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**Barney S. Heath**  
Director

## ZONING REVIEW MEMORANDUM

Date: April 27, 2020

To: John Lojek, Commissioner of Inspectional Services

From: Jane Santosuosso, Chief Zoning Code Official  
Neil Cronin, Chief Planner for Current Planning

Cc: Massimiliano Menozzi, Applicant  
Peter Sachs, Architect  
Barney S. Heath, Director of Planning and Development  
Jonah Temple, Associate City Solicitor

**RE: Request to exceed FAR and to further increase nonconforming height**

Applicant: Massimiliano Menozzi	
Site: 351 Otis Street	SBL: 32003 0015
Zoning: SR2	Lot Area: 18,681 square feet
Current use: Single-family dwelling	Proposed use: No change

### BACKGROUND:

The property at 351 Otis Street consists of an 18,681 square foot lot improved with a single-family residence constructed in 1894 and a detached garage. The petitioners propose to raze the detached garage and construct a 1,841 square foot two and one-half story addition to the existing dwelling. The proposed changes will increase the FAR beyond the maximum allowed and increase the nonconforming height, requiring a special permit.

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

- Zoning Review Application, prepared by Peter Sachs, architect, dated 3/11/2020
- FAR Worksheet, submitted 3/11/2020
- Existing Site Plan, signed and stamped by Joseph R. Porter, surveyor, dated 7/16/2019
- Proposed Site Plan, signed and stamped by Joseph R. Porter, surveyor, dated 3/9/2020
- Architectural Plans, signed and stamped by Peter Sachs, architect, dated 10/21/2019, revised 2/26/2020

**ADMINISTRATIVE DETERMINATIONS:**

1. The petitioner intends to raze the 363 square foot detached garage and construct a 2.5-story addition of a three car garage with living space above, totaling 1,841 square feet. The addition results in a total square footage of 7,887 square feet. The existing FAR is .32, where .33 is the maximum allowed. The proposed addition results in an FAR of .42, exceeding the maximum allowed requiring a special permit pursuant to Sections 3.1.3 and 3.1.9.
2. The existing single-family dwelling is nonconforming at 43.68 feet tall, where 36 feet in height is the maximum allowed in section 3.1.3. While the proposed additions do not extend above the existing roof, the proposed additions change the average grade around the structure, which further increases the nonconforming height to 44.44 feet, requiring a special permit per sections 3.1.3 and 7.8.2.C.2.

SR2 Zone	Required	Existing	Proposed
Lot Size	10,000 square feet	18,681 square feet	No change
Frontage	80 feet	100 feet	No change
Setbacks			
• Front	25 feet	30.4 feet	No change
• Side	7.5 feet	22.5 feet	7.9 feet
• Rear	15 feet	89.3 feet	No change
Max Number of Stories	2.5	<b>3.5</b>	<b>No change</b>
Max Height	36 feet	<b>43.68 feet</b>	<b>44.44 feet</b>
FAR	.33	.32	<b>.42</b>
Max Lot Coverage	30%	12.4%	16.2%
Min. Open Space	50%	79.5%	77.3%

1. See “Zoning Relief Summary” below:

Zoning Relief Required		
<i>Ordinance</i>		<i>Action Required</i>
§3.1.3, §3.1.9	Request to exceed FAR	S.P. per §7.3.3
§3.1.3 §7.8.2.C.2	Request to further increase nonconforming height	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