



Setti D. Warren  
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

James Freas  
Acting Director

## ZONING REVIEW MEMORANDUM

Date: February 25, 2015

To: John Lojek, Commissioner of Inspectional Services

From: Jane Santosuosso, Chief Zoning Code Official  
Alexandra Ananth, Chief Planner for Current Planning

Cc: Michael Vahey and Mok Jiang Pang, applicants  
James Freas, Acting Director of Planning and Development  
Ouida Young, Associate City Solicitor

RE: Request to extend nonconforming FAR

RECEIVED  
Newton City Office  
2015 MAR -2 AM 11:10  
David A. Olson, City  
Newton, MA 02459

Applicant: Michael Vahey and Mok Jiang Pang	
Site: 13-15 Alden Place	SBL: 33034 0047
Zoning: SR-3	Lot Area: 5,315 square feet
Current use: Two-family dwelling	Proposed use: No change

### BACKGROUND:

The property at 13-15 Alden Place consists of a 5,315 square foot lot improved with a two-family residence constructed in 1890 and a detached garage built in 1950 in the Single Residence 3 zoning district. The structure has two stories of living space, plus an attic. The applicants propose dormers in the attic which will increase the already nonconforming FAR.

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

- Zoning Review Application, prepared by Michael Vahey, applicant, dated 1/20/2015
- FAR Worksheet, prepared by Michael Vahey, applicant, submitted 1/20/2015
- Plot Plan, signed and stamped by Michael Paul Antonino, surveyor, dated 1/19/2015
- Architectural Plans, prepared by Kurtz Design Studio, LLC, dated 1/15/2015
- Photos, submitted 1/20/2015

**ADMINISTRATIVE DETERMINATIONS:**

1. The applicants' existing nonconforming FAR is .61, where .48 is the maximum allowed. The proposed dormers result in an FAR of .67 adding 335 square feet of living space within the attic. A special permit pursuant to Sections 30-15(u)(2) and 30-21(b) is required.
2. The property is located in the Single Residence 3 zoning district. Creating additional living space extends the nonconforming two-family use, and requires a special permit pursuant to Section 30-21(b).

SR3 Zone	Required	Existing	Proposed
Lot Size	7,000 square feet	5,315 square feet	No change
Frontage	70 feet	70 feet	No change
Setbacks			
• Front	25 feet	14.5 feet	No change
• Side	7.5 feet	9.0 feet	No change
• Rear	15 feet	24.2 feet	No change
Building Height	36	32.75 feet	No change
Max Number of Stories	2.5	2.5	No change
FAR	.48	.61	.67
Max Lot Coverage	30%	37%	36.5%*
Min. Open Space	50%	34%	34.5%*

\*The applicant is razing an existing back egress and rebuilding it slightly smaller, resulting in a decrease in lot coverage and an increase in open space.

1. See "Zoning Relief Summary" below:

Zoning Relief Required		
Ordinance		Action Required
§30-15(u)(2) §30-21(b)	To extend nonconforming FAR	S.P. per §30-24
§30-21(b)	To extend a nonconforming two-family use in a Single Residence 3 zoning district	S.P. per §30-24