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Barney S. Heath
Director

ZONING REVIEW MEMORANDUM

Date: September 30, 2021

To: John Lojek, Commissioner of Inspectional Services

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

Cc: Lauren Fagerberg, Applicant
Barney S. Heath, Director of Planning and Development
Jonah Temple, Associate City Solicitor

RE: Request to allow a three-story structure

| Applicant: Lauren Fagerberg | |
|--|-------------------------------------|
| Site: 127 Clark Street | SBL: 52029 0029 |
| Zoning: MR1 | Lot Area: 10,830 square feet |
| Current use: Single-family dwelling | Proposed use: No change |

BACKGROUND:

The property at 127 Clark Street consists of a 10,830 square foot lot improved with a single-family dwelling constructed in 1927. The petitioners propose to construct a three-story rear addition consisting of a three-car garage with two stories of living space above. The proposed addition changes the average grade surrounding the structure, creating a three-story dwelling requiring a special permit.

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

- Zoning Review Application, prepared by Lauren Fagerberg, submitted 8/12/2021
- Plan of Land, prepared by A.S. Elliot & Associates, surveyors, dated 2/27/2020
- Architectural plans and elevations, signed and stamped by Bond W. Worthington, architect, dated
- Proposed Conditions and Grading Plan, signed and stamped by Gamze Munden, Engineer, dated 7/29/2021
- Existing Conditions Plan of Land Showing Proposed Improvements, signed and stamped by Elliott Paturzo

ADMINISTRATIVE DETERMINATIONS:

1. The existing topography of the parcel slopes downward from the frontage to the rear. The proposed rear addition alters the average grade such that the basement becomes the first story. The proposed addition renders the dwelling a three-story structure where 2.5 is the maximum allowed per section 3.1.3. Per that same section, a special permit is required for a three-story single-family dwelling.

| MR1 Zone | Required | Existing | Proposed |
|--|--------------------------------|--|--|
| Lot Size | 7,000 square feet | 10,830 square feet | No change |
| Frontage | 70 feet | 60 feet | No change |
| Setbacks <ul style="list-style-type: none"> • Front • Side • Rear | 25 feet 7.5 feet 15 feet | 24.7 feet 10.1 feet 94.2 feet | No change No change No change |
| Max Number of Stories | 2.5 | 2 | 3* |
| Max Height | 36 feet | 29.4 feet | 32.5 feet |
| FAR | .50 | .24 | .47 |
| Max Lot Coverage | 30% | 9.3% | 18.3% |
| Min. Open Space | 50% | 78% | 69% |

*Requires relief

Figures in **Bold** are nonconforming

1. See “Zoning Relief Summary” below:

| Zoning Relief Required | | |
|------------------------|--|------------------------|
| <i>Ordinance</i> | | <i>Action Required</i> |
| §3.1.3 | Request to allow a three-story structure | 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:

2. Two (2) copies of the completed Special Permit Application (signed by property owner)
3. Filing Fee (see Special Permit Application)
4. Two (2) copies of the Zoning Review Memorandum
5. 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)
6. One (1) Floor Area Ratio (FAR) Worksheet, (signed and stamped by a design professional)
7. One (1) copy of any previous special permits or variances on the property (as applicable)
8. One (1) copy of any other review/sign-off (Historic, Conservation, Tree Removal, etc. as applicable)
9. 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