

Department of Planning and Development



PERMIT #57-12
39-41 JACKSON STREET
DOMENANCY LLC, TO CREATE A THIRD
UNIT IN EXISTING TWO-FAMILY DWELLING

Site:

- 16,700 square feet of land
- Two-family dwelling built in 1950s with rear addition added in the 1970s
- 20' frontage, flag-shaped lot
- *Noncompliant* with respect to open space
- Nonconforming with respect to number of stories and front setback



Project Description:

- Convert rear 1970's addition into a one-bedroom third unit
- Minor changes to fenestration, otherwise no exterior changes to the building
- Driveway will be repaved and reduced to 12' width for most of its length bringing the property into compliance with open space requirements
- Two parking stalls within side setback
- One stall closer than five feet to the dwelling
- Waiver from various requirements for parking facilities of greater than five stalls
- Addition of 18' by 40' grass paver surface for fire access



Front Façade of Residence



View of the Rear Yard

Relief Requested:

- Section 30-9(c)(1) to convert a structure in existence before May 7, 1979 to occupancy by three families
- Section 30-19(h) and (m) to locate two parking stalls in the side setback and one stall closer than five feet to a building containing dwelling units.
- Section 30-19(h) and (m) to provide one handicap parking stall or obtain a waiver
- Section 30-19(i) and (m) provide required screening for a parking facility or obtain a waiver
- Section 30-19(j) and (m) provide required lighting, paving, grading, and maintenance of a parking facility of greater than five stalls or obtain a waiver.



Existing Parking Area



Location of the Proposed Unit (rear of building)

Proposed Findings:

- a. The conversion of a structure in existence before May 7, 1979 to occupancy by three families is appropriate for the following reasons:
 - i. The use will not adversely affect the neighborhood which has a number of multi-family dwellings.
 - ii. Access to the site is appropriate for the type and number of vehicles involved since the site is accessed via a long driveway that provides two parking stalls for each dwelling unit and the driveway will be resurfaced prior to the issuance of a certificate of occupancy.
- b. Locating two parking stalls within the side setback and one stall closer than five feet to a building containing dwelling units will not cause a nuisance or serious hazard to vehicles or pedestrians.

Proposed Findings:

- c. A waiver for the required lighting of a parking facility of greater than five spaces is appropriate since lighting would be incompatible with the residential nature of the neighborhood
- d. Locating two parking stalls within the side setback and one stall closer than five feet to a building containing dwelling units, and a waiver for one required handicap stall are appropriate because literal compliance with requirements is impracticable due to the shape of the lot.
- e. The proposal will bring the property, which is noncompliant with respect to open space, into compliance with requirements.

Proposed Conditions:

- The driveway shall be located according to the plan and resurfaced prior to issuance of a certificate of occupancy
- There shall be no parking in areas labeled as “fire lane” or “fire department access”.
- Standard plan references and recordings