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**Barney S. Heath**  
Director

## ZONING REVIEW MEMORANDUM

Date: September 28, 2021

To: John Lojek, Commissioner of Inspectional Services

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

Cc: Elizabeth Richter, Applicant  
Derek Bloom, Architect  
Barney S. Heath, Director of Planning and Development  
Jonah Temple, Associate City Solicitor

**RE: Request to further increase nonconforming FAR and to allow an oversized dormer**

Applicant: Elizabeth Richter	
Site: 109 Oak Terrace	SBL: 52001 0002
Zoning: SR2	Lot Area: 4,633 square feet
Current use: Single-family dwelling	Proposed use: No change

### BACKGROUND:

The property at 9 Oak Terrace consists of a 4,633 square foot corner lot improved with a single-family dwelling constructed in 1906. The petitioners propose to construct a rear dormer. The proposed dormer is wider than allowed by right and will further increase the nonconforming FAR, requiring a special permit.

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

- Zoning Review Application, prepared by Derek bloom, architect, submitted 7/30/2021
- Plot Plan of Land, prepared by Peter Nolan & Associates, surveyor, dated 7/28/2021
- FAR calculation, dated 7/27/2021
- Plans and elevations, prepared Bloom Architecture, architect, dated 8/26/2021

**ADMINISTRATIVE DETERMINATIONS:**

1. The petitioners intend to construct a rear shed dormer. The dormer is 24.5 feet wide where the wall plane next below is 34.5 feet wide. Per section 1.5.4.G.2.b, the length of dormer may be no wider than 50% of the length of the exterior wall of the story next below. The proposed dormer is 71% of the length of the wall of the story next below, requiring a special permit.
2. The dormer adds 131 square feet towards the FAR resulting in a total of 3,354 square feet. The existing nonconforming FAR is .70, where .46 is the maximum allowed per section 3.1.9. The proposed addition further increases the nonconforming FAR to .72, requiring a special permit pursuant to Sections 3.1.3, 3.1.9 and 7.8.2.C.2.

SR2 Zone	Required	Existing	Proposed
Lot Size	10,000 square feet	<b>4,633 square feet</b>	No change
Frontage	100 feet	<b>66 feet</b>	No change
Setbacks			
• Front	25 feet	<b>6.7 feet</b>	No change
• Side	7.5 feet	7.9 feet	No change
• Side	7.5 feet	16.6 feet	20 feet
• Rear	0 feet**	7.9 feet	No change
Max Number of Stories	2.5	2.5	No change
Max Height	36 feet	35.44 feet	No change
FAR	.46	<b>.70</b>	<b>.72*</b>
Max Lot Coverage	30%	22.5%	No change
Min. Open Space	50%	53.9%	No change

Figures in **BOLD** are nonconforming

\*Requires a special permit

\*\*Per section 1.5.2.A, no setback is required abutting an aqueduct

1. See “Zoning Relief Summary” below:

Zoning Relief Required		
Ordinance		Action Required
§1.5.4.G.2.b	Request to allow an oversized dormer	S.P. per §7.3.3
§3.1.3, §3.1.9 §7.8.2.C.2	Request to further increase nonconforming FAR	S.P. per §7.3.3