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Barney S. Heath
Director

ZONING REVIEW MEMORANDUM

Date: June 29, 2016

To: John Lojek, Commissioner of Inspectional Services

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

Cc: Anna Rumshisky, applicant
Barney S. Heath, Director of Planning and Development
Ouida Young, Associate City Solicitor

RE: Request to further increase a nonconforming two-family structure and to exceed FAR

Applicant: Anna Rumshisky	
Site: 45-47 Noble Street	SBL: 44004 0013
Zoning: SR-3	Lot Area: 6,278 square feet
Current use: Two-family dwelling	Proposed use: No change

BACKGROUND:

The property at 45-47 Noble Street consists of a 6,278 square foot lot improved with a two-family dwelling constructed in 1928. The applicant proposes a rear dormer addition to the attic level to finish the attic level for living space. The structure is an existing nonconforming two-family dwelling in a Single Residence 3 zoning district. To expand the nonconforming two-family use, as well as increase living space exceeding maximum allowed FAR requires a special permit.

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

- Zoning Review Application, prepared by Anna Rumshisky, applicant, submitted 5/24/2016
- FAR Worksheet, submitted 5/24/2016
- Mortgage Inspection Plan, Provident Funding, dated 1/9/2012
- Exterior Elevation, dated 9/17/2015

ADMINISTRATIVE DETERMINATIONS:

1. The applicant proposes to construct a rear dormer to the attic level, adding 623 square feet of living space. The additional living space creates an FAR of .57 from the existing .47, where .50 is the maximum allowed. The applicant is able to take advantage of the .02 increase in FAR, from .48 to .50, as the proposed construction meets new lot setback requirements. To construct the dormer addition as proposed, a special permit per Section 3.1.9 is required.
2. The existing two-family dwelling is a nonconforming use in the Single Residence 3 zoning district per Section 3.4.1. The applicant intends to add living space in the attic by constructing a dormer. To expand a nonconforming use requires a special permit per Section 7.8.2.C.2.

SR3 Zone	Required	Existing	Proposed
Lot Size	7,000 square feet	6,278 square feet	No change
Frontage	80 feet	73 feet	No change
Setbacks <ul style="list-style-type: none"> • Front • Side • Rear 	25 feet 7.5 feet 15 feet	16 feet 7.5 feet 42 feet	No change No change No change
Building Height	36		No change
Max Number of Stories	2.5	2.5	No change
FAR	.50 (.48 plus .02 bonus)	.47	.57

1. See “Zoning Relief Summary” below:

Zoning Relief Required		
<i>Ordinance</i>		<i>Action Required</i>
§3.1.9	To exceed FAR	S.P. per §7.3.3
§3.4.1 §7.8.2.C.2	Request to further increase nonconforming two-family use	S.P. per §7.3.3