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Barney S. Heath
Director

ZONING REVIEW MEMORANDUM

Date: September 23, 2021

To: John Lojek, Commissioner of Inspectional Services

From: Jane Santosuosso, Chief Zoning Code Official

Cc: Terrence P. Morris, Attorney
The Homes at Elliot Street LLC, Applicant
Barney S. Heath, Director of Planning and Development
Jonah Temple, Assistant City Solicitor

RE: Request to allow four single-family attached dwellings in two structures

Applicant: The Homes at Elliot Street LLC	
Site: 300 Elliot Street	SBL: 51038 0019
Zoning: MR1	Lot Area: 19,057 square feet
Current use: Single-family dwelling and accessory structure	Proposed use: Two two-unit single-family attached dwellings

BACKGROUND:

The property at 300 Elliot Street consists of 19,057 square feet and is improved with a single-family dwelling built circa 1840 and an accessory structure in the MR1 zoning district. The petitioner intends to construct a rear addition, containing a second unit, to the to the dwelling, as well as convert the accessory structure into two units. Additionally, the petitioners intend to construct a detached two-car garage. The modifications would result in four single-family attached dwellings in two structures.

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

- Zoning Review Application, prepared by Terrence P. Morris, Attorney, dated 12/8/2020
- Existing Conditions Site Plan, signed and stamped by Scott C. Lynch, PLS, dated 3/15/2021
- Zoning Plan, unsigned, by Innovative Collaborations, Inc., dated, 7/21/2021
- Architectural Plans and Elevations, unsigned, by Innovative Collaborations, Inc., dated, 5/13/2021

ADMINISTRATIVE DETERMINATIONS:

1. The petitioners propose to construct a second unit to the rear of the existing single-family dwelling resulting in two Single-Family Attached Dwellings, as well as convert the accessory structure into a two-units, creating four single-family attached dwellings within two separate structures. Per section 3.4.1, a special permit is required to construct attached dwellings in the MR1 district.
2. Per section 3.2.4, attached dwellings require a 25-foot setback from the front, rear and side lot lines. The petitioners intend to construct an addition to the rear of the existing structure creating a 14.21-foot side setback. Additionally, the accessory structure is to be converted to two dwelling units and has a 12.6-foot side setback and an 18-foot rear setback. Per section 3.2.4, the petitioner seeks a waiver of the setback requirement to allow a 12.6-foot side setback and an 18-foot rear setback.
3. Per section 6.2.3.B.2, no driveway may be within ten feet of a side or rear lot line. The petitioner proposes to construct a circular drive at the front of the property, of which both sides are within ten feet of the side lot lines. Additionally, the driveway runs along the northern (side) lot line to the rear of the property directly on the side lot line. A special permit to waive the driveway requirement per section 6.2.3.B.2 is required
4. Per section 6.2.3.B.2, no parking space may be located within 20 feet of a property line. Two of the six surface parking stalls are within 20 feet of the side lot lines. Section 5.1.8.A.1 also requires that no parking stall be located within a side setback. A special permit to waive the parking setback requirements per sections 6.2.3.B.2, 5.1.8.A.1 and 5.1.13 is required.
5. Section 5.1.8.A.2 requires that no outdoor parking stall be located within five feet of a building containing dwelling units. Parking stall #3 is within two feet of Unit 2 and stall #4 is within five feet of Unit 3, requiring a special permit per section 5.1.13.
6. Four of the six surface parking stalls have a width of 8 feet, where 9 feet is required per section 5.1.8.B.1. A special permit is required to reduce the required width per section 5.1.13.
7. Section 5.1.8.B.2 requires a stall depth of 19 feet for all angle parking and 21 feet for parallel parking. The petitioner proposes two angled parking stalls with depths of 18 feet and two parallel stalls with depths of 18 feet. A special permit is required to waive the stall depth requirement per section 5.1.13.
8. Section 5.1.8.D.1 requires a minimum width of 20 feet for entrance and exit driveways for two-way use. The driveway narrows to 10 feet wide at the side of Unit 1 and is otherwise 12 feet wide. A special permit is required to waive the driveway width for two-way use per section 5.1.13.
9. Section 5.1.8.E.1 requires a special permit to allow tandem parking. The petitioner proposes to construct two surface stalls in front of the detached garage. A special permit is required to allow the tandem parking per section 5.1.13.
10. Per section 1.5.4.G.2.a the roofline overhang must be continued between the dormer and the story next below to avoid the appearance of an uninterrupted wall plane. The petitioners propose to

construct a detached garage with a gable dormer that extends the wall plane up through the dormer. To construct the garage as proposed requires a special permit.

11. The petitioner proposes to construct a detached garage with a gable dormer. The proposed dormer is 14 feet wide where the wall plane below it is 25.2 feet wide. Per section 1.5.4.G.2.b a dormer wider than 50% of the exterior wall of the story next below requires a special permit. The proposed dormer measures 56%, requiring relief.

MR1 Zone	Required	Existing	Proposed
Lot Size	15,000 square feet	19,075 square feet	No change
Frontage	80 feet	100 feet	No change
Setbacks - Principal <ul style="list-style-type: none"> • Front • Side • Side • Rear 	25 feet 25 feet 25 feet 25 feet	83.1 feet 14.2 feet 25 feet ±100 feet	No change 14.1 feet* 12.6 feet* 18 feet*
Setbacks – Accessory <ul style="list-style-type: none"> • Front • Side • Rear 	25 feet 5 feet 5 feet		>150 feet 5 feet 5 feet
Building Height <ul style="list-style-type: none"> • Units 1-2 • Units 3-4 • Accessory 	36 feet 36 feet 22 feet	31 feet 28.1 feet NA	No change No change 21.25 feet
Max Number of Stories <ul style="list-style-type: none"> • Units 1-2 • Units 3-4 • Accessory 	2.5 (3 by special permit) 2.5 (3 by special permit) 1.5	2.5 2 NA	No change No change 1.5
Lot Coverage (Max.)	25%	14.4%	20.6%
Open Space (Min.)	50%	59.6%	55.7%
Lot Area Per Unit (Min.)	4,000 square feet	19,075 square feet	4,769 square feet

Nonconformities are indicated in **BOLD**

*Requires relief

See “Zoning Relief Summary” below:

Zoning Relief Required		
<i>Ordinance</i>	<i>Site</i>	<i>Action Required</i>
§3.4.1	To allow single-family attached dwellings	S.P. per §7.3.3
§3.2.4	To reduce the side and rear setback	S.P. per §7.3.3
§6.2.3.B.2	To allow a driveway within ten feet of a lot line	S.P. per §7.3.3
§6.2.3.B.2 §5.1.8.A.1 §5.1.13	To allow parking within a side setback	S.P. per §7.3.3
5.1.8.A.2 §5.1.13	To allow parking within five feet of a building containing dwelling units	S.P. per §7.3.3
§5.1.8.B.1 §5.1.13	To reduce parking stall width	S.P. per §7.3.3
§5.1.8.B.2 §5.1.13	To reduce parking stall depth	S.P. per §7.3.3
§5.1.8.D.1 §5.1.13	To reduce the minimum width of a driveway for two-way use	S.P. per §7.3.3
§5.1.8.E.1 §5.1.13	To allow tandem parking	S.P. per §7.3.3
§1.5.4.G.2.a	To allow a continuous wall plane in a dormer	S.P. per §7.3.3
§1.5.4.G.2.b	To allow a dormer wider than 50% of the wall below	S.P. per §7.3.3