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Barney S. Heath
Director

ZONING REVIEW MEMORANDUM

Date: May 4, 2017

To: John Lojek, Commissioner of Inspectional Services

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

Cc: Charles Navratil, Architect
EMJ Prime Build LLC
Barney S. Heath, Director of Planning and Development
Ouida Young, Associate City Solicitor

RE: Request to further increase nonconforming FAR and to further decrease existing nonconforming open space

Applicant: EMJ Prime Build LLC	
Site: 15 Ricker Rd	SBL: 71021 0009
Zoning: MR1	Lot Area: 4,776 square feet
Current use: Two-family dwelling	Proposed use: No change

BACKGROUND:

The property at 15 Ricker Road consists of a 4,776 square foot lot improved with a two-family residence constructed in 1925. The applicant proposes to expand each unit by claiming space in the basement for the first floor unit, and in the attic for the second floor unit. The attic will be improved with two dormers adding 167.35 square feet to the FAR. There is currently a noncompliant deck at the rear of the dwelling which is to be removed, and replace elsewhere on site. The proposed dormer addition will further increase the nonconforming FAR, requiring a special permit. The proposed deck will further increase the existing nonconforming open space, also requiring relief.

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

- Zoning Review Application, prepared Charles Navratil, architect, submitted 3/27/2017
- FAR Worksheet, submitted 3/27/2017
- Site Plan, prepared by VTP Associates, surveyors, dated 1/18/2017, revised 3/3/2017
- Architectural Plans, signed and stamped by Charles M. Navratil, dated 2/23/2017

ADMINISTRATIVE DETERMINATIONS:

1. The applicants' existing FAR is .90, where .58 is the maximum allowed per Section 3.2.11. The proposed addition of dormers adds 167.35 square feet to the dwelling, resulting in an FAR of .93. A special permit pursuant to Sections 3.1.9 and 7.8.2.C.2 is required to further increase the already nonconforming FAR.
2. The dwelling has an existing noncompliant deck built without a building permit 12.3 feet from the rear lot line, where 15 feet is required per Section 3.2.3. The applicant intends to remove this deck, and construct a landing for the rear access which will meet the setback requirement at 15.2 feet.
3. The existing open space (without the noncompliant deck) is 46.5%, where 50% is required per Section 3.2.3. The applicant intends to construct a deck on the right side of the property, which will further decrease the existing nonconforming open space to 44.6%, requiring a special permit.

MR1 Zone	Required	Existing	Proposed
Lot Size	7,000 square feet	4,776 square feet	No change
Frontage	70 feet	55.5 feet	No change
Setbacks			
• Front	25 feet	19.4 feet	No change
• Side	7.5 feet	8 feet	7.9 feet
• Rear	15 feet	12.3 feet	15.2 feet
Max Number of Stories	2.5	2.5	No change
FAR	.58	.90	.93
Max Lot Coverage	30%	32.2%	No change
Min. Open Space	50%	46.5%	44.6%

1. See "Zoning Relief Summary" below:

Zoning Relief Required		
<i>Ordinance</i>		<i>Action Required</i>
§3.2.11, §7.8.2.C.2	Request to further increase nonconforming FAR	S.P. per §7.3.3
§3.2.3 §7.8.2.C.2	Request to further decrease nonconforming minimum open space	S.P. per §7.3.3