

CITY OF NEWTON
IN CITY COUNCIL

ORDERED:

That the City Council, finding that the public convenience and welfare will be substantially served by its action, that the use of the site will be in harmony with the conditions, safeguards and limitations set forth in the Zoning Ordinance, and that said action will be without substantial detriment to the public good, and without substantially derogating from the intent or purpose of the Zoning Ordinance, grants approval of the following SPECIAL PERMIT/SITE PLAN APPROVAL to construct a single story addition and increase the nonconforming FAR from .44 to .45, where .41 is the maximum allowed by right, as recommended by the Land Use Committee for the reasons given by the Committee, through its Chairman, Councilor Richard Lipof:

1. The proposed increase in the nonconforming FAR from .44 to .45, where .41 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 addition is focused to the rear and will not be visible from the street. (§3.1.3, §3.1.9, and §7.8.2.C.2)
2. The proposed increase in nonconforming FAR is not substantially more detrimental than the existing nonconforming structure is to the neighborhood because the addition is within the existing footprint and focused to the rear of the dwelling. (§3.1.3, §3.1.9, and §7.8.2.C.2)

PETITION NUMBER: #297-22

PETITIONER: John Scherry and Hyunsun Lee

LOCATION: 58 Greenlawn Avenue, on land known as Section 64, Block 13, Lot 14, containing approximately 8,130 square feet of land

OWNER: John Scherry and Hyunsun Lee

ADDRESS OF OWNER: 58 Greenlawn Avenue
Newton, MA 02459

TO BE USED FOR: Single-Family Dwelling

CONSTRUCTION: Wood frame

EXPLANATORY NOTES: Special permit pursuant to §3.1.3, §3.1.9, and §7.8.2.C.2 to increase the nonconforming FAR

ZONING: Single Residence 2

Approved subject to the following conditions:

1. All buildings, parking areas, driveways, walkways, landscaping and other site features associated with this special permit/site plan approval shall be located and constructed consistent with:
 - a. Plot Plan, signed and stamped by John M., Professional Land Surveyor, dated October 16, 1990
 - b. Architectural Plans and Elevations, "Addition to 58 Greenlawn Avenue" prepared by Architects 2., signed and stamped by Charles Navratil, most recently revised December 17, 2021 consisting of the following three (3) sheets:
 - i. Left Side Elevation, A2.1
 - ii. Rear Elevation, A2.2
 - iii. Right Side Elevation, A2.3
2. No building permit shall be issued pursuant to this Special Permit/Site Plan Approval until the petitioners have:
 - a. Recorded a certified copy of this order for the approved Special Permit/Site plan with the Registry of Deeds for the Southern District of Middlesex County.
 - b. Filed a copy of such recorded order with the City Clerk, the Department of Inspectional Services, and the Department of Planning and Development.
 - c. Obtained a written statement from the Planning Department that confirms the building permit plans are consistent with plans approved in Condition #1.
5. No Final Inspection/Occupancy Permit for the use covered by this special permit/site plan approval shall be issued until the petitioners have:
 - a. Filed with the City Clerk, the Department of Inspectional Services, and the Department of Planning and Development statements by a registered architect and professional land surveyor certifying compliance with Condition #1, including the as built FAR of the structure.
 - b. Submitted to the Director of Planning and Development and Commissioner of Inspectional Services final as-built plans in paper and digital format signed and stamped by a licensed land surveyor.