



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

Barney S. Heath
Director

ZONING REVIEW MEMORANDUM

Date: November 30, 2017

To: John Lojek, Commissioner of Inspectional Services

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

Cc: Anne Snelling-Lee, Architect
Hensin and Sandy Tsao, Applicants
Barney S. Heath, Director of Planning and Development
Ouida Young, Associate City Solicitor

RE: **Request for a special permit to further increase nonconforming lot coverage**

Applicant: Alan Lobovits and Lisa Rosenfeld	
Site: 1771 Washington Street	SBL: 43039 0010
Zoning: SR-1	Lot Area: 15,021 square feet
Current use: Single-family dwelling	Proposed use: No change

BACKGROUND:

The property at 1771 Washington Street consists of a 15,021 square foot corner lot improved with a single-family residence constructed in 1952. The applicant proposes to raze an existing deck and sunroom, and construct a two-story addition to include a family room with a master bedroom above. The proposed addition extends the existing nonconforming lot coverage, requiring a special permit.

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

- Zoning Review Application, prepared Anne Snelling-Lee, Architect, submitted 10/16/2017
- FAR Worksheet, submitted 10/16/2017
- Site Plan, prepared by Snelling & Hamel Associates, Inc, dated 10/10/2017
- Architectural Plans, prepared by Anne Snelling-Lee, Architect, dated 2/8/2017

ADMINISTRATIVE DETERMINATIONS:

1. The petitioners’ existing lot coverage is 20.1%, where 20% is the maximum allowed in the Single Residence 1 zoning district. The proposed addition adds increases the lot coverage to 23.8%. A special permit pursuant to Sections 3.1.3 and 7.8.2.C.2 is required to further increase the already nonconforming lot coverage.
2. The applicants’ lot is at the corner of Washington Street and Marymount Road, with the formal front door of the dwelling facing Washington Street. Per Section 1.5.3, in the case of a corner lot, the rear lot line is the lot line opposite the front door. The petitioners’ addition is proposed for what is considered the rear of the house per the Ordinance, and to be located 13.6 feet from the rear lot line, where 25 feet is required per Section 3.1.3. As the proposed construction includes a formal entrance off of Marymount Road, the petitioners intend to officially change their address and front door to Marymount Road. In doing so, the current rear lot line opposite Washington Street becomes a side lot line, requiring only a 12.5 foot setback, thereby making the proposed addition in compliance.

***This table assumes an address change to Marymount Road**

SR1 Zone	Required	Existing	Proposed
Lot Size	15,000 square feet	15,021 square feet	No change
Frontage	100 feet	130 feet	No change
Setbacks <ul style="list-style-type: none"> • Front (Washington St) • Front (Marymount Rd) • Side • Rear 	25 feet 25 feet 12.5 feet 25 feet	29.6 feet 25.9 feet 13.1 feet 28.6 feet	No change No change 13.6 feet No change
Max Number of Stories	2.5	1.5	No change
Height	36 feet	17.88 feet	25.5 feet
FAR	.31	.19	.29
Max Lot Coverage	20%	20.1%	23.8%
Min. Open Space	65%	70%	67.6%

1. See “Zoning Relief Summary” below:

Zoning Relief Required		
<i>Ordinance</i>		<i>Action Required</i>
§3.1.3 §7.8.2.C.2	Request to further decrease nonconforming lot coverage	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