

City of Newton Planning and Development

Petition #374-22

Special Permit/Site Plan Approval to construct a two-story rear addition to the principal dwelling, further increasing nonconforming FAR; to convert an existing detached structure into an accessory apartment and allow a reduced separation distance between the detached accessory structure and abutting dwelling; and to further extend a nonconforming two-story detached accessory building

August 9, 2022



199 Church Street

Zoning Relief

Zoning Relief Required		
Ordinance		Action Required
§6.7.1.E.7.b	To allow a reduced separation distance between the detached accessory apartment and the abutting dwelling	S.P. per §7.3.3
§3.4.3.A.3 §7.8.2..2	To further extend a nonconforming two-story detached accessory building	S.P. per §7.3.3
§3.2.3 §3.2.11 §7.8.2.C.2	To further increase nonconforming FAR	S.P. per §7.3.3

Criteria to Consider

When reviewing this request, the Council should consider:

- the site in a MR1 zoning district is an appropriate location for the proposed detached accessory apartment with a reduced separation distance between it and an abutting dwelling (§7.3.3.C.1)
- the proposed detached accessory apartment with a reduced separation distance between it and an abutting dwelling will adversely affect the neighborhood (§7.3.3.C.2)
- the proposed detached accessory apartment with a reduced separation distance between it and an abutting dwelling will create a nuisance or serious hazard to vehicles or pedestrians (§7.3.3.C.3)
- access to the site over streets is appropriate for the types and numbers of vehicles involved (§7.3.3.C.4)
- the proposed further extension of the nonconforming two-story detached accessory building would be substantially more detrimental than the existing nonconforming use to the neighborhood (§3.4.3.A.3, §7.8.2.C.2)
- the proposed structures that would increase the FAR are consistent with and not in derogation of the size, scale and design of other structures in the neighborhood (§3.2.3, §3.2.11)
- further increasing the nonconforming FAR would be substantially more detrimental than the existing nonconforming use to the neighborhood (§3.2.3, §7.8.2.C.2)

Aerial Map



Zoning

ATTACHMENT A

Land Use

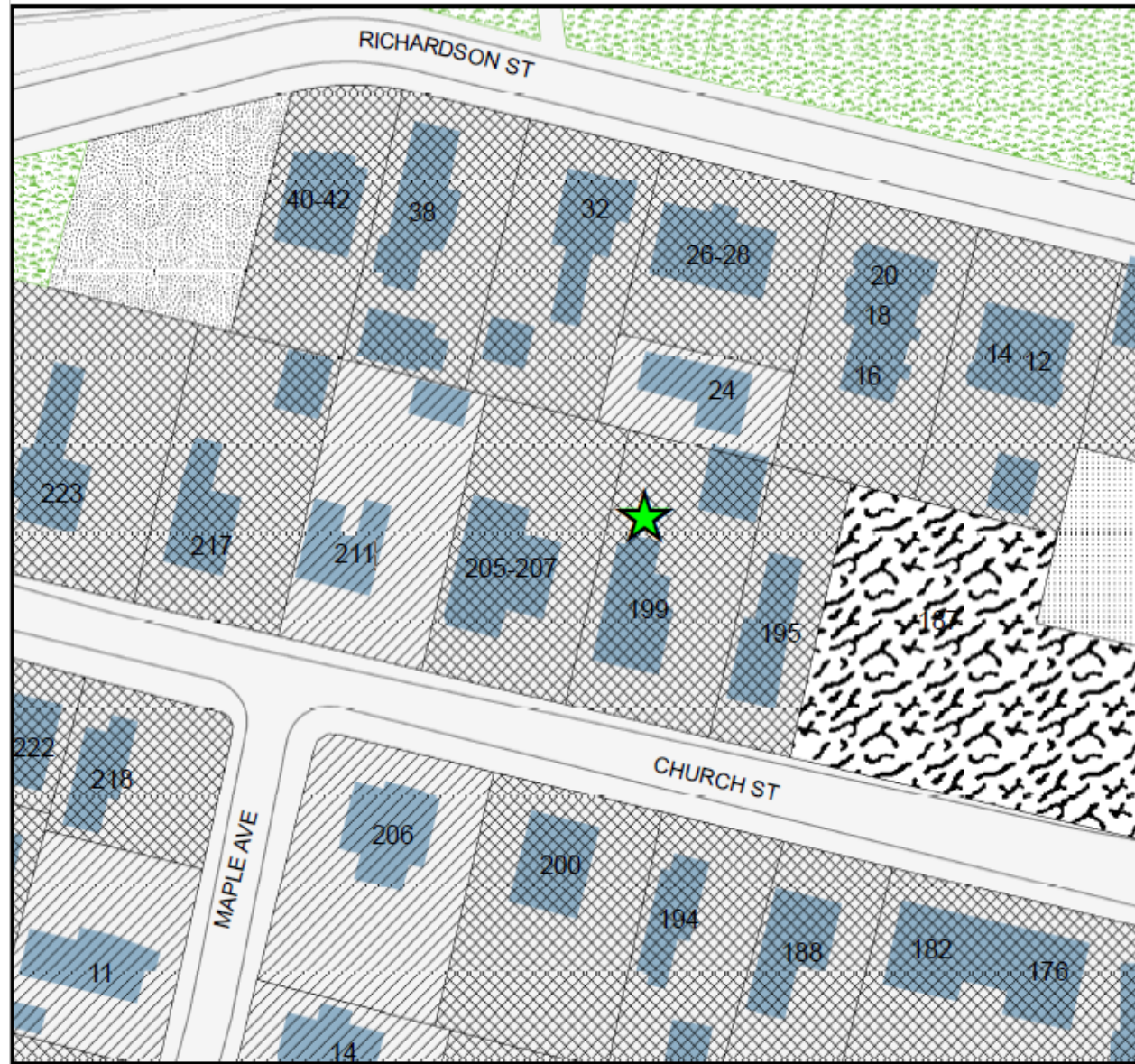
199 Church St.

