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Barney S. Heath  
Director

## ZONING REVIEW MEMORANDUM

Date: May 1, 2019

To: John Lojek, Commissioner of Inspectional Services

From: Jane Santosuosso, Chief Zoning Code Official  
Jennifer Caira, Chief Planner for Current Planning

Cc: Hana and Douglas Gragg, Applicants  
Donald Grose, Architect  
Barney S. Heath, Director of Planning and Development  
Ouida Young, Acting City Solicitor

RE: **Request to further exceed nonconforming FAR and to alter a nonconforming two-family dwelling**

Applicant: Hana and Douglas Gragg	
Site: 138 Lincoln Street	SBL: 64026 0009
Zoning: SR2	Lot Area: 13,800 square feet
Current use: Single-family dwelling	Proposed use: No change

### BACKGROUND:

The property at 138 Lincoln Street consists of a 13,800 square foot lot improved with a two-family dwelling constructed circa 1880. The petitioners propose to construct a rear addition of a sunroom in the footprint of an existing deck adding 194 square feet to the first floor unit. The proposed changes will further increase the nonconforming FAR and alter a nonconforming two-family dwelling use, requiring a special permit.

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

- Zoning Review Application, prepared by Donald Grose, architect, submitted 3/21/2019
- FAR Worksheet, submitted 3/21/2019
- Plot Plan, prepared by D. O'Brien Surveying, dated 2/15/2019
- Architectural Plans and elevation, prepared by D. L. Grose + Associates, architect, dated 3/5/2019

**ADMINISTRATIVE DETERMINATIONS:**

1. The applicants’ existing FAR is .36, where .34 is the maximum allowed. The proposed additions add a total of 194 square feet to the dwelling, resulting in an FAR of .37. A special permit pursuant to Sections 3.1.3, 3.1.9 and 7.8.2.C.2 is required to further increase the already nonconforming FAR.
2. Per section 3.4.1, two-family dwellings are prohibited in the SR2 district. The existing two-family dwelling was constructed circa 1880, prior to zoning, and is a legal nonconforming use. To extend the two-family dwelling use with additional living space requires a special permit per section 3.4.1 and 7.8.2.C.2

SR2 Zone	Required	Existing	Proposed
Lot Size	10,000 square feet	13,800 square feet	No change
Frontage	80 feet	100 feet	No change
Setbacks			
• Front	25 feet	<b>18.5 feet</b>	<b>No change</b>
• Side	7.5 feet	20.2 feet	20.1 feet
• Rear	15 feet	54.7 feet	No change
Max Number of Stories	2.5	2.5	No change
FAR	.34	<b>.36</b>	<b>.37</b>
Max Lot Coverage	30%	19.8%	20.5%
Min. Open Space	50%	56.1%	56%

1. See “Zoning Relief Summary” below:

<b>Zoning Relief Required</b>		
<i>Ordinance</i>		<i>Action Required</i>
§3.1.3, §3.1.9 §7.8.2.C.2	Request to further increase nonconforming FAR	S.P. per §7.3.3
§3.4.1 §7.8.2.C.2	Request to extend a nonconforming two-family dwelling use	S.P. per §7.3.3

### **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