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Barney S. Heath
Director

ZONING REVIEW MEMORANDUM

Date: November 9, 2020

To: John Lojek, Commissioner of Inspectional Services

From: Jane Santosuosso, Chief Zoning Code Official
Neil Cronin, Chief Planner for Current Planning

Cc: Jeremy Shinewald, Applicant
Joseph Walsh, Contractor
Barney S. Heath, Director of Planning and Development
Jonah Temple, Associate City Solicitor

RE: Request to amend Special Permit #129-14 and to further increase nonconforming FAR

Applicant: Jeremy Shinewald	
Site: 96 Lenox Street	SBL: 32049 0007
Zoning: SR1	Lot Area: 19,071 square feet
Current use: Single-family dwelling	Proposed use: No change

BACKGROUND:

The property at 96 Lenox Street consists of a 19,071 square foot lot improved with a single-family residence constructed in 1875 and a detached three-car garage reconstructed by special permit in 2014. The petitioner proposes to raze the detached garage and construct an attached two-car garage and mudroom addition, as well as enclosing a porch for year-round use. The proposed changes will further increase the nonconforming FAR, requiring a special permit.

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

- Zoning Review Application, prepared by Joseph Walsh, contractor, submitted 5/5/2020
- FAR Worksheet, submitted 5/5/2020
- Proposed Site Plan, signed and stamped by Verne T. Porter, surveyor, dated 3/16/2020
- Architectural Plans, prepared by Rockwood Design, architect, dated 2/12/2020

ADMINISTRATIVE DETERMINATIONS:

- The petitioner intends to raze the 825 square foot detached garage and construct a one-story addition consisting of a two-car garage and mudroom. The petitioner is also seeking to enclose an existing porch. The proposed additions add 699 square feet to the dwelling. The site is governed by Special Permit #129-14 which allowed an increase in the nonconforming FAR from .36 to .37. However, an as-built calculation of the FAR indicates the FAR is currently .44. The proposed additions increase the nonconforming FAR from .44 to .48, requiring an amendment to the special permit per sections 3.1.3, 3.1.9 and 7.8.2.C.2.

SR1 Zone	Required	Existing	Proposed
Lot Size	15,000 square feet	19,071 square feet	No change
Frontage	100 feet	115 feet	No change
Setbacks			
• Front	25 feet	39.5 feet	No change
• Side	12.5 feet	8.5 feet	No change
• Side	12.5 feet	>30 feet	14.4 feet
• Rear	25 feet	>65 feet	64.5 feet
Max Number of Stories	2.5	2.5	No change
Max Height	36 feet	36.32 feet	36.24 feet
FAR	.29 (.37 by SP 129-14)	.44	.48
Max Lot Coverage	20%	18%	17%
Min. Open Space	65%	63.9%	74.2%

- See “Zoning Relief Summary” below:

Zoning Relief Required		
Ordinance		Action Required
	Amend Special Permit #129-14	
§3.1.3, §3.1.9 §7.8.2.C.2	Request to increase nonconforming FAR	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