*City of Newton,
Massachusetts*

Land Use

Land Use

-  Single Family Residential
-  Multi-Family Residential
-  Commercial
-  Mixed Use
-  Open Space
-  Nonprofit Organizations



The information on this map is
Geographic Information System (GIS) data. 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 - Ruthanne Fuller
GIS Administrator - Douglas Greenfield

0 12.5 25 50 75
Feet

Map Date: July 25, 2022

Land Use

ATTACHMENT B

Zoning

199 Church St.

*City of Newton,
Massachusetts*



- Multi-Residence 1
- Multi-Residence 2
- Business 1
- Public Use



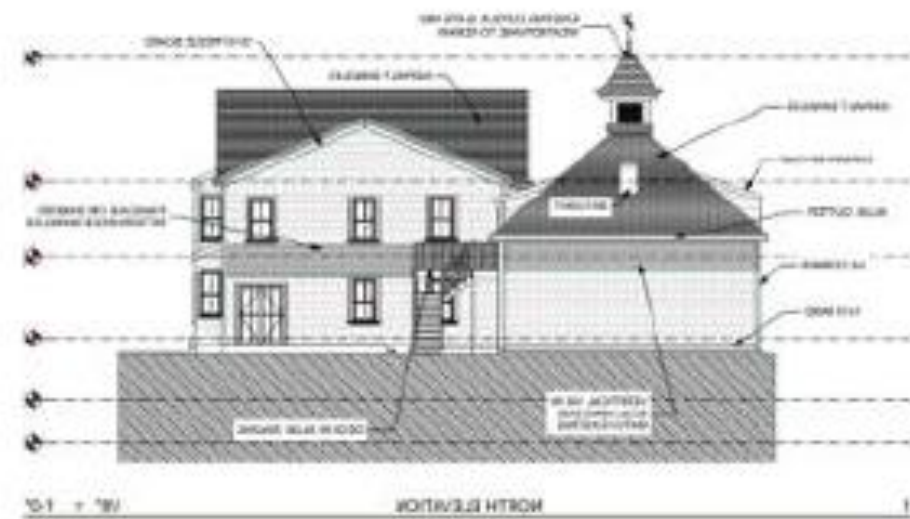
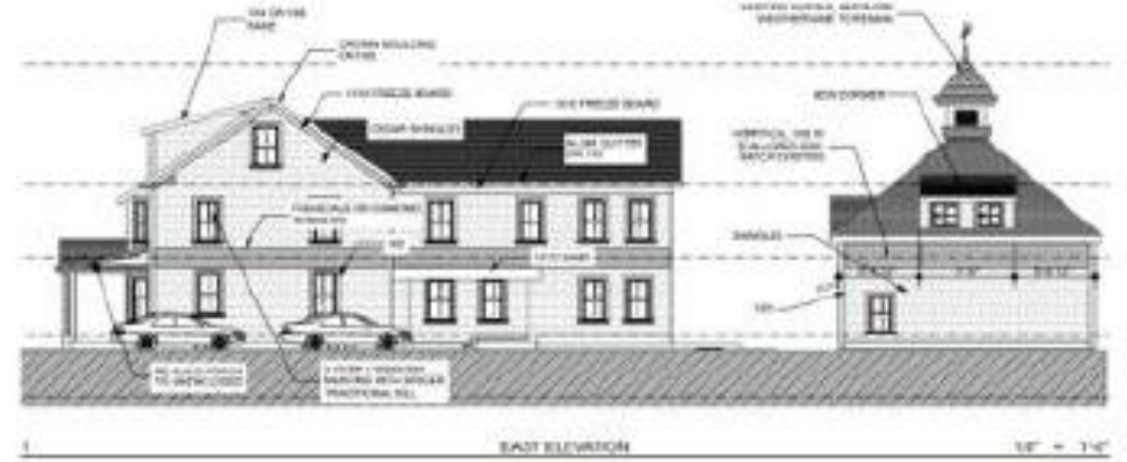
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CITY OF NEWTON, MASSACHUSETTS
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Map Date: July 25, 2022

Elevations



Photos



Photos



Photos



Photos



Findings

- the site in a MR1 zoning district is an appropriate location for the proposed detached accessory apartment with a reduced separation distance between it and an abutting dwelling as it would occupy a long existing historic structure (§7.3.3.C.1)
- the proposed detached accessory apartment with a reduced separation distance between it and an abutting dwelling will not adversely affect the neighborhood as it would occupy an existing historic structure (§7.3.3.C.2)
- the proposed detached accessory apartment with a reduced separation distance between it and an abutting dwelling will not create a nuisance or serious hazard to vehicles or pedestrians (§7.3.3.C.3)
- access to the site over streets is appropriate for the types and numbers of vehicles involved (§7.3.3.C.4)
- the proposed further extension of the nonconforming two-story detached accessory building would not be substantially more detrimental than the existing nonconforming use to the neighborhood (§3.4.3.A.3, §7.8.2.C.2)
- the proposed structures that would increase the FAR are consistent with and not in derogation of the size, scale and design of other structures in the neighborhood (§3.2.3, §3.2.11)
- further increasing the nonconforming FAR would not be substantially more detrimental than the existing nonconforming use to the neighborhood (§3.2.3, §7.8.2.C.2)

Conditions

- Plan Referencing Condition
- Standard Building Permit Condition
- *Accessory Apartment Conditions*
- Standard Final Inspection/Certificate of Occupancy Condition