



Setti D. Warren  
Mayor

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

Telephone  
**166-14**  
(617) 796-1120  
Telefax  
(617) 796-1142  
TDD/TTY  
(617) 796-1089  
www.newtonma.gov

Candace Havens  
Director

## ZONING REVIEW MEMORANDUM

Date: May 12, 2014

To: John Lojek, Commissioner of Inspectional Services

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

Cc: Terrence P. Morris, Attorney  
Credere Ventures, LLC, Owner  
Candace Havens, Director of Planning and Development  
Ouida Young, Associate City Solicitor

**RE: Request to increase already nonconforming FAR**

Applicant: Credere Ventures, LLC	
Site: 22 Lenox Street	SBL: 32050 0005
Zoning: SR-1	Lot Area: 9,353 square feet
Current use: Single-family dwelling	Proposed use: No change

### BACKGROUND:

The property at 22 Lenox Street consists of a 9,353 square foot lot improved with a single-family residence constructed in 1889 and a detached carport built in 2014. The structure consists of two and a half stories and a basement. The applicant seeks to now enclose the carport so as to create a 324 square foot garage. Carports do not count toward FAR, however garages do. The existing FAR on the site is .38, and the enclosure of the garage will increase the FAR to .41, which exceeds the .35 allowed by right.

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

- Zoning Review Application, prepared by Terrence P. Morris, attorney, submitted 4/4/2014
- FAR Worksheet, signed and stamped by Frank Iebba, surveyor, submitted 4/4/2014
- Site Plan, signed and stamped by Frank Iebba, surveyor, dated 1/8/2014, revised 1/20, 3/24

**ADMINISTRATIVE DETERMINATIONS:**

1. The proposed detached garage increases the structure's nonconforming FAR, from .38, to .41, which exceeds the .35 maximum permitted by the Ordinance per Section 30-15, Table A. To construct the detached structure as proposed, the applicant must obtain a special permit from the Board of Aldermen per Section 30-15(u)(2) and Section 30-21(b).
2. By-right renovations to the existing structure removing the existing front porch side stairway and a rear porch will result in a decrease in lot coverage.

SR1 Zone	Required	Existing	Proposed
Lot Size	15,000 square feet	<b>9,353 square feet</b>	No change
Frontage	100 feet	<b>85 feet</b>	No change
Setbacks for detached accessory structure			
• Front	25 feet	101.8 feet	No change
• Side	5 feet	6.4 feet	No change
• Rear	5 feet	6 feet	No change
FAR	.35	<b>.38</b>	<b>.41</b>
Max Lot Coverage	20%	<b>21.2%</b>	<b>20.6%</b>
Min. Open Space	65%	71.5%	68.8%

1. See "Zoning Relief Summary" below:

<b>Zoning Relief Required</b>		
<i>Ordinance</i>		<i>Action Required</i>
§30-15 Table A, 30-15(u)(2) 30-21(b)	Exceed nonconforming Floor Area Ratio (FAR)	S.P. per §30-24