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**Barney S. Heath**  
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## ZONING REVIEW MEMORANDUM

Date: May 18, 2021

To: John Lojek, Commissioner of Inspectional Services

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

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

RE: **Request to extend a nonconforming rear setback**

Applicant: Yongjie Yang	
Site: 5 Dedham Street	SBL: 83010 0017
Zoning: SR3	Lot Area: 7,569 square feet
Current use: Single-family dwelling	Proposed use: No change

### BACKGROUND:

The property at 5 Dedham Street consists of a 7,569 square foot corner lot improved with a single-family dwelling constructed in 1935 in the Single Residence 3 zoning district. The petitioner intends to construct a second-story addition, vertically extending the nonconforming rear setback, requiring a special permit.

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

- Zoning Review Application, prepared by Yongjie Yang, submitted 4/1/2021
- Plan of Land, signed and stamped by Peter Nolan, surveyor, dated 2/22/2021
- FAR worksheet, submitted 4/1/2021
- Floor Plans and Elevations, submitted 4/1/2021

**ADMINISTRATIVE DETERMINATIONS:**

1. The dwelling has a nonconforming rear setback of 7.7 feet, where 15 feet is required per section 3.1.3. The petitioner intends to construct a second story addition within the setback in the existing footprint. The addition does not increase the nonconformity, but the work within the setback extends the nonconformity vertically, requiring a special permit per sections 3.1.3 and 7.8.2.C.2.

SR3 Zone	Required	Existing	Proposed
Lot Size	7,000 square feet	7,569 square feet	No change
Frontage	70 feet	95 feet	No change
Setbacks <ul style="list-style-type: none"> <li>• Front - Dedham Street</li> <li>• Front - Winchester Street</li> <li>• Side</li> <li>• Rear</li> </ul>	25 feet 25 feet 7.5 feet 15 feet	25.8 feet 26.3 feet 26.9 feet <b>7.7 feet</b>	No change No change No change <b>No change</b>
Height	36 feet	24.7 feet	No change
Stories	2.5	2	No change
FAR	.47	.28	.32
Max Lot Coverage	30%	NA	No change
Min. Open Space	50%	NA	No change

1. See “Zoning Relief Summary” below:

Zoning Relief Required		
<i>Ordinance</i>		<i>Action Required</i>
§3.1.3 §3.1.9 §7.8.2.C.2	Request to extend a nonconforming rear setback	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