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Barney S. Heath
Director

ZONING REVIEW MEMORANDUM

Date: December 15, 2020

To: John Lojek, Commissioner of Inspectional Services

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

Cc: Peter Sachs, Architect
Gilbert Ho, Applicant
Barney S. Heath, Director of Planning and Development
Jonah Temple, Assistant City Solicitor

RE: Request to allow single-family attached dwellings

Applicant: Gilbert Ho	
Site: 63-65 Broadway	SBL: 53033 0004
Zoning: MR1	Lot Area: 18,000 square feet
Current use: Two-family dwelling	Proposed use: Three single-family attached dwellings

BACKGROUND:

The property at 63-65 Broadway consists of an 18,000 square foot lot in the Multi Residence 1 zoning district. The property is improved with a two-family dwelling constructed in 1928. The petitioner intends to construct a rear addition consisting of a third dwelling unit with a two-car attached garage, creating a three-unit single-family attached dwelling structure.

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

- Zoning Review Application, prepared by Peter Sachs, architect, dated 9/23/2020
- FAR worksheet, submitted 9/23/2020
- Site Plan – Existing, prepared by Joseph R. Porter, surveyor, dated 2/20/2020
- Site Plan - Proposed, signed and stamped by Joseph R. Porter, surveyor, dated 6/9/2020, revised 11/5/2020
- Architectural plans and elevations, signed and stamped by Peter Sachs, architect, dated 9/23/2020

ADMINISTRATIVE DETERMINATIONS:

1. The petitioner proposes to construct a third unit at the rear of the existing two-unit dwelling. The construction will result in three single-family attached dwellings. Per section 3.4.1 a special permit is required to allow for single-family attached dwellings.

2. Section 3.2.4 requires a 25-foot side setback in the MR1 district for single-family attached dwellings. The existing dwelling has side setbacks of 10.2 feet on the northwestern property line and 19.4 feet on the southeastern line. The proposed addition results in a 14.7-foot side setback on the northwestern line. Section 3.2.4 allows the Council to grant exceptions to the dimensional standards when it is determined that literal compliance is impractical or that such exceptions are in the public interest. The petitioner seeks a waiver from the side setback requirement of section 3.2.4.

3. Section 5.1.7.A requires that no parking shall be located in the any required setback distances from a street or side lot lines, unless in conjunction with a single- or two-family dwelling, where one stall per unit is allowed. The petitioner proposes to construct two parking stalls within the front setback. As the parking is associated with a Single-Family Attached Dwelling project, no stalls may locate within the front setback, requiring relief per section 5.1.13.

4. Per section 6.2.3.B.2, no driveway may be located within 10 feet of a side or rear lot line. The petitioner proposes to locate the driveway within ten feet of the southeastern boundary, requiring special permits.

MR1 Zone	Required	Existing	Proposed
Lot Size	15,000 square feet	18,000 square feet	No change
Frontage	80 feet	90 feet	No change
Setbacks			
• Front	25 feet	25.9 feet	No change
• Side	25 feet	10.2 feet	No change
• Side	25 feet	19.4 feet	No change
• Rear	25 feet	100.1 feet	25.3 feet
Lot Area Per Unit	4,000 square feet	9,000 square feet	6,000 square feet
Building Height	36 feet	27.71 feet	27.9 feet
Max Number of Stories	2.5	2.5	No change
Lot Coverage	25%	13.8%	25%
Open Space	50%	70.5%	56.3%
FAR	NA	.22	.44

See "Zoning Relief Summary" below:

Zoning Relief Required		
<i>Ordinance</i>	<i>Requested Relief</i>	<i>Action Required</i>
§3.4.1	Request to allow single-family attached dwellings	S.P. per §7.3.3
§3.2.4	Request to waive side setback requirement	S.P. per §7.3.3
§5.1.7.A §5.1.13	Request to allow parking in the front setback	S.P. per §7.3.3
§6.2.3.B.2	Request to allow parking within 20 feet and a driveway within 10 feet of a side setback	S.P. per §7.3.3