

# City of Newton Planning and Development

Petition: #318-23

**Special Permit/Site Plan Approval**  
to demolish the existing dwelling and construct  
three single-family attached dwellings

October 17, 2023



**15-17 Jewett Place**

# Zoning Relief

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
§3.2.4	To allow reduced lot area	S.P. per §7.3.3
§3.2.4	To allow a reduced rear setback	S.P. per §7.3.3
§5.4.2.B	To allow a retaining wall of four feet or higher in a setback	S.P. per §7.3.3
§6.2.3.B.2	To allow parking within 20 feet of a boundary line and a driveway within 10 feet of the side lot line	S.P. per §7.3.3

# Criteria to Consider

When reviewing this request, the Council should consider:

- The site and structures as proposed are an appropriate location for the density and proposed dimensional controls for the proposed three single family attached dwellings (7.3.3.C.1)
- The proposed three single family attached dwellings with the proposed dimensional controls will not adversely affect the neighborhood (§7.3.3.C.2)
- The proposed three single family attached dwellings will not create a nuisance or serious hazard to vehicles or pedestrians (§7.3.3.C.3)
- Access to the site over streets is appropriate for the types and numbers of vehicles involved. (§7.3.3.C.4)
- Literal compliance with the parking requirements of the Newton Zoning Ordinance is impracticable due to the nature of the use, or the location, size, width depth, shape, or grade of the lot, or that such exceptions would be in the public interest or in the interest of safety or protection of environmental features. (§5.1.13)
- The specific site is an appropriate location for a retaining wall of four feet in height within the side setback (§5.4.2.B and §7.3.3)

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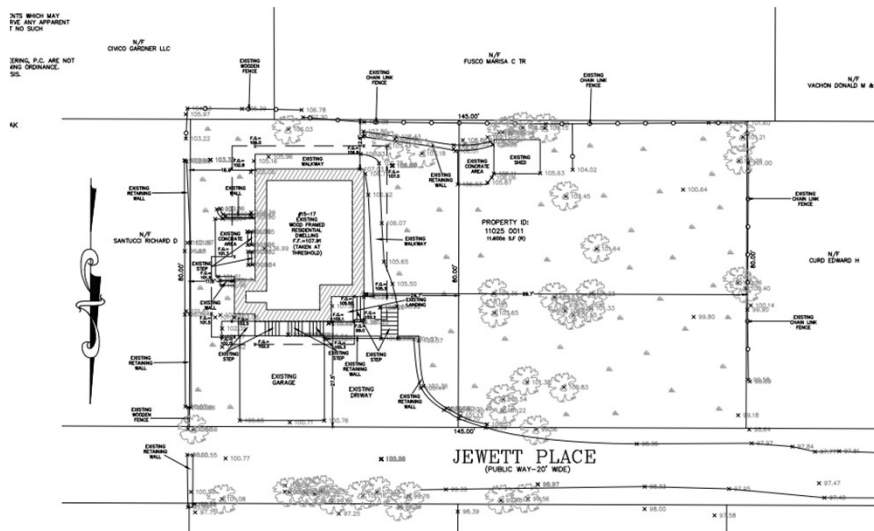
## Aerial Map



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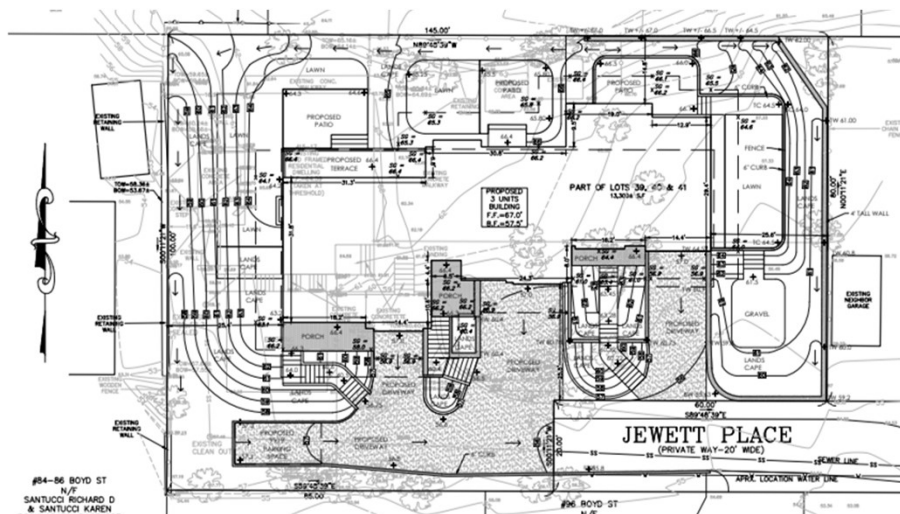
# Current Site Plan



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# Proposed Site Plan



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# Proposed Front elevation



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# Proposed Left elevation



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# Proposed Right elevation



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# Proposed Rear elevation



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## Findings

1. The specific site is an appropriate location for the proposed project as designed in the Multi Residence 2 district (MR-2) because it is a residential use in a residential district, and the neighborhood has existing structures with two-family and multifamily uses. (§7.3.3.C.1)
2. The proposed three single-family attached dwellings that require relief for reduced lot area, a reduced rear setback, parking within 20 feet of a side lot line, a driveway within 10 feet of the side lot line, and to allow a retaining wall of four feet or higher within a setback as designed will not adversely affect the neighborhood because the design will bring a nonconforming side setback into compliance and the proposed dwelling exceeds the lot area per unit required for single family attached dwellings. (§7.3.3.C.2)
3. The proposed residential project will not create a nuisance or serious hazard to vehicles or pedestrians because all parking will be contained on the site. (§7.3.3.C.3)
4. Access to the site over streets is appropriate for the types and numbers of vehicles involved. (§7.3.3.C.4)
5. Literal compliance with the required location of the parking and driveway on the site is impracticable due to the existing location of the driveway. (§5.1.13)
6. The site is an appropriate location for a retaining wall exceeding four feet in height within the side setback due to the grade of the site. (§5.4.2.B and §7.3.3)

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## Conditions

1. Plan referencing
2. All electric
3. Pest control
4. Final landscape plan with adequate screening and fence to mitigate headlights
5. Pervious paving
6. Standard building permit conditions
7. Standard occupancy conditions

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