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Candace Havens  
Director

## ZONING REVIEW MEMORANDUM

Date: March 21, 2013

To: John Lojek, Commissioner of Inspectional Services

From: Jane Santosuosso, Chief Zoning Code Official  
Eve Tapper, Chief Planner for Current Planning

Cc: Jeffrey Thoma, Landscape Architect  
Candace Havens, Director of Planning and Development  
Ouida Young, Associate City Solicitor

RE: Request to exceed FAR

RECEIVED  
 Newton City Clerk  
 2013 APR -5 PM 2:34  
 David A. Oison, OMC  
 Newton, MA 02459

<b>Applicant: Elizabeth and Peter Nurczynski</b>	
<b>Site:</b> 99-101 Atwood Ave	<b>SBL:</b> 22 023 0008
<b>Zoning:</b> MR-1	<b>Lot Area:</b> 7434 square feet
<b>Current use:</b> Two-family dwelling	<b>Proposed use:</b> No change

### BACKGROUND:

The property at 99-101 Atwood Ave. consists of a 7,434 square foot lot improved with a two-family residence constructed in 1930. The dwelling consists of two and a half stories, and a basement level totaling 4,831 square feet. The applicant proposes to expand the first floor unit of the existing two-family dwelling by approximately 510 square feet. The expansion will include a new master bedroom suite, bathroom and screened-in porch at the rear of the existing building which will be built over an carport for two cars. A portion of the existing roof of the new expansion will function as a deck and outdoor space accessible to all residents of the building. The proposed expansion will increase the FAR from the existing nonconforming FAR of .56 to .65, where .54 is allowed by right.

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

- Zoning Review Application, prepared by Jeffrey Thoma, landscape architect, submitted 3/15/13
- FAR calculations, prepared by Jeffrey Thoma, landscape architect, submitted 3/15/13
- Grade plane calculation, submitted 3/15/13
- Area plan, prepared by City of Newton Assessors Office, submitted 3/15/13
- Average grade plane exhibit, stamped by Jeffrey Thoma, dated 3/6/13
- Architectural plans, prepared by T. Andrew Hatcher, architect, stamped 3/6/13, submitted 3/15/13

- Illustrative site plan
- Existing conditions plan
- Layout and materials plan
- Grading and drainage plan
- Existing elevations (front, rear, sides)
- Existing basement floor plan
- Existing first floor plan
- Existing second floor plan
- Existing attic plan
- Proposed elevations (front, rear, sides)
- Proposed basement plan
- Proposed first floor plan
- Proposed second floor plan
- Quitclaim deed

**ADMINISTRATIVE DETERMINATIONS:**

1. The proposed addition increases the dwelling's FAR from .56 to .65, which exceeds the .54 permitted by the Ordinance per Section 30-15, Table A. To construct the addition as proposed, the applicant must obtain a special permit from the Board of Aldermen per Section 30-15(u)(2) and 30-21(a)(2)(b).

MR1 Zone	Required/Allowed	Existing	Proposed
Lot Size	7,000 square feet	7,434 square feet	No change
Lot size per unit	3,500 square feet	3,717 square feet	3,717 square feet
Frontage	70 feet	<b>57.11 feet</b>	No change
Setbacks for existing structure			
• Front	25 feet	27.5 feet	No change
• Side	7.5 feet	9.1 feet on right 19.4 feet on left	7.52 feet on right No change
• Rear	15 feet	49.6 feet	21.1 feet
FAR	.54	<b>.56</b>	<b>.65</b>
Building Height	36 feet	33.12 feet	No change
Maximum Stories	2.5	2.5	No change
Max. Lot Coverage	30%	20.41%	27.28%
Min. Open Space	50%	54.23%	52.55%

1. See "Zoning Relief Summary" below:

Zoning Relief Required		
<i>Ordinance</i>		<i>Action Required</i>
§30-15 Table A, §30-15(u), §30-15(u)(2) §30-21(a)(2)(b)	Exceed maximum floor Area Ratio (FAR) of .54 to .65 from the existing nonconforming FAR of .56	S.P. per §30-24