

# City of Newton Planning and Development

Petition: #418-22

**Special Permit/Site Plan Approval** to exceed the FAR by constructing an attached two-car garage and to allow three stories

*October 6, 2022*



**53 Neshobe Road**

# Zoning Relief

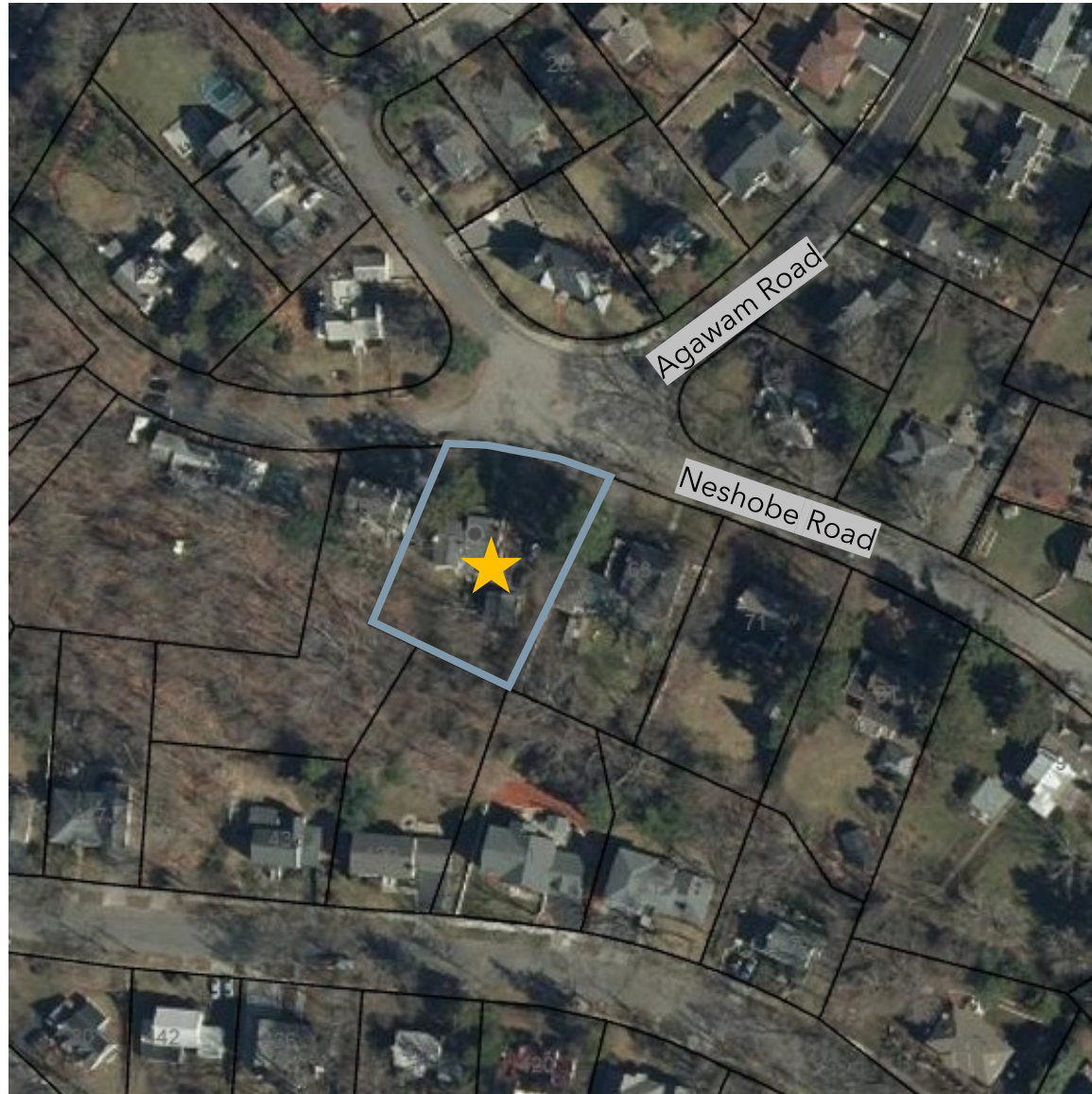
<b>Zoning Relief Required</b>		
<i>Ordinance</i>		<i>Action Required</i>
§3.1.3 §3.1.9	To exceed FAR	S.P. per §7.3.3
§3.1.3	To allow three stories	S.P. per §7.3.3

