



Setti D. Warren
Mayor

City of Newton, Massachusetts
Department of Planning and Development
1000 Commonwealth Avenue Newton, Massachusetts 02459

Telephone
(617) 796-1120
Telefax
(617) 796-1142
TDD/TTY
(617) 796-1089
www.newtonma.gov

Candace Havens
Director

ZONING REVIEW MEMORANDUM

Date: June 9, 2014

To: John Lojek, Commissioner of Inspectional Services

From: Jane Santosuosso, Chief Zoning Code Official
Alexandra Ananth, Chief Planner for Current Planning

Cc: Christine Boisclair, Applicant
Candace Havens, Director of Planning and Development
Ouida Young, Associate City Solicitor

RE: Request to extend a nonconforming structure with regard to front setback

Applicant: Christine Boisclair	
Site: 42 Brae Burn Rd	SBL: 43005 0002
Zoning: SR-2	Lot Area: 9,095 square feet
Current use: Single-family dwelling	Proposed use: No change

BACKGROUND:

The property at 42 Brae Burn Road consists of a 9,095 square foot lot improved with a single-family colonial-style residence constructed in 1931. The structure consists of two and a half stories with an attached two-stall garage. The garage was part of a two-story addition completed in 2013. There is no protection over the front entrance, and the applicant is proposing to add a front portico to cover it. The existing front setback is nonconforming, and a special permit is required to build the project as proposed.

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

- Zoning Review Application, prepared by Christine Boisclair, applicant, submitted 5/30/2014
- Existing Site Plan, signed and stamped by Christopher C. Charlton, surveyor, dated 4/23/2013
- Photo of property, undated
- Mortgage Inspection Plan, signed and stamped by George C. Collins, dated 7/17/2012
- Proposed elevations, prepared by Wolchesky, DWB, dated 4/25

ADMINISTRATIVE DETERMINATIONS:

1. The dwelling has an existing front setback of 21.2 feet, where the requirement for an old lot in the SR2 zoning district is 25 feet. The applicant is proposes to construct a portico to cover the front entrance. The portico will extend 4.12 feet from the existing dwelling, creating a proposed front setback of 17 feet. To extend the nonconforming front setback further requires a special permit from the Board of Aldermen per section 30-21(b) of the Ordinance.

SR2 Zone	Required	Existing	Proposed
Lot Size	10,000 square feet	9,095 square feet	No change
Frontage	80 feet	73 feet	No change
Setbacks			
• Front	25 feet	21.2 feet	17.08 feet
• Side	7.5 feet	7.9 feet	No change
• Rear	15 feet	59 feet	No change

1. See “Zoning Relief Summary” below:

Zoning Relief Required		
<i>Ordinance</i>		<i>Action Required</i>
§30-15 Table 1 30-21(b)	Request to extend the existing nonconforming front setback	S.P. per §30-24