

CITY OF NEWTON

IN CITY COUNCIL

ORDERED:

That the City Council, finding that the public convenience and welfare will be substantially served by its action, that the use of the site will be in harmony with the conditions, safeguards and limitations set forth in the Zoning Ordinance, and that said action will be without substantial detriment to the public good, and without substantially derogating from the intent or purpose of the Zoning Ordinance, grants approval of the following SPECIAL PERMIT/SITE PLAN APPROVAL to further extend the nonconforming floor area ratio (FAR) from 0.48 to 0.52 where 0.42 is the maximum allowed by right, as recommended by the Land Use Committee for the reasons given by the Committee, through its Chairman, Councilor Richard Lipof:

1. The proposed expanded structure with a floor area ratio of 0.52, where 0.48 exists and 0.42 is the maximum allowed by right, would be consistent with and not in derogation of the size, scale and design of other structures in the neighborhood given the locations of the additional floor area above existing living space and on the rear of the attic level and because the height of the dwelling would not be increased. (§3.1.9)
2. The extension of the dwelling's nonconforming floor area ratio of from 0.48 to 0.52, where 0.42 is the maximum allowed by right, would not be substantially more detrimental than the existing nonconforming floor area ratio to the neighborhood given the locations of the additional floor area above existing living space and on the rear of the attic level. (§7.8.2.C.2)

PETITION NUMBER: #55-21

PETITIONER(S): Alan E. Taylor

LOCATION: 12 Cochituate Road, Ward 6, Newton, on land known as Section 54 Block 31 Lot 2, containing approximately 7,650 sq. ft. of land

OWNER(S): Alan E. Taylor

ADDRESS OF OWNER(S): 12 Cochituate Road
Newton, MA 02461

TO BE USED FOR: Single-Family Residence

CONSTRUCTION: Wood frame

EXPLANATORY NOTES: Special permit per §7.3.3 to further extend nonconforming FAR (§3.1.3; §3.1.9; §7.8.2.C.2)

ZONING: Single Residence 2 (SR2) district

Approved subject to the following conditions:

1. All buildings, parking areas, driveways, walkways, landscaping, and other site features associated with this special permit/site plan approval shall be located and constructed consistent with:
 - a. A site plan entitled "12 Cochituate Road, Newton, MA, Certified Plot Plan," prepared by Ron Natoli, P.L.S., signed and stamped by Ronald J. Natoli, Professional Land Surveyor, dated January 24, 2008, as revised through September 4, 2020.
 - b. A set of plans entitled "Proposed Add'n & Revovat'ns, 12 Cochituate Road, Newton Highlands, MA, prepared by Alan E. Taylor Associates, signed and stamped by Alan E. Taylor, Registered Architect, dated November 11, 2020:
 - i. Basement & Roof Plans (A1)
 - ii. 1st & 2nd Floor Plans (A2)
 - iii. Elevations (A3)
 - iv. Elevations (A4)
 - v. Sections (A5)
 - c. A document entitled "Floor Area Ratio Worksheet, 12 Cochituate Road, Newton Highlands indicating a proposed "Total gross floor area" of 3,698 square feet (*please note*: this number is incorrect- it should read 3,968 square feet) and a proposed "FAR" (floor area ratio) of 0.52, signed and stamped by Alan E. Taylor, Registered Architect.
2. No building permit shall be issued pursuant to this Special Permit/Site Plan Approval until the petitioners have:
 - a. Recorded a certified copy of this order for the approved Special Permit/Site plan with the Registry of Deeds for the Southern District of Middlesex County.
 - b. Filed a copy of such recorded order with the City Clerk, the Department of Inspectional Services, and the Department of Planning and Development.
 - c. Obtained a written statement from the Planning Department that confirms the building permit plans are consistent with plans approved in Condition #1.

3. No Final Inspection/Occupancy Permit for the use covered by this special permit/site plan approval shall be issued until the petitioners have:
 - a. Filed with the City Clerk, the Department of Inspectional Services, and the Department of Planning and Development a statement by a registered architect and certifying compliance with Condition #1, including the as built FAR.
 - b. Submitted to the Director of Planning and Development and Commissioner of Inspectional Services, final as-built plans in paper and digital format signed and stamped by a licensed land surveyor.