



Ruthanne Fuller
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

Barney S. Heath
Director

ZONING REVIEW MEMORANDUM

Date: November 12, 2020

To: John Lojek, Commissioner of Inspectional Services

From: Jane Santosuosso, Chief Zoning Code Official
Neil Cronin, Chief Planner for Current Planning

Cc: Abhay & Roma Mayur, Applicants
Barney S. Heath, Director of Planning and Development
Jonah Temple, Assistant City Solicitor

RE: Request to extend a nonconforming front setback

Applicant: Abhay & Roma Mayur	
Site: 89 Pine Street	SBL: 44035 0087
Zoning: SR3	Lot Area: 22,698 square feet
Current use: Single-family dwelling	Proposed use: No change

BACKGROUND:

The property at 89 Pine Street consists of a 22,698 square foot lot improved with a single-family residence built in 1993. The petitioner proposes to construct a porch to the front of the dwelling, extending the nonconforming front setback.

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

- Zoning Review Application, prepared by Abhay Mayur, applicant, submitted 9/15/2020
- Existing Conditions Plan of Land, signed and stamped by Bruce Bradford, surveyor, dated 8/21/2020
- Proposed Conditions Plan of Land, signed and stamped by Bruce Bradford, surveyor, dated 8/31/2020, revised 11/5/2020

ADMINISTRATIVE DETERMINATIONS:

1. The dwelling was constructed in 1993 with a front setback of 16.5 feet, utilizing the average front setbacks of the abutting properties per section 1.5.3.B. According to the 1993 building permit, the dwelling on the abutting property at 91 Pine Street had an 8-foot front setback, resulting in an average front setback requirement for the subject property of 16.5 feet. The dwelling at 91 Pine Street was razed in 2014 and the new dwelling has a front setback of 26.1 feet, resulting in the creation of a nonconforming front setback for the subject property. The petitioners seek to construct a porch on the front of the dwelling, further extending the nonconforming front setback to 14.9 feet, requiring a special permit per sections 3.1.3 and 7.8.2.C.2.

SR3 Zone	Required	Existing	Proposed
Lot Size	10,000 square feet	22,698 square feet	No change
Frontage	80 feet	54 feet	No change
Setbacks <ul style="list-style-type: none"> • Front • Side • Rear 	25 feet 10 feet 15 feet	16.5 feet 7.7 feet >200 feet	14.9 feet No change No change
Max Lot Coverage	30%	4.9%	5.5%
Min. Open Space	50%	90%	89.5%

1. See “Zoning Relief Summary” below:

Zoning Relief Required		
<i>Ordinance</i>		<i>Action Required</i>
§3.1.3 §7.8.2.C.2	Request to further extend a nonconforming front setback	S.P. per §7.3.3