Planning and Development  
Ouida Young, Associate City Solicitor

RE: **Request to allow an oversized dormer**

Applicant: Diego Tebaldi	
Site: 165 Harvard Street	SBL: 122023 0002
Zoning: MR1	Lot Area: 9,273 square feet
Current use: Single-family dwelling	Proposed use: No change

### BACKGROUND:

The property at 165 Harvard Street consists of a 9,273 square foot lot improved with a single-family dwelling constructed circa 1920. The applicant proposes to construct an oversized dormer in the finished attic to bring in more light to a storage area.

Variance #1-63 was issued to this property in February 1963 to extend a nonconforming front setback to allow for the construction of an addition. The proposed dormer is located in the original part of the structure, and on the back side of the house.

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

- Zoning Review Application, prepared by Diego Tebaldi, applicant, submitted 8/12/2017
- Plan of Land, signed and stamped by Wade T. Putnam, surveyor, dated 8/8/2012
- FAR calculations, submitted 8/12/2017
- Architectural plans, prepared by I.S. Hernandez Services INC., dated 5/30/2017

**ADMINISTRATIVE DETERMINATIONS:**

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1. Section 1.5.4.G.2.b states that a dormer may be no wider than 50% of the length of the exterior wall of the next story below by right. The applicant proposes a dormer on the rear of the house measuring 23.5 feet wide, where the building is 30.5 feet wide at the first story, which is 77% of the exterior wall below. Per Section 1.5.4.G.2, a special permit is required.
2. Section 1.5.5.B.1.a.ii states that for attic space to count toward Floor Area Ratio, there must be a certain portion of that space with at least 7 feet in height. Per the documents provided by the applicant, the attic height does not exceed 6.1 feet, and therefore the dormer addition does not increase the FAR.

Zone MR1	Required/Allowed	Existing	Proposed
Lot Size	7,000 square feet	9,273 square feet	No change
Frontage	70 feet	87.6 feet	No change
Setbacks <ul style="list-style-type: none"> <li>• Front</li> <li>• Side</li> <li>• Rear</li> </ul>	25 feet 7.5 feet 15 feet	<b>12.3 feet</b> NA >15 feet	<b>No change</b> No change No change
Max Height	36 feet	27 feet	No change
Max Stories	2.5	2	No change
Max Lot Coverage	30%	15%	No change
Min Open Space	50%	81.7%	No change
FAR	.50	.36	No change

1. See “Zoning Relief Summary” below:

Zoning Relief Required		
Ordinance		Action Required
§1.5.4.G.2 §1.5.4.G.2.b	To allow a dormer wider than 50% of the exterior wall below	S.P. per §7.3

### **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