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Barney S. Heath
Director

ZONING REVIEW MEMORANDUM

Date: October 12, 2021

To: John Lojek, Commissioner of Inspectional Services

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

Cc: Joanne Ren, Applicant
Barney S. Heath, Director of Planning and Development
Jonah Temple, Assistant City Solicitor

RE: **Request to extend a nonconforming rear setback and to further increase nonconforming lot coverage**

Applicant: Joanne Ren	
Site: 14 Cummings Road	SBL: 64003 0053
Zoning: SR2	Lot Area: 4,008 square feet
Current use: Single-family dwelling	Proposed use: No change

BACKGROUND:

The property at 14 Cummings Road consists of a 4,008 square foot corner lot improved with a single-family dwelling constructed circa 1860 in the Single Residence 2 zoning district. The petitioner intends to construct a two-story addition, extending the nonconforming rear setback and further increasing the nonconforming lot coverage, requiring a special permit.

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

- Zoning Review Application, prepared by Joanne Ren, submitted 7/27/2021
- Plot Plan, Existing Conditions, signed and stamped by Timothy R. Callahan, surveyor, dated 1/2/2020
- Plot Plan, Proposed Conditions, signed and stamped by Timothy R. Callahan, surveyor, dated 1/2/2020, revised 10/12/2021
- FAR worksheet, submitted 8/31/2021
- Elevations, signed and stamped by Jim Chen, architect, submitted 7/27/2021

ADMINISTRATIVE DETERMINATIONS:

1. The dwelling has a nonconforming rear setback of 6.4 feet, where 15 feet is required per section 3.1.3. The petitioner intends to construct a two-story addition extending the nonconforming rear setback, requiring a special permit per sections 3.1.3 and 7.8.2.C.2.
2. The parcel has an existing nonconforming lot coverage of 34.9% where 30% is the maximum allowed per section 3.1.3. The proposed addition further increases the nonconforming lot coverage to 39.7%, requiring a special permit per sections 3.1.3 and 7.8.2.C.2.

SR2 Zone	Required	Existing	Proposed
Lot Size	10,000 square feet	4,008 square feet	No change
Frontage	80 feet	74 feet	No change
Setbacks			
• Front – Cummings Road	25 feet	14.6 feet	No change
• Front – Denny's Place	25 feet	34.7 feet	30.5 feet
• Side	7.5 feet	4.5 feet	No change
• Rear	15 feet	6.4 feet	No change*
Height	36 feet	21 feet	No change
Stories	2.5	2	No change
FAR	.46	.34	.45
Max Lot Coverage	30%	34.9%	39.7%*
Min. Open Space	50%	70.3%	64.6%

Figures in **BOLD** are nonconforming

*Requires relief

1. See "Zoning Relief Summary" below:

Zoning Relief Required		
Ordinance		Action Required
§3.1.3 §7.8.2.C.2	Request to extend a nonconforming rear setback	S.P. per §7.3.3
§3.1.3 §7.8.2.C.2	Request to extend nonconforming lot coverage	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**