#214-18

458 Woodward Street

CITY OF NEWTON

IN CITY COUNCIL

May 21, 2018

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 increase nonconforming floor area ratio (FAR) from 0.59 to 0.63 where 0.44 is the maximum allowed by right and further increase the nonconforming lot coverage from 39% to 40%, where 30% is the maximum allowed by right, as recommended by the Land Use Committee for the reasons given by the Committee, through its Chairman, Councilor Gregory Schwartz:

1. The proposed increase of the nonconforming FAR from 0.59 to 0.63 where 0.44 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 as it will result from the enclosure of an existing rear porch that abuts several commercial properties and which will not increase the footprint of the dwelling (§3.1.9.A.2);
2. The proposed increase of the nonconforming FAR from 0.59 to 0.63 where 0.44 is the maximum allowed by right, will not be substantially more detrimental than the existing nonconforming structure to the neighborhood as it will result from the enclosure of an existing rear porch that abuts several commercial properties and which will not increase the footprint of the dwelling (§7.8.2.C.2);
3. The proposed increase of the nonconforming lot coverage from 39% to 40%, where 30% is the maximum allowed by right, will not be substantially more detrimental than the existing nonconforming structure to the neighborhood as it represents an increase of only 1% and is the result of the addition of an unenclosed stairway in the rear of the property (§7.8.2.C.2).

PETITION NUMBER: #214-18

PETITIONER: Steffi and Eric Karp

LOCATION: 458 Woodward Street, on land known as Section 53, Block 26, Lot 16, containing approximately 6,276 sq. ft. of land

OWNER: Steffi and Eric Karp

ADDRESS OF OWNER: 458 Woodward Street

Newton, MA 02468

TO BE USED FOR: Single-Family Residence

CONSTRUCTION: Wood frame

EXPLANATORY NOTES: Special permit per §7.3.3 to further increase nonconforming FAR (§3.1.3, §3.1.9, §7.8.2.C.2) and further increase nonconforming lot coverage (§3.1.3, §7.8.2.C.2)

ZONING: Single Residence 2 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:
   1. A site plan entitled “Addition Plan, No. 458 Woodward St., Waban, Mass,” prepared by Antonino Land Surveyors, Inc., signed and stamped by Michael Paul Antonino, Registered Land Surveyor, dated April 24, 2018.
   2. A set of plans entitled “Karp Residence, Issue Set: Zoning Review,” prepared by StudioPph Architecture Design, signed and stamped by Florin Luca, Registered Architect, dated April 24, 2018:
      1. Cover Sheet;
      2. Project Information (A0.01);
      3. F.A.R. Calculations (A0.02);
      4. Existing Conditions (A1.01);
      5. Proposed Floor Plans (A2.01);
      6. Exterior Elevations (A3.01);
      7. Exterior Elevations (A3.02);
      8. Exterior Elevations (A3.03);
      9. Exterior Elevations (A3.04);
      10. Exterior Elevations (A3.05).
2. No building permit shall be issued pursuant to this Special Permit/Site Plan Approval until the petitioners have:
   1. 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.
   2. Filed a copy of such recorded order with the City Clerk, the Department of Inspectional Services, and the Department of Planning and Development.
   3. Filed with the City Clerk, the Commissioner of Inspectional Services, and the Department of Planning and Development, a statement from the Engineering Division approving the final site plan.
   4. 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:
   1. 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.
   2. Filed with the City Clerk, the Department of Inspectional Services and the Department of Planning and Development a statement by the City Engineer certifying that improvements authorized by this Order have been constructed to the standards of the City of Newton Engineering Department.
   3. 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.