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Director

## ZONING REVIEW MEMORANDUM

Date: September 1, 2021

To: John Lojek, Commissioner of Inspectional Services

From: Jane Santosuosso, Chief Zoning Code Official

Cc: Norton Point Warren Street LLC  
David Oliveri, Applicant  
Terrence P. Morris, Attorney  
Barney S. Heath, Director of Planning and Development  
Jonah Temple, Assistant City Solicitor

RE: Request to allow five single-family attached dwellings

Applicant: Norton Point Warren Street LLC	
Site: 145 Warren Street	SBL: 61039 0010
Zoning: MR1	Lot Area: 23,399 square feet
Current use: Single-family dwelling	Proposed use: Five single-family attached dwellings

### BACKGROUND:

The property at 145 Warren Street consists of 23,399 square feet and is improved with a single-family dwelling built in 1916 and a detached accessory building in the MR1 zoning district.

The petitioners propose to add one unit to the rear of the existing dwelling, and construct three additional units behind them. The front and rear units are connected by a ground level shared garage with a courtyard space above it.

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

- Zoning Review Application, prepared by David Oliveri, dated 11/9/2020, revised 8/31/2021
- Elevations and sections, signed and stamped by Andrew Consigli, architect, dated 11/9/2020, revised 8/23/2021
- Zoning Plan, signed and stamped by Joseph R. Porter, surveyor, dated 11/4/2020

## **ADMINISTRATIVE DETERMINATIONS:**

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1. The petitioners propose to construct five single-family attached dwellings 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 make rear additions. The existing structure does not meet the 25-foot side setback requirement with setbacks of 14.4 feet on the westerly side and 23 feet on the easterly side. The proposed additions result in a decrease of the western side setback to 17.3 feet and the eastern side setback to 18.6 feet. The proposed decreased setbacks require a special permit per section 3.2.4.
3. The proposed additions result in a lot coverage of 33.6%, which exceeds the allowable 25% per section 3.2.4 requiring a waiver.
4. The petitioners propose to utilize and extend the existing driveway along the eastern property line to serve all five 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.
5. Section 5.1.4 requires two parking stalls per dwelling unit. The petitioner proposes to construct parking for the units in a garage accommodating seven stalls, where ten stalls are required. A special permit per section 5.1.13 is required to waive three parking stalls.
6. Section 5.1.8.D. 1 requires a driveway width of 20 feet for two-way traffic. The proposed driveway is 18 feet wide at its narrowest, requiring a waiver per section 5.1.13.
7. Retaining walls are proposed at the eastern and western property boundaries, as well as directly behind the proposed rear addition. The eastern and western walls are located within the required 25-foot setback. The eastern wall reaches a maximum height of 6 feet and the western has a maximum height of four feet. Per section 5.4.2.B, a retaining wall four feet or more in height in the setback requires a special permit.

MR1 Zone	Required	Existing	Proposed
Lot Size	15,000 square feet	23,399 square feet	No change
Frontage	80 feet	90 feet	No change
Setbacks			
• Front	25 feet	26.6 feet	No change
• Side	25 feet	<b>14.4 feet</b>	<b>No change</b>
• Side	25 feet	<b>23 feet</b>	<b>18.6 feet</b>
• Rear	25 feet	170.8 feet	51.1 feet
Building Height	36 feet	24.34 feet	29.42 feet
Max Number of Stories	2.5 (3 by special permit)	1	2.5
Lot Coverage Max	25%	12.9%	<b>33.6%</b>
Open Space Min	50%	77.2%	53%
Lot Area Per Unit	4,000 square feet	23,399 square feet	4,680 square feet

Nonconformities are indicated in **BOLD**

See “Zoning Relief Summary” below:

<b>Zoning Relief Required</b>		
<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 setback	S.P. per §7.3.3
§3.2.4	To increase allowed lot coverage	S.P. per §7.3.3
§6.2.3.B.2	To allow a driveway within 10 feet of the side lot line	S.P. per §7.3.3
§5.1.4 §5.1.13	To waive three parking stalls	S.P. per §7.3.3
§5.1.8.D. 1 §5.1.13	To allow for a reduced driveway width	S.P. per §7.3.3
§5.4.2.B	To allow retaining walls of four feet or more in height within a setback	S.P. per §7.3.3