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**Barney S. Heath**  
Director

## ZONING REVIEW MEMORANDUM

Date: March 29, 2021

To: John Lojek, Commissioner of Inspectional Services

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

Cc: Domenico Tambascia, Applicant  
Terrence Morris, Attorney  
Barney S. Heath, Director of Planning and Development  
Jonah Temple, Associate City Solicitor

RE: **Request to allow a three-story structure and an oversized dormer**

| Applicant: Domenico Tambascia    |                             |
|----------------------------------|-----------------------------|
| Site: 28 Harrington Street       | SBL: 21035 0015             |
| Zoning: MR3                      | Lot Area: 9,124 square feet |
| Current use: Two-family dwelling | Proposed use: No change     |

### BACKGROUND:

The property located at 28 Harrington Street consists of a 9,124 square foot lot improved with a two-family dwelling constructed circa 1928. The petitioner proposes to construct an oversized dormer in the attic level, resulting in a three-story structure.

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

- Zoning Review Application, prepared by Terrence Morris, attorney, submitted 2/10/2021
- Site survey, prepared by VTP Associates, dated 11/22/2011
- Architectural Plans and Elevations, prepared by Nicholas Paolucci, architect, dated 2/3/2021
- FAR worksheet, signed and stamped by Nicholas Paolucci, architect, undated

**ADMINISTRATIVE DETERMINATIONS:**

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1. The existing structure is 2.5 stories. A half story is defined as the story directly under a sloping roof where the area with a ceiling height of 7 feet or greater is less than 2/3 (66%) of the area of the story next below. The petitioner intends to construct dormers in the attic level above the second story, increasing the area with a ceiling height of 7 feet or greater to 935 square feet where the second story has 1,298 square feet, or 72%, resulting in a three-story structure. Per section 3.2.3, a special permit is required to allow for a three-story two-family structure in the MR3 zoning district.
2. The petitioner proposes to construct dormers on the either side of the structure. Per section 1.5.4.G.2.b, a dormer wider than 50% of the exterior wall of the story next below requires a special permit. The proposed dormer on the southern side is proposed at 78% of the wall next below, and the dormer on the northern side is proposed at 63%, both exceeding the maximum 50% allowed by the ordinance. A special permit is required to allow the two oversized dormers.

See “Zoning Relief Summary” below:

| <b>Zoning Relief Required</b> |  |                        |
|-------------------------------|--|------------------------|
| <i>Ordinance</i>              |  | <i>Action Required</i> |
| §3.2.3                        | Request to allow a three-story structure | S.P. per §7.3.3        |
| §1.5.4.G.2.b                  | Request to allow an FAR of 1.42          | S.P. per §7.3.3        |