



Setti D. Warren
Mayor

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

308-16
Telephone
(617) 796-1120
Telefax
(617) 796-1142
TDD/TTY
(617) 796-1089
www.newtonma.gov

Barney S. Heath
Director

ZONING REVIEW MEMORANDUM

Date: July 21, 2016

To: John Lojek, Commissioner of Inspectional Services

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

Cc: Surrendra Dudani and Shalini Sen, applicants
Barney S. Heath, Director of Planning and Development
Ouida Young, Associate City Solicitor

RE: Request to further increase a nonconforming front setback

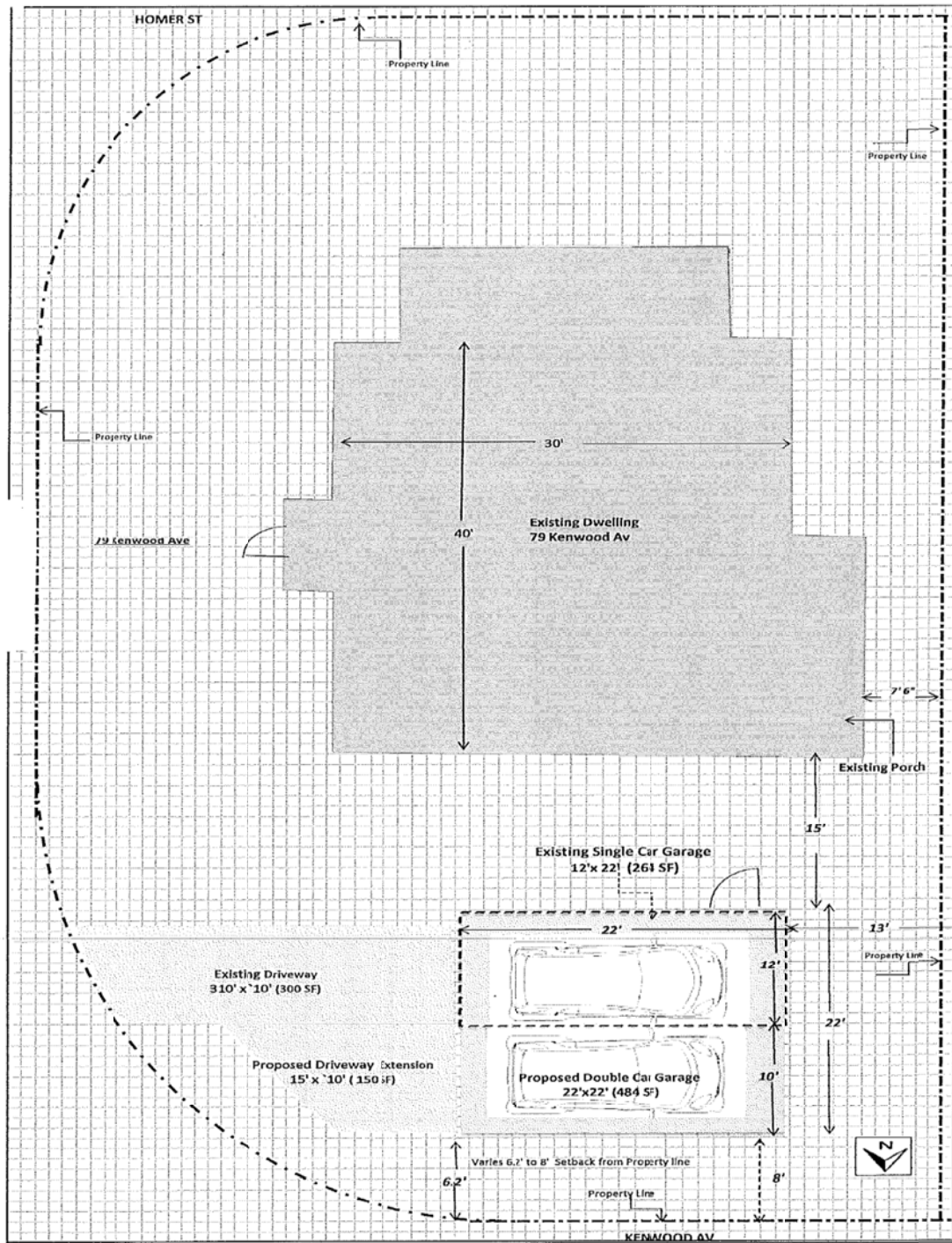
Applicant: Surrendra Dudani and Shalini Sen	
Site: 79 Kendwood Ave	SBL: 64020 0001
Zoning: SR-2	Lot Area: 7,964 square feet
Current use: Single-family dwelling	Proposed use: No change

