

CITY OF NEWTON

IN CITY COUNCIL

ORDERED:

That it is the decision of the City Council, based upon the findings and reasons set forth below, as recommended by the Land Use Committee through its Chair, Councilor Andrea Kelley, that the request for a SPECIAL PERMIT/SITE PLAN APPROVAL to allow a parking stall within five feet of the street and to waive the required parking stall depth does not satisfy the criteria for approval set forth in §7.3.3 of the Zoning Ordinance. The City Council finds the public convenience and welfare will not be substantially served by approval of the requested relief and that granting of the requested relief would not be in harmony with the conditions, safeguards, and limitations set forth in the Zoning Ordinance. In making its findings, the City Council relied upon the oral testimony received by the City Council, the written information filed with the City Council, as well as the plans filed by the petitioner.

The City Council therefore DENIES the requested relief based upon the following findings and reasons:

1. The site is not an appropriate location for the proposed undersized parking stall because it would not be able to accommodate a standard size vehicle; other parking stalls located in front setbacks in the neighborhood have wider lots to accommodate a side driveway, increased maneuverability room and/or predate current parking requirements. (§7.3.3.C.1)
2. The proposed parking stall will adversely affect the neighborhood because creating a new curb cut will decrease the availability of on-street parking by removing curb space for vehicles on street where vehicles are only permitted to park on one side of the street. (§7.3.3.C.2.)
3. The proposed parking stall may create a nuisance or serious hazard to vehicles or pedestrians because the stall will be very close to the sidewalk which is likely to result in a vehicle overhanging onto the sidewalk, and a neighboring fence partially obscures sightlines on the north side of the proposed stall. (§7.3.3.C.3)
4. Access to the site over streets is not appropriate for the types and numbers of vehicles involved because of the substandard stall size and lack of buffer room between the parking stall and the sidewalk. (§7.3.3.C.4)
5. An exception to the requirement that no parking stall be located within five feet of a street and measure at least 19 feet in length is not in the public interest or in

the interest of safety because in addition to being undersized the proposed stall will have little buffer room from the sidewalk and will likely result in an overhang on the sidewalk, obstructing pedestrians. (§5.1.13)

PETITION NUMBER: #69-24

PETITIONER: William Swartz

LOCATION: 113 Edinboro Street, on land known as Section 21, Block 23, Lot 4, containing approximately 3,250 square feet of land

OWNER: William Swartz

ADDRESS OF OWNER: 113 Edinboro Street
Newton, MA 02460

TO BE USED FOR: Parking

RELIEF DENIED: Special Permit relief to allow a parking stall within five feet of a street with less than 19 feet in depth (§5.1.7.A; §5.1.13; §5.1.7.B.2)

ZONING: Multi-Residence 1