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Director

ZONING REVIEW MEMORANDUM

Date: September 13, 2022

To: John Lojek, Commissioner of Inspectional Services

From: Jane Santosuosso, Chief Zoning Code Official
Katie Whewell, Chief Planner for Long Range Planning

Cc: Amy Surman, Applicant
Barney S. Heath, Director of Planning and Development
Jonah Temple, Assistant City Solicitor

RE: **Request to exceed FAR**

Applicant: Amy Surman	
Site: 168-170 Warren Street	SBL: 61040 0004
Zoning: MR1	Lot Area: 5,742 square feet
Current use: Two-family dwelling	Proposed use: No change

BACKGROUND:

The property at 168-170 Warren Street consists of a 5,742 square foot lot improved with a two-family dwelling constructed circa 1880. The petitioner seeks to enclose an existing screen porch, further increasing the nonconforming FAR, requiring a special permit.

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

- Zoning Review Application, prepared Amy Surman, applicant, submitted 8/3/2022
- Proposed Plot Plan, signed and stamped by Joseph R. Porter, surveyor, dated 6/7/2022
- FAR calculations, submitted 8/3/2022
- Floor plans and elevations, prepared by Elpida Peristeropoulou, designer, dated 7/27/2022

ADMINISTRATIVE DETERMINATIONS:

1. The deed on record indicates a lot area of 4,808 square feet and provides the metes and bounds of the parcel. The site survey indicates a lot area of 5,742 square feet. The earliest available deed dates to 1951 and reflects the same measurements as those of the most recent deed, so it is not believed that the lot has changed in size or configuration since that time. Based on the measurements of the metes and bounds as indicated in both the deed and the survey, it is believed that the lot area of 4,808 square feet provided by the deed is incorrect and that the lot area of 5,742 square feet provided by the site survey reflects the accurate total square footage of the parcel.
2. The petitioner proposes to enclose a 108 square foot screen porch, increasing the nonconforming FAR from .70 to .72 where .56 is the maximum allowed per sections 3.2.3 and 3.2.11, requiring a special permit per section 7.8.2.C.2.
3. The petitioner proposes to construct a 12.1-foot-wide awning extending three feet from the house, resulting in a 5.7 foot side setback where 7.5 feet is required per section 3.2.3. Per section 1.5.3.D.6, roof overhangs may extend up to three feet into the setback. No relief is required.

The building has an existing nonconforming front setback at the location of the awning of 14 feet where 25 feet is required per section 3.2.3. The awning is set back from the front façade but still within the required front setback. Per section 7.8.2.B.2.i, alterations and additions to the front of a structure of not more than 75 square feet may be allowed by right as long as the addition does not encroach any further into the front setback. The proposed awning is adds approximately 30 square feet within the front setback, requiring no relief.

1. See “Zoning Relief Summary” below:

Zoning Relief Required		
<i>Ordinance</i>		<i>Action Required</i>
§3.2.3 §3.2.11 §7.8.2.C.2	Request to further increase nonconforming FAR	S.P. per §7.3.3