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Barney S. Heath
Director

ZONING REVIEW MEMORANDUM

Date: June 7, 2022

To: John Lojek, Commissioner of Inspectional Services

From: Jane Santosuosso, Chief Zoning Code Official
Katie Whewell, Chief Planner for Current Planning

Cc: Stephen Buchbinder, Attorney
Schiavone Wilson Circle Trust, Applicant
Barney S. Heath, Director of Planning and Development
Jonah Temple, Deputy City Solicitor

RE: **Request to allow five single-family attached dwellings**

Applicant: Schiavone Wilson Circle Trust	
Site: 24 Wilson Circle	SBL: 54022 0019
Zoning: MR1	Lot Area: 28,513 square feet
Current use: Single-family dwelling	Proposed use: Five single-family attached dwellings

BACKGROUND:

The property at 24 Wilson Circle consists of 28,513 square feet and is improved with a single-family dwelling built circa 1905 in the MR1 zoning district. The petitioner proposes to demolish the existing dwelling and construct five single-family attached dwellings and associated surface parking.

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

- Zoning Review Application, prepared by Stephen J. Buchbinder, attorney, submitted 4/28/2022
- Floor plans and elevations, prepared by Pears Design Group, dated 3/31/2022
- Existing Conditions Site Plan, signed and stamped by Verne T. Porter, dated 4/27/2022
- Proposed Conditions Site Plan, signed and stamped by Verne T. Porter, dated 4/27/2022

ADMINISTRATIVE DETERMINATIONS:

1. The petitioners propose to raze the existing single-family dwelling and 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. Per section 6.2.3.B.2 no parking space may be located within 20 feet of a boundary unless by special permit. Several surface parking stalls are proposed in the southern corner of the lot with the shortest setback of 14 feet, requiring a special permit.

Per this same section 6.2.3.B.2, no driveway may be located within 10 feet of a side or rear lot line, unless by special permit. The proposed driveway is within ten feet of the southern side lot line, requiring a special permit.

3. The petitioner proposes to construct patios with retaining walls behind each of the units. The proposed retaining walls reach a maximum height of 10.34 feet behind unit 5 with a setback of 14.3 feet, where 25 feet is the required setback per section 3.2.4. Per section 5.4.2.B a retaining wall exceeding four feet in height within the setback requires a special permit.

MR1 Zone	Required	Existing	Proposed
Lot Size	15,000 square feet	28,513 square feet	No change
Frontage	80 feet	99.4 feet	No change
Setbacks			
• Front	25 feet	42.4 feet	31 feet
• Side	25 feet	16.7 feet	26 feet
• Side	25 feet	NA	50 feet
• Rear	25 feet	144.6 feet	31.1 feet
Building Height	36 feet	30.25	25.35 feet
Max Number of Stories	2.5 (3 by SP)	2	No change
Lot Coverage Max	25%	5.8%	21.1%
Open Space Min	50%	74.1%	59.3%
Lot Area Per Unit	4,000 square feet	28,513 square feet	5,703 square feet

See "Zoning Relief Summary" below:

Zoning Relief Required		
<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
§6.2.3.B.2	To allow a driveway within 10 feet of the rear lot line and parking within 20 feet of the front and rear lot lines	S.P. per §7.3.3
§5.4.2.B	To allow a retaining wall exceeding four feet in height in a setback	S.P. per §7.3.3