



Setti D. Warren
Mayor

City of Newton, Massachusetts
Department of Planning and Development
1000 Commonwealth Avenue Newton, Massachusetts 02459

129-16
Telephone
(617) 796-1120
Telefax
(617) 796-1142
TDD/TTY
(617) 796-1089
www.newtonma.gov

James Freas
Acting Director

ZONING REVIEW MEMORANDUM

Date: April 7, 2016

To: John Lojek, Commissioner of Inspectional Services

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

Cc: James Severini, applicant
James Freas, Acting Director of Planning and Development
Ouida Young, Associate City Solicitor

RE: **Request to exceed FAR**

Applicant: James Severini	
Site: 23 Howe Street	SBL: 81011A0037
Zoning: SR2	Lot Area: 6,591 square feet
Current use: Vacant	Proposed use: Single-family dwelling

BACKGROUND:

The property at 23 Howe Street consists of a 6,591 square foot lot which is currently vacant, having been the site of a 1929 colonial that was razed. The property received a special permit in 2009 to build a single-family dwelling exceeding the allowable FAR of .30. The special permit granted an FAR of .43, but was never exercised for economic reasons and has since expired. The Zoning Ordinance provisions regulating FAR have since been amended. The proposed design has not changed, but now results in an FAR of .64, which exceeds the maximum of .46 allowed, and requires a newspecial permit.

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

- Zoning Review Application, prepared by Terrence P. Morris, attorney, submitted 4/6/2016
- FAR Worksheet, submitted 4/6/2016
- Site Plan, prepared by VTP Associates, surveyor dated 7/8/2009, revised 8/25/2009, 10/28/2009
- Architectural Plans, prepared by O’Sullivan Architects, architect, dated 9/25/2009

ADMINISTRATIVE DETERMINATIONS:

1. The applicant's proposed single-family dwelling was granted a special permit for an FAR of .43 in 2009, which exceeded the allowable maximum FAR of .30 at the time. Changes to the FAR regulations now allow for an FAR of .44. However, the provisions for FAR calculation have also changed, and the proposed FAR for the original approved design now comes to .64, as more building volume is now included in the calculation. Per Section 3.1.9, a special permit is required to allow for an FAR of .64, where .44 is the maximum allowed.

SR2 Zone	Required	Existing**	Proposed
Lot Size	10,000 square feet	6,591 square feet	No change
Frontage	80 feet	80 feet	No change
Setbacks			
• Front	25 feet	20.2 feet	25.5
• Side	7.5 feet	1.6 feet	8.2 feet
• Rear	15 feet	13.1 feet	15.9 feet
Building Height	36	21 feet	28.72 feet
Max Number of Stories	2.5	2.5	No change
FAR	.44	.41	.64
Max Lot Coverage	30%	21.4%	24.6%
Min. Open Space	50%	73%	66.1%

****Prior to demolition**

1. See "Zoning Relief Summary" below:

Zoning Relief Required		
<i>Ordinance</i>		<i>Action Required</i>
§3.1.9	Request to exceed FAR	S.P. per §7.3