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Director

ZONING REVIEW MEMORANDUM

Date: July 24, 2018

To: John Lojek, Commissioner of Inspectional Services

From: Jane Santosuosso, Chief Zoning Code Official
Jennifer Caira, Chief Planner for Current Planning

Cc: Robert and Cristina DeMento, Applicant
Barney S. Heath, Director of Planning and Development
Ouida Young, Acting City Solicitor

RE: Request to allow parking in the front setback, and within five feet of a street

Applicant: Robert and Cristina DeMento

Site: 27 Albion St	SBL: 62004 0027
Zoning: SR2	Lot Area: 3,377 square feet
Current use: Single-family dwelling	Proposed use: No change

BACKGROUND:

The property at 27 Albion Street consists of a 3,377 square foot new lot improved with a single-family residence constructed circa 1905. The lot is located at the corner of Albion Street and Albion Place. There is an existing driveway with tandem parking for two cars off of Albion Place along the western property boundary. The applicants are proposing to reconfigure the parking to allow for two side-by-side stalls along Albion Place, which will require a special permit.

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

- Zoning Review Application, prepared Cristina DeMento, dated 5/28/2018
- Certified Plot Plan, signed and stamped by George C. Collins, surveyor, dated 9/1/2017
- Proposed Parking Area Plan, submitted 5/28/2018

ADMINISTRATIVE DETERMINATIONS:

1. It was discovered after the petitioners bought the property that an 88 square foot triangular parcel on the western boundary of the property was never properly deeded with the rest of the property. It appears that at some point long ago that parcel was inadvertently excluded from the deed when the property was transferred. The parcel likely belongs with the petitioners' property but a court action of some kind is required to clean up the title. For the purposes of this memo, the small parcel is not included in any dimensional calculations.
2. Per section 5.1.4.A, two parking stalls are required per each single-family dwelling. The petitioners have existing parking for two tandem-parked cars along the western boundary of the property, with one stall located in the front setback. Per section 5.1.7.A, parking in conjunction with a single-family dwelling may have two stalls in the side setback and one within the front setback. The petitioners propose to place both stalls within the front setback, requiring a special permit per section 5.1.13.

Section 5.1.7.A further states that no parking may be located within five feet of the street. Both proposed parking stalls are located along the front lot line, and thus closer than five feet to the street. As the parking exists, there is one stall within five feet of the street. The petitioners proposed to locate both parking stalls within five feet of the street, requiring a special permit per section 5.1.13.

3. The existing lot coverage for the property is nonconforming at 42.1%, where the maximum allowed is 30% per section 3.1.3. The petitioners propose to remove an existing deck and reconfigure the parking area, resulting in an unchanged lot coverage of 42.1%. Since the lot coverage is not increasing, no special permit is required.

The existing open space is nonconforming at 44.4%, where 50% is the minimum required per section 3.1.3. The proposed reconfiguration and deck removal result in an unchanged open space percentage, requiring no relief.

SR2 Zone	Required/Allowed	Existing	Proposed
Lot Size	10,000 square feet	3,377 square feet	No change
Frontage	100 feet	120 feet (combined)	No change
Setbacks			
• Front (Albion St)	25 feet	12 feet	No change
• Front (Albion Pl)	25 feet	5.6 feet	No change
• Side	10 feet	3.4 feet	No change
• Rear	15 feet	19 feet	No change
Max Lot Coverage	30%	42.4%	No change
Min. Open Space	50%	44.4%	No change

1. See "Zoning Relief Summary" below:

Zoning Relief Required		
<i>Ordinance</i>		<i>Action Required</i>
§3.1.3, §5.1.7.A §5.1.13	Request to allow a parking in the front setback, and to park within five feet of a street	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