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Barney S. Heath
Director

ZONING REVIEW MEMORANDUM

Date: July 18, 2022

To: John Lojek, Commissioner of Inspectional Services

From: Jane Santosuosso, Chief Zoning Code Official

Cc: John Butts and Lisa Weinman, Applicant
John Vining, Architect
Barney S. Heath, Director of Planning and Development
Jonah Temple, Deputy City Solicitor

RE: Request to alter and vertically extend a nonconforming front and rear setback

Applicant: John Butts and Lisa Weinman	
Site: 6 Rotherwood Road	SBL: 62016 0050
Zoning: SR3	Lot Area: 8,990 square feet
Current use: Single-family dwelling	Proposed use: No change

BACKGROUND:

The property at 6 Rotherwood Road consists of an 8,990 square foot corner lot improved with a single-family dwelling constructed in 1930. The petitioners seek to construct a two-story rear addition, requiring a special permit to alter and vertically extend the nonconforming rear setback.

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

- Zoning Review Application, prepared by John Vining, architect, submitted 5/5/2022
- Plot Plan, signed and stamped by Scott M. L'Italien, surveyor, dated 5/4/2022
- FAR worksheet, submitted 5/5/2022
- Floor plans and elevations, Feinmann Design Build, architect, dated 3/24/2022
- Average grade calculation, prepared by Cypress Design, surveyors, dated 7/9/2022

ADMINISTRATIVE DETERMINATIONS:

1. The petitioners seek to construct a two-story addition at the rear of the dwelling within the footprint of an existing deck. The deck has a nonconforming rear setback of 5.5 feet where 15 feet is required per section 3.1.3. While the proposed addition reduces the nonconformity of the setback to 6.1 feet, it extends the setback vertically, requiring a special permit per section 7.8.2.C.2.
2. The deck also has a nonconforming front setback from Allerton Road of 22.2 feet where 25 feet is required. The proposed two-story addition results in a front setback of 22.4 feet. Per section 7.8.2.B.2, alterations and additions to the front of a structure of not more than 75 square feet in size that do not encroach any farther into the front setback are allowed by de minimis. The proposed addition adds only 56 square feet within the front setback and is set back one foot from the existing footprint. No relief is required for the proposed addition within the front setback.

SR3 Zone	Required	Existing	Proposed
Lot Size	7,000 square feet	8,990 square feet	No change
Frontage	80 feet	105 feet	No change
Setbacks			
• Front (Rotherwood Rd)	25 feet	26.1 feet	No change
• Front (Allerton Rd)	25 feet	22.2 feet	22.4 feet
• Side	6.1 feet	53.2 feet	No change
• Rear	15 feet	5.5 feet	6.1 feet*
Height	36 feet	31.6 feet	No change
Max Number of Stories	2.5	2.5	No change
FAR	.43	.32	.36
Max Lot Coverage	30%	16.6%	19.3%
Min. Open Space	50%	71%	No change

See “Zoning Relief Summary” below:

Zoning Relief Required		
Ordinance		Action Required
§3.1.3 §7.8.2.C.2	Request to vertically extend the nonconforming rear setback	S.P. per §7.3.3