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Barney S. Heath
Director

ZONING REVIEW MEMORANDUM

Date: January 8, 2020

To: John Lojek, Commissioner of Inspectional Services

From: Jane Santosuosso, Chief Zoning Code Official
Jennifer Caira, Chief Planner for Current Planning

Cc: Jordana Roubicek Greenman, Attorney
Mojo Realty Trust, Applicant
Barney S. Heath, Director of Planning and Development
Jonah Temple, Assistant City Solicitor

RE: Request to allow an accessory apartment exceeding 1,000 square feet

Applicant: Mojo Realty Trust	
Site: 169 Hunnewell Avenue	SBL: 71032 0001
Zoning: MR1	Lot Area: 9,568 square feet
Current use: Two-family dwelling	Proposed use: Two-family dwelling with an accessory apartment

BACKGROUND:

The property at 169 Hunnewell Avenue consists of a 16,700 square foot lot improved with a two-family dwelling constructed circa 1890. The dwelling was originally constructed as a single-family home, and was converted to a two-family use in 1942. A third unit was constructed in the attic and was removed by an enforcement action in 1972. The dwelling is currently used as a legal two-family. The Petitioner proposes to convert existing space within the attic level to be used as an accessory apartment.

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

- Zoning Review Application, prepared by Jordana Roubicek Greenman, attorney, submitted 11/21/2019
- Second and Third Floor Plans, prepared by John Seger, architect, dated 10/21/2019

ADMINISTRATIVE DETERMINATIONS:

1. The petitioner proposes to convert existing attic level finished space into a 1,092 square foot accessory apartment. Per section 6.7.1.D.2, an internal accessory apartment may be between 250 and 1,000 square feet, or 33 percent of the total habitable space, whichever is less by right. Per the City Assessor’s database, the total building size of the two-family dwelling is 4,600 square feet, allowing for a 1,000 square foot apartment (33 percent is equal to 1,518 square feet). The City Council may grant a special permit for a larger accessory apartment up to 1,200 square feet or 40 percent of the total habitable space, whichever is less. As 40 percent is 1,840, the maximum allowed is 1,200 square feet. To allow for the 1,092 square foot internal accessory apartment requires a special permit per section 6.7.1.D.2

See “Zoning Relief Summary” below:

Zoning Relief Required		
Ordinance		Action Required
§6.7.1.D.2	To allow an accessory apartment larger than 1,000 square feet	S.P. per §7.3.3