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James Freas  
Acting Director

## ZONING REVIEW MEMORANDUM

Date: February 24, 2015

To: John Lojek, Commissioner of Inspectional Services

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

Cc: Marja Sisk & David Grossman  
James Freas, Acting Director of Planning and Development  
Ouida Young, Associate City Solicitor

RE: Request to establish an accessory apartment in a detached carriage house

RECEIVED  
NEWTON CITY  
2015 MAR -9 AM 10:03  
DAVID A. O'CONNOR, CLU  
Newton, MA 02459

Applicant: Marja Sisk & David Grossman	
Site: 86 Waban Hill Road	SBL: 63008 0037
Zoning: SR2	Lot Area: 50,649 square feet
Current use: Single-family dwelling	Proposed use: Single-family with accessory apartment in detached carriage house

### BACKGROUND:

The property at 86 Waban Hill Road consists of a 50,649 square foot lot improved with a single-family dwelling and carriage house constructed in 1911. The applicant proposes to convert existing second-floor finished space in the two-car carriage house into an approximately 985 square foot accessory apartment. No exterior renovations are required beyond a new exterior staircase to satisfy building code requirements.

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

- Zoning Review Application, prepared by Marja Sisk and David Grossman, applicants, submitted 1/14/2015
- Plan of Land, signed and stamped by Bruce Bradford, surveyor, dated 12/18/2014
- Floor plan, dated 1/9/2015

#### **ADMINISTRATIVE DETERMINATIONS:**

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1. The existing single-family structure is located in an SR2 district. Per section 30-8(d)(2), a special permit is required to create an accessory apartment in a detached structure accessory to a single-family dwelling.
2. Table 30-8 requires a lot of at least 15,000 square feet and a building size of at least 3,100 square feet. The property is 50,649 square feet and the dwelling is approximately 6,100 square feet. The property meets the requirements of Table 30-8.
3. Section 30-8(d)(1)(a) requires that an accessory apartment be located within a single family dwelling and one of the two units must be occupied by the owner of the property. The owner of the property intends to maintain residency in the main dwelling.
4. Section 30-8(d)(1)(b) requires a single-family dwelling to have been constructed at least ten years prior to the date of application for the permit for the accessory apartment. The dwelling was built in 1911 and thus meets the requirement.
5. The applicant is proposing to add a deck and second means of egress toward the back of the structure to satisfy the requirements of the building code. These alterations are permitted by Sections 30-8(d)(1)(d) and 30-8(d)(2)(b).
6. The applicant has not made any alterations to the structure within the last four years necessary to meet the requirements of Table 30-8, per Section 30-8(d)(1)(e).
7. Pursuant to Section 30-8(d)(1)(f), only one accessory apartment is allowed per lot. Only one is proposed.
8. No lodgers are proposed in either unit, per Section 30-8(d)(1)(g)
9. The applicant proposes to maintain two parking spaces within the first floor of the carriage house, as well as parking within the driveway. Sections 30-8(d)(1)(h), 30-19(d)(1) and 30-19(d)(19) require two parking stalls for the single-family dwelling, and one stall for the accessory unit, therefore no parking waivers are required.
10. The proposed accessory unit is 985 square feet, which is greater than the minimum of 400 square feet, and less than the maximum of 1,200 square feet required by the ordinance per Section 30-8(d)(2)(a).

<b>Zone SR2</b>	<b>Required/Allowed</b>	<b>Existing</b>	<b>Proposed</b>
Lot Size	10,000 square feet	50,649 square feet	No change
Frontage	100 feet	<b>75 feet</b>	<b>No change</b>
Setbacks for existing structure			
• Front	25 feet	65.3 feet	No change
• Side	7.5 feet	13.3 feet	No change
• Rear	15 feet	92.1 feet	No change
Setbacks for detached structures			
• Front	25 feet	+/- 200 feet	No change
• Side	5 feet	9.3 feet	No change
• Rear	5 feet	14.8 feet	No change
Max Lot Coverage	30%	6.9%	No change
Min Open Space	50%	79%	No change

1. See "Zoning Relief Summary" below:

<b>Zoning Relief Required</b>		
<b>Ordinance</b>		<b>Action Required</b>
§30-8(d)(2)	Creation of an accessory apartment in a detached structure accessory to a single-family dwelling	S.P. per §30-24