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Candace Havens
Director

ZONING REVIEW MEMORANDUM

Date: March 25, 2014

To: John Lojek, Commissioner of Inspectional Services

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

Cc: Terrence Morris, attorney
George and Walia Dungan, applicants
Candace Havens, Director of Planning and Development
Ouida Young, Associate City Solicitor

RE: Request to exceed FAR and extend a nonconforming use

Applicant: George and Walia Dungan	
Site: 50-52 Noble Street	SBL: 44003 0003
Zoning: SR3	Lot Area: 6,235 square feet
Current use: Two-family dwelling	Proposed use: No change

BACKGROUND:

The property at 50-52 Noble Street consists of a 6,235 square foot lot improved with a two-family dwelling built in 1928. Despite the Single Residence 3 zoning, all but one of the structures on the street is a two-family use, which is nonconforming in the district. The applicants seek a special permit to construct a one-story addition to the rear of the home which would exceed the floor area ratio allowed by right.

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

- Zoning Review Application, prepared by Terrence Morris, attorney, dated 2/20/2014
- Site Plan showing proposed conditions, prepared by Express Surveying, dated 11/3/2013

ADMINISTRATIVE DETERMINATIONS:

1. The proposed 385 square foot addition will increase the existing nonconforming FAR of .56 to .62, which exceeds the .48 allowed by right, which requires a special permit.
2. As the property is zoned Single Residence 3, the existing two-family use is nonconforming. To add to the structure requires a special permit to increase the nonconforming use.

SR-3 Zone	Required	Existing	Proposed
Lot Size	7,000 square feet	6,235 square feet	No change
Frontage	70 feet	70 feet	No change
Setbacks for existing structure			
• Front	25 feet	20.7 feet	No change
• Side	7.5 feet	8.4 feet	No change
• Rear	15 feet		19.3 feet
FAR	.48	.56	.62
Max. Lot Coverage	30%		29%
Min. Open Space	50%	58%	52%

1. See "Zoning Relief Summary" below:

Zoning Relief Required		
Ordinance		Action Required
§30-15 Table 1, 30-15(u)(2), 30-21(b)	Extend a nonconforming use with regard to floor area ratio	S.P. per §30-24