



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: October 25, 2016

To: John Lojek, Commissioner of Inspectional Services

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

Cc: Yakir and Cheryl Levin, applicants
Barney S. Heath, Director of Planning and Development
Ouida Young, Associate City Solicitor

RE: Request to exceed FAR

Applicant: Yakir and Cheryl Levin	
Site: 441 Ward Street	SBL: 73030 0006
Zoning: SR2	Lot Area: 9,299 square feet
Current use: Single-family dwelling	Proposed use: No change

BACKGROUND:

The property at 441 Ward Street consists of a 9,299 square foot corner lot improved with a single-family dwelling constructed in 1924. The applicants are requesting a special permit to exceed the maximum allowable FAR to construct a one story, 415 square foot two-car attached garage.

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

- Zoning Review Application, prepared by Yakir and Cheryl Levin, applicants, submitted 9/19/2016
- FAR Worksheet, submitted 9/19/2016
- Site Plan, signed and stamped by Bruce Bradford, surveyor dated 9/13/2016
- Architectural Plans, prepared by Cynthia David Sachs, architect, dated 9/15/2016

ADMINISTRATIVE DETERMINATIONS:

1. The applicants propose to add a 415 square foot one-story two-car garage addition to the side of the existing dwelling. The applicants’ existing FAR is .39, where .39 is allowed. The proposed additions create an FAR of .42, which exceeds the .39 allowed, requiring a special permit per Section 3.1.9.A.2.
2. The proposed project meets with the requirements for garages in effect at this time through December 31, 2016. As changes to the garage provisions of the Newton Zoning Ordinance are proposed, the Applicant should be sure to check with Planning Staff prior to filing the special permit application. The applicant will need have been issued a building permit prior to the first notice of the public hearing amending and approving the garage provisions.

SR2 Zone	Required	Existing	Proposed
Lot Size	10,000 square feet	9,299 square feet	No change
Frontage	80 feet	120 feet	No change
Setbacks <ul style="list-style-type: none"> • Front (Ward St) • Front (Ballard St) • Side • Rear 	25 feet 25 feet 7.5 feet 15 feet	27 feet 25 feet 26 feet 15 feet	26.1 feet No change 7.5 feet No change
Building Height	36	23 feet	23.4 feet
Max Number of Stories	2.5	2.5	No change
FAR	.39	.39	.43
Max Lot Coverage	30%	17.8%	23%
Min. Open Space	50%	75%	64%

1. See “Zoning Relief Summary” below:

Zoning Relief Required		
<i>Ordinance</i>		<i>Action Required</i>
§3.1.9	Request to exceed FAR	S.P. per §7.3

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 (Twelve 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