# Criteria to Consider

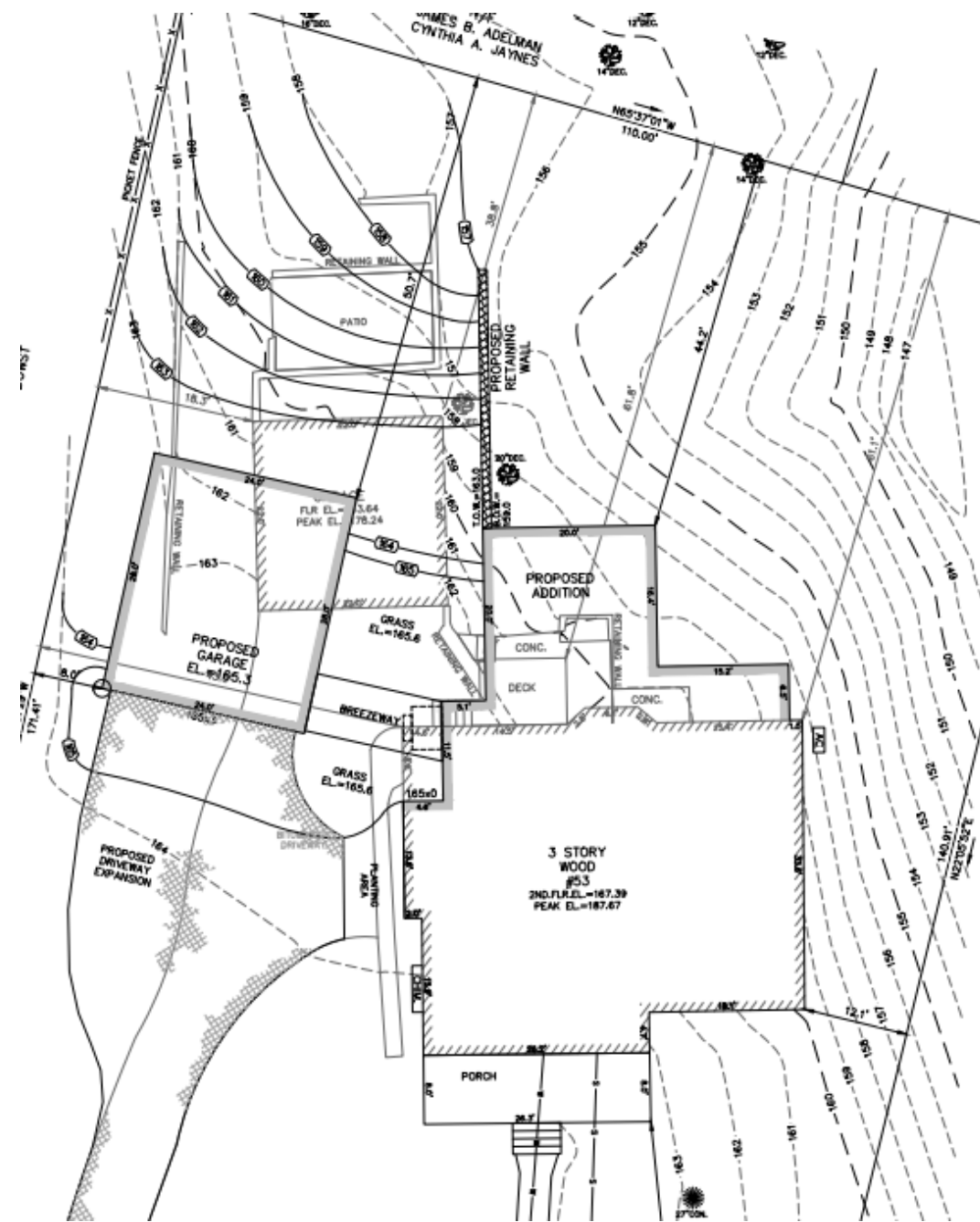
When reviewing this request, the Council should consider:

