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## ZONING REVIEW MEMORANDUM

Date: June 6, 2016

To: John Lojek, Commissioner of Inspectional Services

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

Cc: Terrence P. Morris, attorney  
Barney S. Heath, Director of Planning and Development  
Ouida Young, Associate City Solicitor

**RE: Request to extend a nonconforming two-family dwelling use to allow for a second two-family dwelling on the lot**

Applicant: Brian Humphrys	
Site: 50-52 Rowe Street	SBL: 44023 0006
Zoning: SR3	Lot Area: 19,321 square feet
Current use: Two-family dwelling	Proposed use: Two two-family dwellings

### BACKGROUND:

The property at 50-52 Rowe Street consists of a 19,321 square foot lot improved with a dwelling constructed circa 1860 in the SR3 zoning district. Originally constructed as a single-family residence, the dwelling was converted into a two-family use in 1947. The applicant proposes to construct a rear addition to the existing dwelling, maintaining two units, as well as constructing a second two-family dwelling on the lot. A special permit is required to further extend the nonconforming two-family dwelling use in the Single Residence 3 zoning district to allow for a second two-family dwelling on the lot.

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

- Zoning Review Application, prepared by Terrence P. Morris, attorney, dated 4/22/2016
- Zoning Plan, signed and stamped by Joseph R. Porter, surveyor, dated 4/22/2016
- Architectural Plans, prepared by Ronald F. Jarek, architect, dated 4/18/2016
  - Floor Plans and Elevations, units 3 and 4
  - Elevations, units 1 and 2

**ADMINISTRATIVE DETERMINATIONS:**

1. The applicant proposes to construct a rear addition to the existing two-family dwelling to add living space and accommodate two garage spaces at the lowest level. A second two-family dwelling is proposed in the southwest corner of the lot in the location of a garage which had been demolished in 2011. As the existing use on the site is non-conforming as a two-family use in a single residence 3 zoning district, the applicant may seek a special permit to change from one nonconforming use to another pursuant to Sections 3.4 and 7.8.2.C.2.
2. Section 3.1.3 requires 10,000 square feet of lot area per unit in the SR3 zoning district. With a 19,321 square foot lot and two existing dwelling units, the applicant is nonconforming with 9,660.5 square feet per unit. To add two additional units will increase the nonconformity to 4,830.25 square feet per unit, which requires a special permit pursuant to Sections 3.1.3 and 7.8.2.C.2.

SR3 Zone	Required	Existing	Proposed
Lot Size	7,000 square feet	19,321 square feet	No change
Frontage	70 feet	145 feet	No change
Setbacks- Existing dwelling <ul style="list-style-type: none"> <li>• Front</li> <li>• Side</li> <li>• Rear</li> </ul>	25 feet 7.5 feet 15 feet	20.4 feet 17.9 feet 27.9 feet	No change No change No change
Setbacks – Proposed dwelling <ul style="list-style-type: none"> <li>• Front</li> <li>• Side</li> <li>• Rear</li> </ul>	25 feet 7.5 feet 15 feet	N/A N/A N/A	+/- 80 feet 12.5 feet 15.5 feet
Lot Area Per Unit	10,000 square feet	9,660.5 square feet	4,830.25 square feet
Building Height	36 feet	24.24 feet	No change/28 feet
Max Number of Stories	2.5	2.5	No change
FAR	.38	<.25	.37
Lot Coverage	30%	10.3%	19.8%
Open Space	50%	72.5%	65.1%

1. See “Zoning Relief Summary” below:

Zoning Relief Required		
Ordinance		Action Required
§3.4 §7.8.2.C.2	To further extend a nonconforming two-family residential use in an SR2 zoning district	S.P. per §7.3.3
§3.1.3 §7.8.2.C.2	To further extend nonconforming lot area per unit	S.P. per §7.3.3