

Department of Planning and Development



PETITION #25-22

22-24 MILO STREET

SPECIAL PERMIT/SITE PLAN
APPROVAL TO FURTHER EXTEND
THE NONCONFORMING TWO-
FAMILY USE AND INCREASE THE
NONCONFORMING FAR



JANUARY 11, 2022

Requested Relief



Special Permits per §7.3.3, 7.8.2.C.2 of the Newton Zoning Ordinance to:

- Further extend a nonconforming two-family use (§3.4.1, §7.8.2.C.2);
- To increase the nonconforming FAR (§3.1.9, and §7.8.2.C.2).

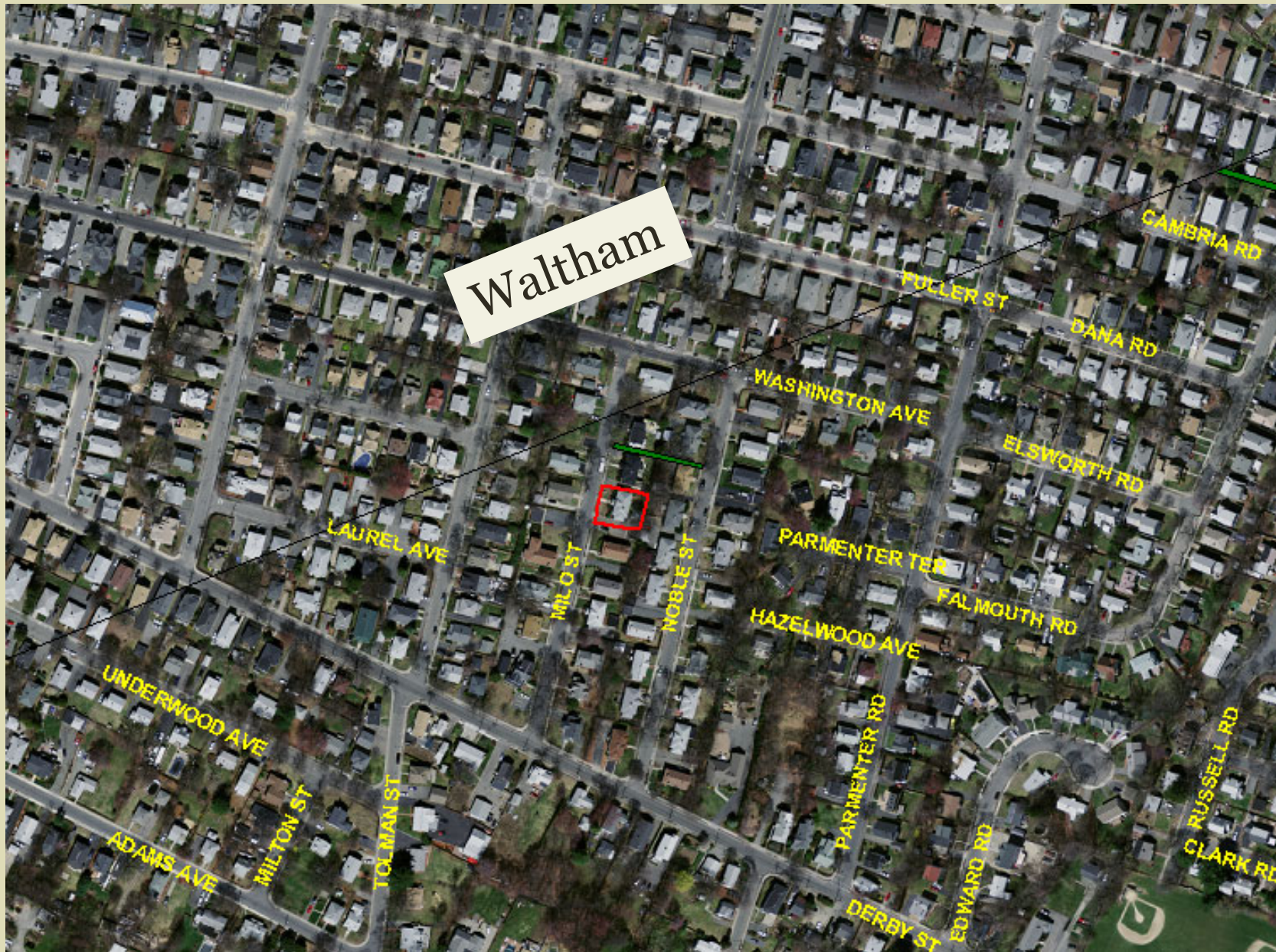
Criteria to Consider



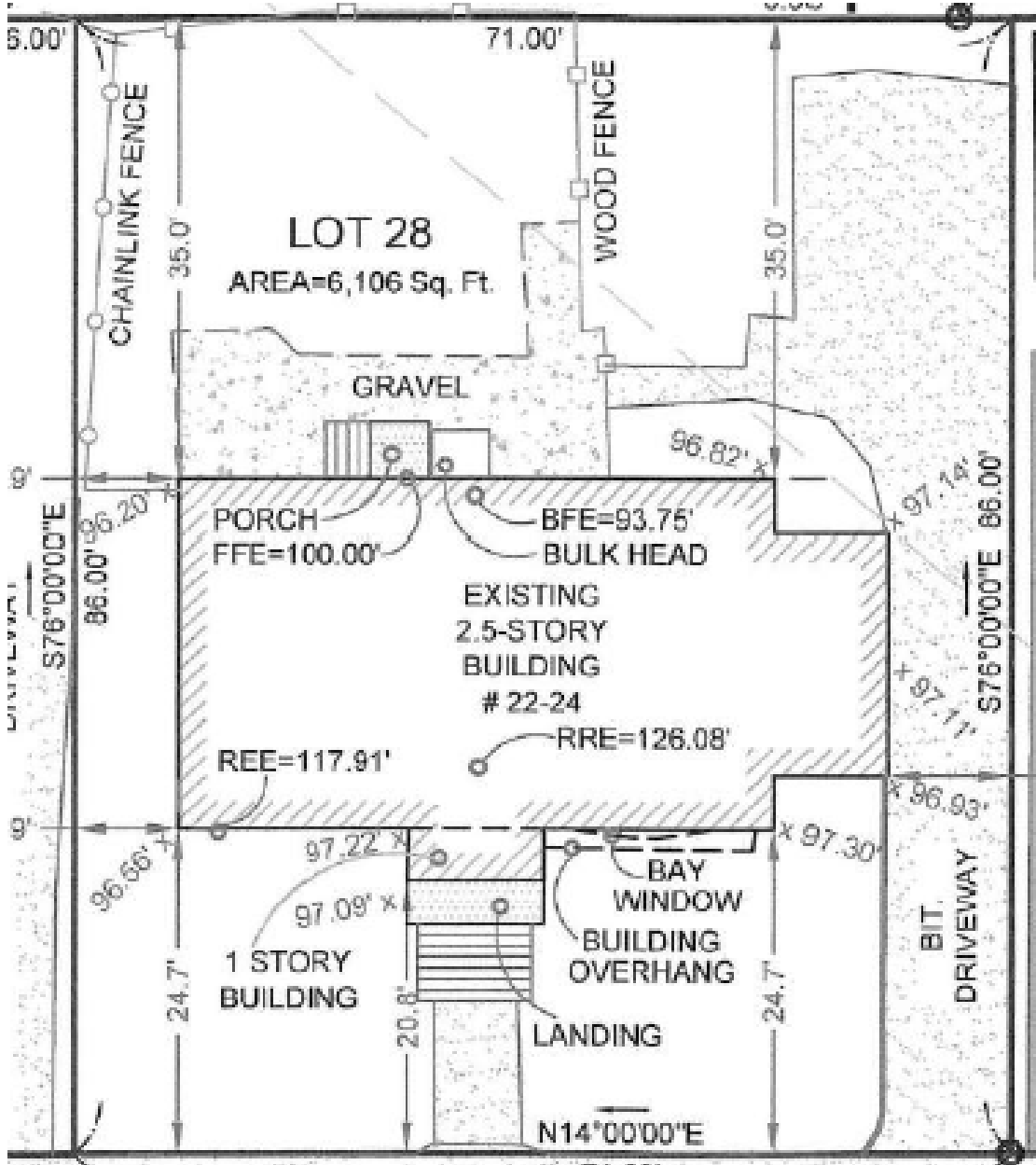
When reviewing this request, the Council should consider whether:

