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Barney S. Heath
Director

ZONING REVIEW MEMORANDUM

Date: August 2, 2021

To: John Lojek, Commissioner of Inspectional Services

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

Cc: Whiteacre Properties LLC, Applicant
Terrence P. Morris, Attorney
Barney S. Heath, Director of Planning and Development
Jonah Temple, Acting City Solicitor

RE: **Request for a special permit to allow four single-family attached dwellings in two separate structures**

Applicant: Whiteacre Properties LLC	
Site: 34 Prescott Street	SBL: 23012 0004
Zoning: MR1	Lot Area: 19,432 square feet
Current use: Single-family dwelling and carriage	Proposed use: Four single-family attached dwellings in two structures

BACKGROUND:

The property at 34 Prescott Street consists of a 19,432 square foot lot improved with a single-family dwelling constructed circa 1890 and a detached carriage house. The petitioner proposes to convert the both the existing single-family dwelling and carriage house into 2 two-unit attached dwellings, for a total of four units.

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

- Zoning Review Application, prepared by Terrence Morris, attorney, submitted 2/8/2021, revised 5/29/2021
- FAR Worksheet, submitted 2/8/2021
- Existing Conditions Plan, signed and stamped by David Philip Terenzoni, surveyor, dated 9/13/2020, revised 10/22/2021, 1/13/2021
- Plot Plan, signed and stamped by David Philip Terenzoni, dated 2/4/2021, revised 7/30/2021
- Civil Site Plan, signed and stamped by Peter Gammie, Engineer, dated 7/30/2021

ADMINISTRATIVE DETERMINATIONS:

1. The petitioners propose to construct four single-family attached dwellings in two structures in the Multi Residence 1 zoning district. Per section 3.4.1, a special permit is required to construct attached dwellings in the MR1 district.
2. Section 3.2.4 requires a 25-foot setback for attached dwellings. The petitioners intend to preserve the existing historically significant single-family dwelling and reconfigure the interior floor plan to accommodate two units. The existing structure does not meet the 25-foot setback requirement with a 21-foot front setback and a 21.97-foot rear setback. The petitioner intends to remodel the carriage house to accommodate two units with no changes to the footprint.

The carriage house is located on an irregularly shaped rear leg of the lot. The structure meets the setback requirements for a detached accessory structure but is deficient on three sides for an attached single-family dwelling, with the shortest setback at 5 feet.

Section 3.2.4 allows the City Council to grant exceptions to the dimensional standards of the section if it is determined that literal compliance is impractical due to the nature of the use, or the location, size, frontage, depth, shape or grade of the lot, or that such exceptions would be in the public interest, or in the interest of safety, or protection of environmental features.

3. The petitioners propose to utilize and extend the existing driveway along the eastern property line to serve all four units which is less than 10 feet from the boundary. Per section 6.2.3.B.2, no driveway may be located within 10 feet of a side or rear lot line requiring a waiver.

Per this same section, no parking may be located within 20 feet of a boundary line. Several of the proposed parking stalls are located within 20 feet of a lot line, requiring a waiver per section 6.2.3.B.2.

4. Per section 5.1.4, two parking stalls are required per each dwelling unit. The petitioner proposes to construct four parking stalls for use by the two units proposed in the existing dwelling, and an additional two stalls for the carriage house. Where the carriage house will have two units, four parking stalls are required. In total, there will be six parking stalls to serve the four units where eight are required. The petitioner requires a special permit to waive two parking stalls per section 5.1.13.
5. Section 5.1.7.B.1 requires that parking stalls have a minimum width of 9 feet. The petitioners propose two parking stalls with widths of 8.5 feet at the rear of the front dwelling structure. A special permit per section 5.1.13 is required for the reduced stall width.
6. Section 5.1.7.B.2 requires that parking stalls have a minimum depth of 19 feet. The petitioners proposed two parking stalls with depths of 18 feet at the rear of the front dwelling structure. A special permit per section 5.1.13 is required for the reduced stall depth.

MR1 Zone	Required	Existing	Proposed
Lot Size	15,000 square feet	19,432 square feet	No change
Frontage	80 feet	140 feet	No change
Setbacks – Building 1 <ul style="list-style-type: none"> • Front • Side • Rear Setbacks – Building 2 <ul style="list-style-type: none"> • Side • Side • Side 	25 feet 25 feet 25 feet 25 feet 25 feet 25 feet	21 feet 29.7 feet 21.97 feet 6.9 feet 5 feet ±10 feet	No change No change No change No change No change No change
Building Height <ul style="list-style-type: none"> • Building 1 • Building 2 	36 feet 36 feet	41.6 24.3 feet	No change No change
Max Number of Stories <ul style="list-style-type: none"> • Building 1 • Building 2 	2.5 (3 by special permit)	2.5 2	No change No change
Lot Coverage	25%	17.2%	No change
Open Space	50%	56.3%	No change
Lot Area Per Unit	4,000 square feet	19,432 square feet	4,858 square feet

See “Zoning Relief Summary” below:

Zoning Relief Required		
<i>Ordinance</i>	<i>Requested Relief</i>	<i>Action Required</i>
§3.4.1	To allow attached single-family dwellings	S.P. per §7.3.3
§3.2.4	To reduce required side and rear setbacks	S.P. per §7.3.3
§6.2.3.B.2	To allow a driveway within 10 feet of the side lot line and parking within 20 feet of a boundary	S.P. per §7.3.3
§5.1.4 §5.1.13	To waive two parking stalls	S.P. per §7.3.3
§5.1.7.B.1 §5.1.13	To allow for a reduced parking stall width	S.P. per §7.3.3
§5.1.7.B.2 §5.1.13	To allow for a reduced parking stall depth	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