



Setti D. Warren
Mayor

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Candace Havens
Director

PUBLIC HEARING MEMORANDUM

Public Hearing Date: April 8, 2014
Land Use Action Date: May 13, 2014
Board of Aldermen Action Date: June 16, 2014
90-Day Expiration Date: July 7, 2014

DATE: April 4, 2014

TO: Board of Aldermen

FROM: Candace Havens, Director of Planning and Development
Alexandra Ananth, Chief Planner for Current Planning
Stephen Pantalone, Senior Planner 

SUBJECT: **Petition #68-14**, Christopher Lovett for a SPECIAL PERMIT/SITE PLAN APPROVAL to construct a 743-square foot addition to the basement, first and second floor, and attic of an existing single-family dwelling, which will increase the Floor Area Ratio from .37 to .45, where .38 is allowed, at **63 Kenwood Avenue**, Ward 6, Newton Centre, on land known as SBL 64, 20, 25, containing approx. 9,991 sq. ft. of land in a district zoned SINGLE RESIDENCE 2. Ref: Sec 30-24, 30-23, 30-15 Table A, and 30-15(u)(2), of the City of Newton Rev Zoning Ord, 2012.

The purpose of this memorandum is to provide the Board of Aldermen and the public with technical information and planning analysis which may be useful in the special permit decision making process of the Board of Aldermen. The Planning Department's intention is to provide a balanced view of the issues with the information it has at the time of the public hearing. There may be other information presented at or after the public hearing that the Land Use Committee of the Board of Aldermen will want to consider in its discussion at a subsequent Working Session.



63 Kenwood Avenue

EXECUTIVE SUMMARY

The property at 63 Kenwood Avenue consists of a 9,991 square foot lot in a Single-Residence 2 zoning district, improved with a single-family 2½-story residence constructed in approximately 1916, and a detached garage. The petitioner is proposing to construct a 2½-story addition to the south side of the house, which will add approximately 743 square feet of total living space to the basement, first floor, second floor, and attic. The petitioner is also proposing to construct a one-story screen porch to the rear of the house, which does not count towards the floor area ratio (FAR), and to clad and re-roof the existing garage. The petitioner is seeking a special permit to increase the FAR from .37 to .45, where .38 is the maximum allowed by right.

The proposed 2½-story addition will extend the existing structure toward the side property line to the south by approximately nine feet, and will increase the total footprint of the existing structure by approximately 175 square feet. The proposed one-story screen porch will extend the structure toward the rear property line to the west by approximately 13 feet. Even with the proposed additions, the site will maintain significant setbacks of 38 feet to the side property line to the south, and 20 feet to the rear property line.

The proposed addition will match the materials of the existing house, and will be screened from properties abutting both sides and the rear of the site, by existing vegetation and/or fencing. The proposed additions were reviewed by the City's Senior Preservation Planner, because of the age of the house, and were approved administratively. For these reasons, the Planning Department believes that the proposed additions are not in derogation of the size, scale and design of other structures in the neighborhood.

I. SIGNIFICANT ISSUES FOR CONSIDERATION:

When reviewing this request, the Board should consider whether:

- The proposed structure with regard to FAR is consistent with and not in derogation of size, scale and design of other structures in the neighborhood. ((§30-15(u)(2))
- The site is an appropriate location for the proposed additions to the basement, first floor, second floor, and attic living areas, as the open space percentage exceeds the minimum required by the Newton Zoning Ordinance. (§30-24(d)(1))

II. CHARACTERISTICS OF THE SITE AND NEIGHBORHOOD

A. Neighborhood and Zoning

The site is located on Kenwood Avenue near Newton Centre. Most of the

properties in the immediate area are single-family residences (**ATTACHMENT B**). The site and the surrounding lots are zoned Single-Residence 2 (**ATTACHMENT C**).

B. Site

The site consists of approximately 9,991 square feet of land and is improved with a single-family 2½-story residence constructed in approximately 1916, and a detached garage. There is a grade change of approximately seven feet sloping down from the south side of the existing dwelling to the southern property line. There is a large grass area on the southern portion of the site, and a driveway along the northern property line leading to the garage. The site is well screened by vegetation and fencing along side and rear property lines.

III. PROJECT DESCRIPTION AND ANALYSIS

A. Land Use

The use will remain a single-family residence.

B. Building and Site Design

The petitioner is proposing a 2½-story addition to the southern side of the existing dwelling that will add approximately 743 square feet of living space. The addition will create new living space at the basement, first floor, second floor and attic levels. The petitioner is also proposing to construct a by-right one-story screen porch in the rear, which does not count towards FAR, and to clad and re-roof the existing concrete block garage to match the aesthetic of the house. The proposed addition will extend the existing structure towards the side property line to the south by approximately nine feet, and the screen porch will extend the structure towards the rear property line by approximately 13 feet.

