



Ruthanne Fuller
Mayor

City of Newton, Massachusetts
Department of Planning and Development
1000 Commonwealth Avenue Newton, Massachusetts 02459

Telephone
(617) 796-1120
Telefax
(617) 796-1142
TDD/TTY
(617) 796-1089
www.newtonma.gov

Barney S. Heath
Director

ZONING REVIEW MEMORANDUM

Date: May 11, 2022

To: John Lojek, Commissioner of Inspectional Services

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

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

RE: Request to further increase nonconforming FAR

Applicant: Sean Zheng	
Site: 34 Westbourne Rd	SBL: 73044 0012
Zoning: SR2	Lot Area: 7,640 square feet
Current use: Single-family dwelling	Proposed use: No change

BACKGROUND:

The property at 34 Westbourne Road consists of a 7,640 square foot lot improved with a single-family dwelling constructed circa 1895. The petitioner proposes to raze the detached garage and construct a new larger garage which will further increase the nonconforming FAR, requiring a special permit.

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

- Zoning Review Application, prepared Sean Zheng, applicant, dated 4/6/2022
- Existing conditions plan, submitted 4/6/2022
- Proposed Conditions Plot Plan, signed and stamped by Alexander Crucoli, surveyor, dated 2/28/2022
- Floor Plans and Elevations, signed and stamped by John Karavolas, civil engineer, submitted 4/6/2022
- FAR calculations, submitted 4/6/2022

ADMINISTRATIVE DETERMINATIONS:

1. The petitioners propose to raze the existing 324 square foot detached garage structure at the rear of the property and construct a 528 square foot detached garage. The proposed construction increases the nonconforming FAR from .44 to .46, where .42 is the maximum allowed per sections 3.1.3 and 3.1.9. A special permit per section 7.8.2.C.2 is required to further increase the nonconforming FAR.

SR2 Zone	Required	Existing	Proposed
Lot Size	10,000 square feet	7,640 square feet	No change
Frontage	80 feet	78.6 feet	No change
Setbacks (Accessory) <ul style="list-style-type: none"> • Front • Side • Rear 	25 feet 5 feet 5 feet	>70 feet 3 feet 3 feet	>70 feet 5 feet 5 feet
Height (Accessory)	22 feet	NA	19 feet
Stories (Accessory)	1.5	1	1
FAR	.41	.44	.46*
Max Lot Coverage	30%	20.1%	22.8%
Min. Open Space	50%	59.8%	57.1%

*Requires relief

1. See “Zoning Relief Summary” below:

Zoning Relief Required		
<i>Ordinance</i>		<i>Action Required</i>
§3.1.3 §3.1.9 §7.8.2.C.2	Request to further increase nonconforming FAR	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