BACKGROUND:

The property at 79 Kenwood Avenue consists of a 7,964 square foot lot at the corner of Kenwood Avenue and Homer Street. Due to the configuration of the streets and lot, the lot has three fronts. The site is improved with a single-family residence constructed in 1916, and a detached garage structure built in 1924. The applicant proposes to raze the existing 12 foot by 22 foot detached garage and reconstruct a 22 foot by 22 foot detached garage. The existing garage is 16.2 feet from Kenwood Avenue, where 25 feet is required. The applicant's proposed design further reduces the nonconforming front setback to 6.2 feet, which requires a special permit.

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

- Zoning Review Application, prepared by Surrendra Dudani, applicant, submitted 6/13/2016
- FAR Worksheet, submitted 6/13/2016
- Plot Plan, signed and stamped by Michael Paul Antonino, surveyor, dated 6/6/2016
- Proposed Plan, dated 6/10/2016
- Plans and Elevations, dated 6/10/2016



ADMINISTRATIVE DETERMINATIONS:

1. The applicant's property is located on Kenwood Avenue, which curves around the lot effectively creating a corner, producing two front setbacks for the proposed detached garage structure. Section 3.4.4.D states that a garage may be no closer to the front lot line than the longest street-facing wall of the dwelling. The front of the existing garage is set back from the longest street-facing wall of the principal dwelling from the straight portion of Kenwood Avenue, meeting this requirement. The applicant proposes to maintain this setback with the proposed enlarged detached garage and will continue to meet the requirement of a detached garage being no closer to the street than the principal dwelling. Due to the curvature of Kenwood Avenue, the corner of enlarged garage is closer to the northern part of Kenwood Avenue, but in number only. In appearance it is set back from the main face of the dwelling.
2. The side of the detached garage structure faces the curve of Kenwood Avenue and has an existing nonconforming front setback of 16.2 feet, where 25 feet is required per Sections 3.1.3 and 3.4.3.A.1. The applicant is proposing to enlarge the garage structure, making it 10 feet wider to accommodate two cars, further extending the nonconforming front setback to 6.2 feet, which requires a special permit per Section 7.8.2.C.2.

SR2 Zone	Required	Existing	Proposed
Lot Size	10,000 square feet	7,964 square feet	No change
Frontage	80 feet	125 feet	No change
Setbacks - Dwelling <ul style="list-style-type: none"> • Front (Kenwood Ave) • Front (Homer St) • Rear 	25 feet 25 feet 15 feet	25 feet 25 feet 7.6 feet	No change No change No change
Setbacks – Detached Garage <ul style="list-style-type: none"> • Front (Kenwood Ave north) • Rear 	25 feet 5 feet	16.2 feet 13 feet	6.2 feet No change
FAR	.41	.38	.41
Max Lot Coverage	30%	22%	24%
Min. Open Space	50%	70%	67.3%

1. See "Zoning Relief Summary" below:

Zoning Relief Required		
<i>Ordinance</i>		<i>Action Required</i>
§3.1.4, §7.8.2.C.2	Request to further increase nonconforming front setback	S.P. per §7.3.3