The proposed addition, which was approved administratively by the City's Senior Preservation Planner, will maintain the architectural design and material of the existing house, and will not significantly add to its footprint. Furthermore, the site will maintain very generous setbacks 38 feet and 20 feet to the side and rear property lines where the additions are proposed, and will be screened along the side and rear property lines by vegetation and fencing. For these reasons, the Planning Department believes that the proposed addition is consistent with and not in derogation of the size, scale, and design of other structures in the surrounding neighborhood.

C. Landscape Screening

The site is well screened along the side and rear property lines by vegetation and fencing. The Planning Department does not believe that additional screening is

necessary.

IV. TECHNICAL REVIEW

A. Technical Considerations (Chapter 30, Newton Zoning Ordinance):

The Zoning Review Memorandum, (**ATTACHMENT A**), provides an analysis of the proposal with regard to zoning. The petitioner is requesting a special permit to exceed the maximum allowed floor area ratio.

B. Engineering Review

As the petitioner is not increasing the impervious surfaces on the lot by more than 4% no engineering review is required.

V. ZONING RELIEFS SOUGHT

Based on the completed Zoning Review Memorandum, the petitioner is seeking the following reliefs:

- Section 30-15 Table A, 30-15(u), to exceed the allowed FAR.

VI. PETITIONER'S RESPONSIBILITIES

The petition is considered complete at this time.

ATTACHMENTS:

Attachment A: Zoning Review Memorandum
Attachment B: Zoning Map
Attachment C: Land Use Map



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Candace Havens
Director

ZONING REVIEW MEMORANDUM

Date: March 20, 2014

To: John Lojek, Commissioner of Inspectional Services

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

Cc: Richard Levey, Architect
Christopher Lovett
Candace Havens, Director of Planning and Development
Ouida Young, Associate City Solicitor

RE: Request to exceed FAR

Applicant: Christopher Lovett	
Site: 63 Kenwood Ave	SBL: 64020 0025
Zoning: SR-2	Lot Area: 9,991 square feet
Current use: Single-family dwelling	Proposed use: No change

BACKGROUND:

The property at 63 Kenwood Avenue consists of a 9,991 square foot lot improved with a single-family residence constructed in 1890 and a detached garage constructed in 1916. The structure consists of two and a half stories and a basement. The applicant proposes to add 175 square feet to the basement, first and the second floors, and an additional 162 square feet to the attic, for a total of 687 additional square feet of living space. The applicant also proposes to clad and re-roof the existing concrete block garage to match the aesthetic of the house and add a screen porch to the rear of the house.

The proposed additions will increase the floor area ratio to .45, which is above that which is allowed by right.

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

- Zoning Review Application, prepared by Richard Levey, architect, submitted 2/7/14
- FAR Worksheet, prepared by Richard Levey, architect, submitted 1/8/14
- Plan of Land, signed and stamped by Peter J. Nolan, surveyor, dated 2/6/14

- Architectural plans, prepared by Richard Levey, architect, dated 1/27/13
 - Existing conditions
 - Proposed conditions
 - Existing elevations
 - Proposed elevations

ADMINISTRATIVE DETERMINATIONS:

1. The proposed additions increase the structure’s FAR, from .37, to .45, which exceeds the .38 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).

SR2 Zone	Required	Existing	Proposed
Lot Size	10,000 square feet	9,991 square feet	No change
Frontage	80 feet	102 feet	No change
Setbacks for existing structure <ul style="list-style-type: none"> • Front • Side • Rear 	25 feet 7.5 feet 15 feet	30 feet 12.1 feet +/-26 feet	No change No change 20.7 feet
FAR	.38	.37	.45
Max Lot Coverage	30%	16.6%	19.9%
Min. Open Space	50%	74.3%	63.8%

1. See “Zoning Relief Summary” below:

Zoning Relief Required		
<i>Ordinance</i>		<i>Action Required</i>
§30-15 Table A, 30-15(u)(2)	Exceed Floor Area Ratio (FAR)	S.P. per §30-24

68-14 Land Use Map 63 Kenwood Ave.

City of Newton,
Massachusetts

Legend

- Streets - Pavement Edge
- Building Outlines

Land Use

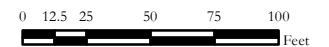
- Single Family Residential
- Mixed Use
- Vacant Land

ATTACHMENT B



The information on this map is from the Newton Geographic Information System (GIS). The City of Newton cannot guarantee the accuracy of this information. Each user of this map is responsible for determining its suitability for his or her intended purpose. City departments will not necessarily approve applications based solely on GIS data.

CITY OF NEWTON, MASSACHUSETTS
Mayor - Setti D. Warren
GIS Administrator - Douglas Greenfield



Map Date: March 28, 2014



68-14 Zoning Map 63 Kenwood Ave.

*City of Newton,
Massachusetts*

Legend

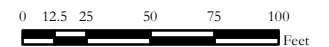
- Streets - Pavement Edge
- Building Outlines
- Single Residence 2

ATTACHMENT C



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Map Date: March 20, 2014