- The site is an appropriate location for the proposed three-story structure which exceeds the maximum allowed FAR as of right (§7.3.3.C.1)
- The proposed three-story structure which exceeds the maximum allowed FAR as of right will adversely affect the neighborhood (§7.3.3.C.2)
- The proposed three-story structure which exceeds the maximum allowed FAR as of right 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 FAR of .36, where .33 is the maximum allowed by-right, is consistent with and not in derogation of the size, scale and design of other structures in the neighborhood. (§3.1.3, and §7.8.2.C.2)

# Aerial Map



# Site Plan



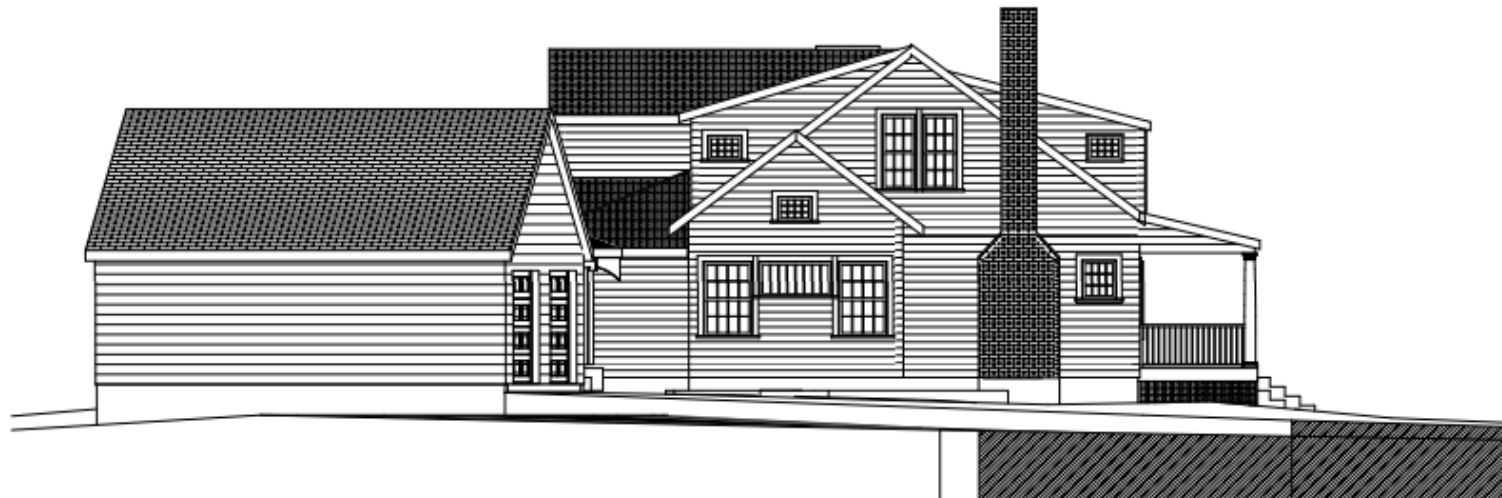
# Plans

Proposed  
Front Elevation



# Plans

Proposed  
Side Elevation (east)



# Plans

Proposed  
Side Elevation (west)





# Plans

Proposed  
Rear Elevation



# Findings

1. The specific site is an appropriate location for the proposed three-story structure which exceeds the maximum allowed FAR as of right because **the topography of the site is such that the basement counts as the first story, and towards the FAR.** (§7.3.3.C.1)
2. The proposed three-story structure which exceeds the maximum allowed FAR as of right will not adversely affect the neighborhood because **other structures in the neighborhood have exposed basements and similar topographies.** (§7.3.3.C.2)
3. The proposed three-story structure which exceeds the maximum allowed FAR as of right will not create a nuisance or serious hazard to vehicles or pedestrians **because the driveway location is being maintained.** (§7.3.3.C.3)
4. Access to the site over streets is appropriate for the types and numbers of vehicles involved. (§7.3.3.C.4)
5. The proposed FAR of .36, where .33 is the maximum allowed by-right, is consistent with and not in derogation of the size, scale and design of other structures in the neighborhood because **screening and setbacks will mitigate the impact of the additions on Neshobe Road.**

# Conditions

1. Plan Referencing
2. Standard Building Permit Condition
3. Standard Occupancy Condition