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## ZONING REVIEW MEMORANDUM

Date: December 7, 2016

To: John Lojek, Commissioner of Inspectional Services

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

Cc: 367-377 Langley Road LLC, applicant  
Terrence P. Morris, attorney  
Barney S. Heath, Director of Planning and Development  
Ouida Young, Associate City Solicitor

**RE: Request to allow three attached dwellings**

Applicant: 367-377 Langley Road LLC	
Site: 377 Langley Road	SBL: 65019 0058
Zoning: MR1	Lot Area: 23,545 square feet
Current use: Single family dwelling	Proposed use: Three attached dwellings

### BACKGROUND:

The property at 377 Langley Street consists of 23,545 square feet and is improved with a single family residence constructed in 1951. The lot is an old lot and is set back from the street with a 120 foot long dogleg with 50 feet of frontage. The applicant proposes to raze the existing single family dwelling and construct three attached dwellings.

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

- Zoning Review Application, prepared by Terrence P. Morris, attorney, dated 10/17/2016
- Site Plan, prepared by VTP Associates Inc, surveyor, dated 10/13/2016
- Elevation, dated 10/13/2016

**ADMINISTRATIVE DETERMINATIONS:**

1. The existing lot was created prior to the adoption of the requirements for frontage. At the time the lot was created, lots were measured not by frontage, but by lot width. The lot meets those requirements and is a lawfully created, nonconforming lot.
2. The applicant proposes to raze the existing dwelling on the property and construct three attached single-family dwellings. Per Section 3.4.1 a special permit is required to construct attached single family dwellings in the MR1 zoning district.
3. The existing lot has 51.7 feet of frontage, where 80 feet is required per Section 3.2.4. This same section allows the City Council to grant exceptions to dimensional requirements if literal compliance is impractical or not in the public interest. The applicant seeks a waiver from the frontage requirement.
4. The applicant proposes a side setback for the new structure of 8.3 feet, where 25 feet is required per Section 3.2.4. This same section allows the City Council to grant exceptions to dimensional requirements if literal compliance is impractical or not in the public interest. The applicant seeks a waiver from the side setback requirement.
5. There are retaining walls proposed in the setbacks with heights at or greater than four feet. Section 5.4.2.B requires a special permit for a retaining wall of four feet or greater in a setback.
6. Section 6.2.3.B.2 requires a special permit to construct a parking space within 20 feet of a boundary line and to locate a driveway within 10 feet of a side or rear lot line. Proposed parking is located on the side lot line, and the proposed driveway is within 10 feet of the same side lot line. A special permit waiving this prohibition is required.

MR1 Zone	Required	Existing	Proposed
Lot Size	15,000 square feet	23,540 square feet	No change
Frontage	80 feet	<b>51.7 feet</b>	<b>No change</b>
Setbacks			
• Front	25 feet	27.5 feet	25.2 feet
• Side	25 feet	38.7 feet	<b>8.3 feet</b>
• Rear	25 feet	82.7 feet	67.1 feet
Building Height	36 feet		35.5 feet
Max Number of Stories	2.5		2.5
Lot Coverage	25%	4.6%	29%
Open Space	50%	83.5%	57.7%
Lot Area Per Unit	4,000 square feet		7,846 square feet

1. See “Zoning Relief Summary” below:

<b>Zoning Relief Required</b>		
<i>Ordinance</i>		<i>Action Required</i>
§3.4.1	To allow attached single-family dwellings in an MR1 zoning district	S.P. per §7.3.3
§3.2.4	To reduce the frontage requirement for attached single-family dwellings in an MR1 zoning district	S.P. per §7.3.3
§3.2.4	To reduce the side setback requirement for attached single-family dwellings in an MR1 zoning district	S.P. per §7.3.3
§5.4.2.B	To allow a retaining wall four feet or higher in a setback	S.P. per §7.3.3
§6.2.3.B.2 §3.2.4	To allow parking within 20 feet of a side lot line for attached single-family dwellings in an MR1 zoning district	S.P. per §7.3.3
§6.2.3.B.2 §3.2.4	To allow a driveway within 10 feet of a side lot line for attached single-family dwellings in an MR1 zoning district	S.P. per §7.3.3