



Ruthanne Fuller
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: February 11, 2019

To: John Lojek, Commissioner of Inspectional Services

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

Cc: Barry and Elenor White, Applicants
Jay Walter, Architect
Barney S. Heath, Director of Planning and Development
Jonah Temple, Assistant City Solicitor

RE: Request to allow more than one garage and a garage in excess of 700 square feet

Applicant: Barry and Elenor White	
Site: 106 Sumner Street	SBL: 61002 0008
Zoning: SR2	Lot Area: 21,670 square feet
Current use: Single-family dwelling	Proposed use: No change

BACKGROUND:

The property at 106 Sumner Street consists of a 21,670 square foot lot improved with a single-family residence constructed in 1870, a detached garage and a tennis court. The lot is located at the corner of Sumner Street and Marshall Street. The existing detached garage is at the furthest corner of the lot, accessed from Marshall Street. The petitioners seek to construct a detached two-car garage adjacent to their dwelling in addition to the existing attached two-car garage.

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

- Zoning Review Application, prepared Jay Walter, Architect, dated 1/3/2019
- FAR Worksheet, signed and stamped by Jay Walter, Architect, dated 1/3/2019
- Plan of Land – Existing Conditions, prepared by EMB Co, surveyor, dated 8/16/2018
- Plan of Land – Proposed, signed and stamped by Bruce Bradford, surveyor, dated 11/26/2018
- Architectural plans and elevations, signed and stamped by Jay Walter, Architect, dated 11/11/2018

ADMINISTRATIVE DETERMINATIONS:

1. Sections 3.4.2.B.1 and 3.4.3.A.4.a requires that there be no more than one garage per single-family dwelling or dwelling unit. The petitioners have an existing detached two-car garage in the northeast corner of the property, and propose to construct a second detached two-car garage adjacent to their own dwelling. The intent is to allow the abutter to use the existing garage after construction of the new garage, as the existing garage is closer to the abutter’s dwelling. To have the four garage bays within two separate garage structures requires a special permit.
2. The proposed detached garage adds 528 square feet, in addition to the existing two-car detached garage which has 473 square feet. Per sections 3.4.2.B.1 and 3.4.3.A.4.c, a private garage may not exceed 700 square feet of ground floor area. A special permit is required for the additional detached garage which creates a total of 1,001 square feet, exceeding the maximum 700 square feet allowed.

SR2 Zone	Required	Existing	Proposed
Lot Size	15,000 square feet	21,670 square feet	No change
Frontage	80 feet	113 feet	No change
Setbacks - Principal			
• Front (Sumner St)	25 feet	25 feet	No change
• Front (Marshall St)	25 feet	61.3 feet	No change
• Side	7.5 feet	7.6 feet	No change
• Rear	15 feet	105.4 feet	No change
Setbacks – Existing Accessory			
• Front	25 feet	±85 feet	No change
• Side	5 feet	2.7 feet	No change
• Rear	5 feet	2.4 feet	No change
Setbacks – Proposed Accessory			
• Front	25 feet		33.5 feet
• Side	5 feet		±40 feet
• Rear	5 feet		78 feet
Max Number of Stories	2.5	2.5	No change
Max Height Principal	36 feet	29.7 feet	No change
Max Height Accessory (Proposed)	22 feet	N/A	16.6 feet
FAR	.33	.29	.32
Max Lot Coverage	30%	12.9%	15.3%
Min. Open Space	50%	79%	73%

1. See "Zoning Relief Summary" below:

Zoning Relief Required		
<i>Ordinance</i>		<i>Action Required</i>
§3.4.2.B.1 §3.4.3.A.4.a	Request to allow more than one garage	S.P. per §7.3.3
§3.4.2.B.1 §3.4.3.A.4.c	Request to allow for garage space exceeding 700 square feet	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