- The proposed extension of the nonconforming two-family use will be substantially more detrimental than the existing nonconforming two-family use is to the neighborhood (§3.4.1, §7.8.2.C.2);
- The proposed increase in the nonconforming FAR from .50 to .55 where .48 is the maximum allowed by right is consistent with and not in derogation of the size, scale and design of other structures in the neighborhood (§3.1.9, and §7.8.2.C.2).
- The proposed increase in nonconforming FAR is not substantially more detrimental than the existing nonconforming structure is to the neighborhood (§3.1.9, and §7.8.2.C.2).

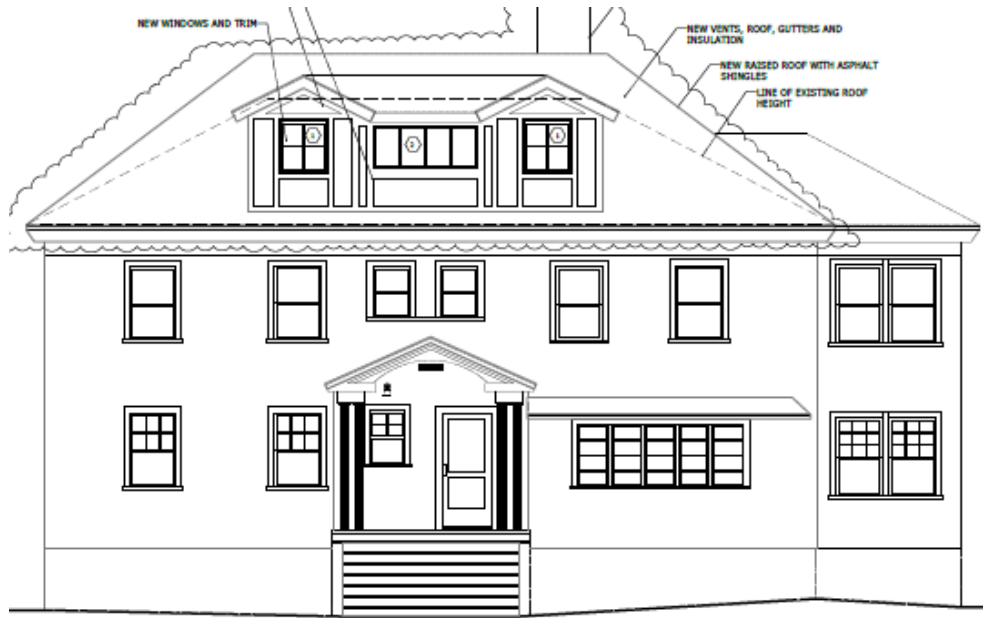
Aerial/GIS Map



Site Plan



Elevations



Proposed Front Elevation



Proposed Rear Elevation

Proposed Findings



1. The proposed extension of the nonconforming two-family dwelling will not be substantially more detrimental than the existing nonconforming two-family dwelling is **to the neighborhood because the neighborhood consists of nonconforming two-family uses** (§3.4.1, §7.8.2.C.2).
2. The proposed increase in the nonconforming FAR from .50 to .55 where .48 is the maximum allowed by right is consistent with and not in derogation of the size, scale, and design of other structures in the neighborhood **because the additional floor area is within the footprint of the structure.** (§3.1.9, and §7.8.2.C.2).
3. The proposed increase in nonconforming FAR is not substantially more detrimental than the existing nonconforming structure is to the neighborhood because **the proposed dormers which increase the FAR meet the dormer requirements of the Newton Zoning Ordinance**(§3.1.9, and §7.8.2.C.2).

Proposed Conditions



1. Plan Referencing Condition.
2. Standard Building Permit Condition.
3. Standard Final Inspection/Certificate of Occupancy Condition.