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Barney S. Heath
Director

ZONING REVIEW MEMORANDUM

Date: January 4, 2021

To: John Lojek, Commissioner of Inspectional Services

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

Cc: Lena Gagliardi, Applicant
Barney S. Heath, Director of Planning and Development
Jonah Temple, Assistant City Solicitor

RE: Request to extend a nonconforming two-family use and to further exceed nonconforming FAR

Applicant: Lena Gagliardi	
Site: 66-68 Warwick Road	SBL: 31027 0035
Zoning: SR3	Lot Area: 5,673 square feet
Current use: Two-family dwelling	Proposed use: No change

BACKGROUND:

The property at 66-68 Warwick Road consists of a 5,673 square foot lot improved with a two-family dwelling constructed in 1880 in the Single Residence 3 zoning district. The petitioner intends to enclose the second floor screen porch, further extending the nonconforming FAR and extending the nonconforming two-family use.

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

- Zoning Review Application, prepared by Lena Gagliardi, applicant, submitted 11/18/2020
- Plan of Land, signed and stamped by Bruce Bradford, surveyor, dated 4/23/2020
- FAR worksheet, signed and stamped by Charles Calhoun, architect, dated 11/2/2020

ADMINISTRATIVE DETERMINATIONS:

1. The existing two-family dwelling use is nonconforming, as two-family dwellings are prohibited in the Single Residence 3 zoning district per section 3.4.1. The petitioner intends to convert the existing screen porch, altering the nonconforming two-family dwelling use. A special permit is required to alter and extend the nonconforming two-family dwelling use per sections 3.4.1 and 7.8.2.C.2.
2. Per section 1.5.5.B.1.b, unenclosed porches do not count toward FAR. The petitioner intends to enclose an existing second story screen porch with windows. Enclosing the 135 square foot porch increases the FAR from .92 to .94 where .48 is the maximum allowed. A special permit is required to further exceed the maximum FAR per sections 3.1.3, 3.1.9 and 7.8.2.C.2.

1. See "Zoning Relief Summary" below:

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

1. Two (2) copies of the completed Special Permit Application (signed by property owner)
2. Filing Fee (see Special Permit Application)
3. Two (2) copies of the Zoning Review Memorandum
4. 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)
5. One (1) Floor Area Ratio (FAR) Worksheet, (signed and stamped by a design professional)
6. One (1) copy of any previous special permits or variances on the property (as applicable)
7. One (1) copy of any other review/sign-off (Historic, Conservation, Tree Removal, etc. as applicable)
8. 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