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Candace Havens
Director

ZONING REVIEW MEMORANDUM

Date: October 24, 2013

To: John Lojek, Commissioner of Inspectional Services

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

Cc: Sharon Becker Jacobson, Architect representing the applicants
Candace Havens, Director of Planning and Development
Ouida Young, Associate City Solicitor

RE: Request to increase nonconforming FAR

Applicant: Sam & Tami Wald	
Site: 176 Homer Street	SBL: 64 32 30
Zoning: SR2	Lot Area: 9,270 square feet
Current use: Single-family dwelling	Proposed use: No change

BACKGROUND:

The property at 176 Homer Street consists of a 9,270 square foot lot in a Single Residence 2 district. A single-family dwelling was built on the property in 1925 of approximately 1,200 square feet. The dwelling was extensively renovated in 2001 to its current configuration and size of approximately 5,400 square feet, which includes finished basement space. The applicants are proposing to enclose space below a first floor deck to expand a basement play room, and rebuild the deck above the finished space. The applicant proposes to add 275 square feet to the finished basement, thereby increasing the floor area ratio above that which currently exists and is allowed by right.

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

- Zoning Review Application, prepared by Sharon Becker Jacobson, architect, submitted 10/7/13
- Existing photos, submitted 10/7/13
- Plan of Land – Existing Conditions, signed and stamped by Bruce Bradford, surveyor, dated 8/22/13
- Plan of Land – Proposed Conditions, signed and stamped by Bruce Bradford, surveyor, dated 10/7/13
- Architectural plans, signed and stamped by Sharon Jacobson, architect, dated 10/7/13
 - Existing conditions, lower level
 - Existing conditions, first floor deck
 - Existing conditions and proposed demolition: south and rear exterior elevation

- Existing conditions and proposed demolition: side elevations
- Proposed conditions and demolition: lower level plan
- Proposed conditions and demolition: first floor deck plan
- Proposed addition: rear elevation
- Proposed addition: side elevation

ADMINISTRATIVE DETERMINATIONS:

1. In 2001 there was a provision in the Ordinance, Clause 6 of Ordinance V-112, Board of Aldermen Order No. 457-96 item 3, stating that Floor Area Ratio requirements would be applied in single- and two-family homes when more than 50% of the structure was demolished. A building permit was issued for the 2001 renovation in September 2001. A Stop Work Order was issued on October 23, 2001 citing the aforementioned provision and stating that an inspection of the property on 10/22/01 revealed that more than 50% of the structure had been demolished for the 2001 renovation. The contractor resolved the issue by lowering the ceiling heights to 7'3" around the outside edges to eliminate some square footage to be counted toward FAR. Since that time, the required minimum ceiling height per the state building code has been lowered to 7 feet, thereby increasing the amount of square footage included in the FAR calculation, creating the current FAR of .60.
2. The proposed addition increases the structure's FAR to .63, from .60, which exceeds the .39 maximum permitted by the Ordinance per Section 30-15, Table A. To construct the addition as proposed, the applicant must obtain a special permit from the Board of Aldermen per Section 30-21(b). The applicant is not able to take advantage of the .02 bonus, as the existing structure does not meet the post-1953 lot setback requirements.

SR2 Zone	Required	Existing	Proposed
Lot Size	10,000 square feet	9,270 square feet	No change
Frontage	80 feet	79 feet	No change
Setbacks for existing structure			
• Front	25 feet	21.2 feet	No change
• Side	7.5 feet	9.0 feet on right 7.5 feet on left	No change No change
• Rear	15 feet	35 feet	35.7 feet
FAR	.39	.60	.63
Max. Lot Coverage	30%	27%	29.9%
Open Space	50%	± 61%	± 62%

1. See "Zoning Relief Summary" below:

Zoning Relief Required		
Ordinance		Action Required
§30-15 Table A, §30-15(u), §30-21(b)	Exceed Floor Area Ratio (FAR)	S.P. per §30-24