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Candace Havens
Director

ZONING REVIEW MEMORANDUM

Date: January 14, 2014

To: John Lojek, Commissioner of Inspectional Services

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

Cc: Walter Devine, Attorney representing the applicants
Candace Havens, Director of Planning and Development
Ouida Young, Associate City Solicitor

RE: Request to exceed FAR and to alter a nonconforming structure

| Applicant: Requel and Donny Santangelo | |
|--|-----------------------------|
| Site: 3-5 Milton Ave | SBL: 44014 0071, 44014 0070 |
| Zoning: SR-3 | Lot Area: 6,962 square feet |
| Current use: Two-family dwelling | Proposed use: No change |

BACKGROUND:

The property at 3-5 Milton Ave consists of a 6,962 square foot lot improved with a two-family residence and detached garage constructed circa 1919. The structure consists of two and one-half stories with a total gross floor area of 2,052 square feet between the two units. The applicant proposes to connect the house to the existing garage and add living space above the garage increasing the floor area ratio above that allowed by right.

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

- Zoning Review Application, prepared by Walter Devine, Attorney, submitted 7/22/13
- Existing Conditions Plan, prepared by VTP Associates, surveyor, dated 12/11/13
- Proposed Conditions Plan, prepared by VTP Associates, surveyor, dated 7/18/13, revised 8/7/13
- Existing and Proposed FAR Calculations, prepared by Walter Devine, Attorney, dated 7/22/13

ADMINISTRATIVE DETERMINATIONS:

1. The proposed additions increase the structure's FAR from .47, to .62, which exceeds the .48 maximum permitted by the Ordinance per Section 30-15, Table A. To construct the additions as proposed, the applicant must obtain a special permit from the Board of Aldermen per Section 30-15(u)(2).
2. The property is located in a Single Residence 3 district, which does not allow two-family dwellings by right. The existing structure has been permitted and used as a two-family dwelling since 1919. To make the proposed alterations to a nonconforming structure, a special permit is required per sections 30-21(a)(2)(a) and 30-21(b) of the Ordinance.

| SR-2 Zone | Required | Existing | Proposed |
|---------------------------------|-------------------|---------------------|------------|
| Lot Size | 7,000 square feet | 6,931 square feet | No change |
| Frontage | 70 feet | 162.38 feet | No change |
| Setbacks for existing structure | | | |
| • Front | 25 feet | 8.6 feet | No change |
| • Side | 7.5 feet | 13.7 feet | No change |
| • Rear | 15 feet | 12.0 feet/15.3 feet | No change |
| FAR | .48 | .47 | .62 |
| Max. Lot Coverage | 30% | 26.6% | 29.8% |
| Min. Open Space | 50% | 54.9% | 51.1% |

1. See "Zoning Relief Summary" below:

| Zoning Relief Required | | |
|----------------------------|---|------------------------|
| <i>Ordinance</i> | | <i>Action Required</i> |
| §30-15 Table A, §30-15(u), | Exceed Floor Area Ratio (FAR) | S.P. per §30-24 |
| §30-21(a)(2)(a), §30-21(b) | Alteration of a nonconforming structure | S.P. per §30-24 |