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James Freas  
Acting Director

**ZONING REVIEW MEMORANDUM**

Date: November 18, 2014

To: John Lojek, Commissioner of Inspectional Services

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

Cc: Janna and Ronald Curtis, Applicants  
James Freas, Acting Director of Planning and Development  
Ouida Young, Associate City Solicitor

**RE: Request to exceed maximum FAR and to extend a nonconforming structure**

Applicant: Janna and Ronald Curtis	
Site: 15 Larchmont Avenue	SBL: 54007 0002
Zoning: SR-2	Lot Area: 8,551 square feet
Current use: Single-family dwelling	Proposed use: No change

**BACKGROUND:**

The property at 15 Larchmont Avenue consists of an 8,400 square foot lot improved with a single-family residence constructed in 1931. The structure consists of two and a half stories and a basement. The topography is sloped so to create a walk-out basement and garage in the rear. As such, the basement is considered the first floor, creating three stories. The applicant proposes a 1,142 square foot addition at the rear of the structure. The addition will consist of 571 square feet of additional basement space to be used as a garage, and 571 square feet on the first floor for an expanded kitchen and family room. The maximum number of stories in an SR2 district is 2.5. The existing structure is three stories and therefore nonconforming. A special permit is required to expand a structure which is nonconforming with respect to the number of stories. The proposed addition creates an FAR of .48 from .35, which exceeds the maximum allowable FAR of .40. A special permit is required to exceed the maximum FAR.

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

- Zoning Review Application, prepared by Janna and Ronald Curtis, submitted 10/7/2014
- FAR Worksheet, prepared by Diane Miller, architect, dated 9/30/2014
- Average Grade Plane Calculation, signed and stamped by Douglas Johnson, surveyor, dated 10/1/2014

- Site Plan, signed and stamped by Douglas Johnson, surveyor, dated 10/4/2014
- Construction Documents, signed and stamped by Dianne Miller, architect, dated 8/21/2014
  - Existing basement plan
  - Existing first floor
  - Existing second floor
  - Existing roof plan
  - Existing elevations
  - New basement
  - New first floor plan
  - New second floor plan
  - New elevations

**ADMINISTRATIVE DETERMINATIONS:**

1. The maximum number of stories allowed in an SR2 district is 2.5 according to 30-15 Table 1. Due to the significantly downward sloping topography, the existing structure has a walk-out basement and rear garage, making it a three-story structure. The applicant is proposing an addition at the rear of the property, adding to the existing basement and first floor, which will further increase the nonconforming nature of the structure. Per section 30-21(b), a special permit is required to increase the nonconforming nature of the structure.
  
2. The applicant’s existing FAR is .35. The proposed addition will create an FAR of .48, which exceeds the .40 allowed by right. A special permit is required to exceed the maximum FAR per sections 30-15 Table A, and 30-15(u)(2).

SR2 Zone	Required	Existing	Proposed
Lot Size	10,000 square feet	<b>8,551 square feet</b>	No change
Frontage	80 feet	85 feet	No change
Setbacks			
• Front	25 feet	31.3 feet	No change
• Side	7.5 feet	9.9 feet	No change
• Rear	15 feet	+/- 50 feet	33.1 feet
FAR	.40	.35	<b>.48</b>
Max Lot Coverage	30%	11.5%	18.1%
Min. Open Space	50%	68.7%	62.1%

1. See “Zoning Relief Summary” below:

Zoning Relief Required		
<i>Ordinance</i>		<i>Action Required</i>
§30-15 Table A, 30-15(u)(2)	Exceed Floor Area Ratio (FAR)	S.P. per §30-24
§30-15 Table 1 30-21(b)	Extend a nonconforming 3-story single-family dwelling	S.P. per §30-24