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Barney S. Heath
Director

ZONING REVIEW MEMORANDUM

Date: April 28, 2022

To: John Lojek, Commissioner of Inspectional Services

From: Jane Santosuosso, Chief Zoning Code Official

Cc: Dan and Jules Myung, Applicants
Philip Glenn, Rebel Builders
Barney S. Heath, Director of Planning and Development
Jonah Temple, Associate City Solicitor

RE: **Request to further extend nonconforming FAR**

Applicant: Dan & Jules Myung	
Site: 17 Jerome Avenue	SBL: 34039 0013
Zoning: SR3	Lot Area: 2,640 square feet
Current use: Single-family dwelling	Proposed use: No change

BACKGROUND:

The property at 17 Jerome Avenue consists of a 2,640 square foot lot improved with a single-family dwelling constructed circa 1894. The petitioners propose to enclose a portion of the front farmer's porch and make a two-story addition within the existing footprint. The proposed additions further increase the nonconforming FAR, requiring a special permit.

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

- Zoning Review Application, prepared by Philip Glenn, Rebel Builders, submitted 3/14/2022
- Plot Plan, signed and stamped by David J. DeBay, surveyor, dated 10/6/2021
- Plans and elevations, prepared by Rebel Builders, dated 2/22/2022
- FAR calculation, prepared by Rebel Builders, submitted 3/14/2022

ADMINISTRATIVE DETERMINATIONS:

1. The proposed to construct a two-story addition over existing first story space as well as to enclose space within the existing front porch. The existing nonconforming FAR is .51 where .48 is the maximum allowed per sections 3.1.3 and 3.1.9. The proposed additions result in a FAR of .57, further increasing the nonconforming FAR, requiring a special permit pursuant to Section 7.8.2.C.2.

SR3 Zone	Required	Existing	Proposed
Lot Size	7,000 square feet	2,640 square feet	No change
Frontage	70 feet	40 feet	No change
Setbacks			
• Front	25 feet	3.1 feet	No change
• Side	7.5 feet	9.3 feet	No change
• Side	7.5 feet	4.3 feet	No change
• Rear	15 feet	19.4 feet	No change
Max Number of Stories	2.5	2.5	No change
Max Height	36 feet	32.5 feet	32.5 feet
FAR	.48	.51	.57*
Max Lot Coverage	30%	37%	No change
Min. Open Space	50%	67%	No change

*Requires relief

1. See “Zoning Relief Summary” below:

Zoning Relief Required		
<i>Ordinance</i>		<i>Action Required</i>
§3.1.3 §3.1.9 §7.8.2.C.2	Request to further increase nonconforming FAR	S.P. per §7.3.3

Next Steps

Please contact a Planner by calling 617.796.1120 to obtain a copy of the Special Permit Application. If there have been any changes made to the plans since receipt of your Zoning Review Memorandum you must inform the Zoning Code Official to ensure additional relief is not required. You will need an appointment with a Planner to file your Special Permit Application. **Incomplete applications will not be accepted.**

The following must be included when filing a Special Permit Application:

1. Two (2) copies of the completed Special Permit Application (signed by property owner)
2. Filing Fee (see Special Permit Application)
3. Two (2) copies of the Zoning Review Memorandum
4. Plans (Thirteen sets signed and stamped by a design professional). Each set shall contain:
 - Site Plans showing existing and proposed conditions (including topography as applicable)
 - Architectural plans showing existing and proposed conditions (including façade materials)
 - Landscape plan (as applicable)
5. One (1) Floor Area Ratio (FAR) Worksheet, (signed and stamped by a design professional)
6. One (1) copy of any previous special permits or variances on the property (as applicable)
7. One (1) copy of any other review/sign-off (Historic, Conservation, Tree Removal, etc. as applicable)
8. Two (2) electronic copies of the application with all above attachments (USB or CD)

Copies of all plans shall either be 8.5 x 11 or 11 x 17, except as requested by staff

Special Permit Sign (\$20 fee)

Incomplete applications will delay the intake and review of your project.

Depending on the complexity of the project additional information may be requested to facilitate a full review of the application.

Has the proposed project been presented to and discussed with abutting property owners? Y/N