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ZONING REVIEW MEMORANDUM

Date: November 3, 2014

To: John Lojek, Commissioner of Inspectional Services

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

Cc: Denise and Peter Staubach, Applicants
James Freas, Acting Director of Planning and Development
Ouida Young, Associate City Solicitor

RE: Request to exceed maximum allowable FAR

Applicant: Denise and Peter Staubach	
Site: 29 Wedgewood Road	SBL: 31020 0014
Zoning: SR-3	Lot Area: 4,501 square feet
Current use: Single-family dwelling	Proposed use: No change

BACKGROUND:

The property at 29 Wedgewood Road consists of a 4,501 square foot lot improved with a single-family cape-style residence constructed in 1935. The structure consists of two stories with an attached one-stall garage. The applicant proposes to remove the existing attached garage and breezeway and to construct a new two-stall garage, sunroom and 3/4 bath, with two bedrooms above. The additional living space will exceed the maximum FAR allowed by the Ordinance, requiring a special permit. The existing structure is 14.8 feet from the rear setback line, where 15 feet is required. The applicant proposes to reduce the rear setback to 13.5 feet. The existing front setback is 25.5 feet, where 25 feet is required. The addition in the front of the property will be 26.6 feet from the front lot line.

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

- Zoning Review Application, prepared by Denise and Peter Staubach, applicants, submitted 9/8/2014
- FAR calculations, prepared by Malcolm Mackenzie, architect, dated 9/8/2014
- Newton Historical Commission decision, dated 1/28/2014
- Site Plan, signed and stamped by Bruce Bradford, surveyor, dated 5/12/2014
- Proposed Site Plan, undated
- Architectural Plans, prepared by Malcolm Mackenzie, architect, dated 4/25/2014

ADMINISTRATIVE DETERMINATIONS:

1. The applicant’s proposed construction provides an additional 541 square feet of living space which increases the FAR from .42 to .54, which exceeds the maximum of .48 allowed by the Ordinance per section 30-15, Table A. A special permit is required to exceed the allowable FAR.
2. The *de minimus* provisions of Sections 30-21(c)(3) and 30-21(c)(4) address additions to the rear and side of a structure with nonconforming rear and/or side setbacks. Section 30-21(c)(3) allows for first floor additions in the side or rear setbacks which do not total more than 200 square feet. Section 30-21(c)(4) allows for second floor additions which do not total more than 400 square feet. The existing structure has a rear setback of 14.8 feet, where 15 feet is required. The applicant proposes an additional 27.9 square feet within the setback, per each floor, which does not exceed the 200 square feet allowed for a first floor by Section 30-21(c)(3), or the 400 square feet allowed by Section 30-21(c)(4) for a second floor. No action is required to build the addition as proposed.

SR3 Zone	Required	Existing	Proposed
Lot Size	7,000 square feet	4,501 square feet	No change
Frontage	70 feet	64.3 feet	No change
Setbacks			
• Front	25 feet	25.5 feet	No change
• Side	7.5 feet	7.7 feet	7.6 feet
• Rear	15 feet	14.8 feet	13.5 feet
FAR	.48	.42	.54
Max Lot Coverage	30%	26%	30%
Min. Open Space	50%	66%	59%

1. See “Zoning Relief Summary” below:

Zoning Relief Required		
<i>Ordinance</i>		<i>Action Required</i>
§30-15 Table A, 30-15(u)(2)	Exceed maximum Floor Area Ratio (FAR)	S.P. per §30-24