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Barney S. Heath
Director

ZONING REVIEW MEMORANDUM

Date: September 20, 2021

To: John Lojek, Commissioner of Inspectional Services

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

Cc: Daniel S. Elfman and Alyssa D. Bickoff, Applicants
Franklin Schwarzer, Attorney
Barney S. Heath, Director of Planning and Development
Jonah Temple, Associate City Solicitor

RE: Request to exceed FAR and to allow a retaining wall exceeding four feet within a setback

Applicant: Daniel Elfman and Alyssa Bickoff

Site: 111 Gordon Road	SBL: 53009 0015
Zoning: SR2	Lot Area: 14,500 square feet
Current use: Single-family dwelling	Proposed use: No change

BACKGROUND:

The property at 111 Gordon Road consists of a 14,500 square foot lot improved with a single-family dwelling constructed in 1929. The petitioners propose to construct a 2.5-story addition consisting of a one-car garage in the basement with living space in the stories above. Additionally, the petitioners propose to reconstruct and reconfigure a retaining wall at the rear of the property. The proposed changes require a special permit.

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

- Zoning Review Application, prepared by Franklin Schwarzer, attorney, submitted 7/28/2021
- Existing Conditions Plan, signed and stamped by Claudio Sala, surveyor, dated 4/21/2021
- Proposed Conditions Plan, signed and stamped by Claudio Sala, surveyor, dated 4/21/2021
- Permit set, prepared by Spalding Tougias, architect, dated 4/1/2021
- FAR calculation, submitted 7/28/2021

ADMINISTRATIVE DETERMINATIONS:

- The petitioners propose to construct a 2.5-story addition to include a one-car garage at the basement level and two levels of living space above. The proposed addition results in a FAR of .36 where .34 is the maximum allowed. To exceed the maximum allowed requires a special permit pursuant to Sections 3.1.3 and 3.1.9.
- An existing retaining wall at the end of the driveway is proposed to be reconfigured and reconstructed to square off the right corner. The proposed wall has a maximum height of 6.9 feet within the side setback. Per section 5.4.2.B retaining walls in excess of four feet within a setback require a special permit.

SR2 Zone	Required	Existing	Proposed
Lot Size	10,000 square feet	14,500 square feet	No change
Frontage	100 feet	95 feet	No change
Setbacks			
• Front	25 feet	39.8 feet	No change
• Side	7.5 feet	20.2 feet	No change
• Side	7.5 feet	17 feet	7.7 feet
• Rear	15 feet	62.5 feet	No change
Max Number of Stories	2.5	2.5	No change
Max Height	36 feet	31.5 feet	32.4 feet
FAR	.34	.30	.36
Max. Lot Coverage	30%	14.9%	17.3%
Min. Open Space	50%	77.8%	72.8%

Items in **Bold** are either nonconforming or require a special permit.

- See “Zoning Relief Summary” below:

Zoning Relief Required		
<i>Ordinance</i>		<i>Action Required</i>
§3.1.3 §3.1.9	Request to exceed FAR	S.P. per §7.3.3
§5.4.2.B	Request to allow a retaining wall exceeding four feet within the 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:

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