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Candace Havens
Director

ZONING REVIEW MEMORANDUM

Date: August 18, 2012

To: John Lojek, Commissioner of Inspectional Services

From: Seth Zeren, Chief Zoning Code Official
Eve Tapper, Chief Planner for Current Planning ET

Cc: Laurance Lee, attorney representing applicant
Candace Havens, Director of Planning and Development
Ouida Young, Associate City Solicitor

RE: Request to allow an addition that increases a nonconforming floor area ratio

RECEIVED
Newton City Clerk
2012 SEP - 7 AM 10: 02
David A. Oison, CMC
Newton, MA 02459

Applicant: David Autor and Marika Tatsutani

Site: 54 Oxford Road	SBL: 62014 0018
Zoning: SR3	Lot Area: 7,681 square feet
Current use: Single-family dwelling	Proposed use: Single-family dwelling

BACKGROUND:

The property at 54 Oxford Road consists of a 7,681-square foot lot improved with a single-family dwelling constructed prior to 1922. The applicant proposes to add on to the rear of the dwelling to expand the kitchen and add a mudroom.

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

- Architectural plans, unsigned and undated, J. L. Oslan, General Contractor, dated 6/6/12
 - Existing and proposed basement plan
 - Existing and proposed first floor plan
 - Existing and proposed second floor plan
 - Existing and proposed third floor plan
 - Existing and proposed attic floor plan
 - Existing and proposed right side and rear elevations
 - Existing and proposed front and left side elevations
 - Landscape plan
- Site plan showing proposed conditions, signed and stamped by Joseph R. Porter, Surveyor, dated 5/5/12
- FAR Worksheets showing existing and proposed, signed by Laurance Lee, dated 7/3/12
- Copy of deed showing lot created in 1894
- Waiver of Demolition Review, signed by Brian Lever, Preservation Planner, dated 6/21/12

ADMINISTRATIVE DETERMINATIONS:

1. The property is in the SR3 zone and must comply with the dimensional standards of Section 30-15, Table 1 for a pre-1953 lot (see chart below).

SR3 Zone	Required/Allowed	Existing	Proposed
Lot Size	7,000 square feet	7,681 square feet	No change
Frontage	70 feet	70 feet	No change
Setbacks			
• Front	25 feet	19.2 feet	No change
• Side	7.5 feet	12 feet	No change
• Rear	15 feet	39.8 feet	31.8 feet
FAR	.48*	.71	.73
Building Height	36 feet	33.15 feet	No change
Maximum Stories	2.5	3	No change
Max. Lot Coverage	30%	26.9%	28.6%
Min. Open Space	50%	56.8%	52.6%

* Per Section 30-15(u), a maximum FAR of .46 is allowed; an additional .02 bonus is applicable because the proposed addition meets post-1953 setbacks on a pre-1953 lot.

2. The applicant's plans show a proposed addition to the rear of the structure that expands the area of the kitchen and replaces an existing bulkhead access to the basement with a new mudroom and rear egress stair. These additions comply with required setbacks, open space, and lot coverage (as in the table above) and do not extend the existing nonconforming number of stories or front setback.
3. The addition does, however, extend the existing nonconforming floor area ratio (FAR) of the structure. Per Section 30-15(u), the subject 7,681-square foot lot in the SR3 zone is limited to a floor area ratio of .48 (including a .02 bonus for additions on pre-1953 lots that comply with post-1953 setbacks). The applicant's plans and calculations show that the existing dwelling has an FAR of .71 and that the proposed additions will increase the FAR to .73. To construct the addition as proposed, the applicant must obtain a special permit from the Board of Aldermen per Section 30-21(b) to allow an extension of the nonconforming structure.
4. See "Zoning Relief Summary" below:

Zoning Relief Required		
<i>Ordinance</i>	<i>Structure</i>	<i>Action Required</i>
§30-15(u), §30-21(b)	Allow an FAR of .73 where .71 exists and .48 is allowed by right.	S.P. per §30-24