



Setti D. Warren  
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

James Freas  
Acting Director

## ZONING REVIEW MEMORANDUM

Date: July 1, 2015

To: John Lojek, Commissioner of Inspectional Services

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

Cc: Jeff Birnbaum, 46 Suffolk Road LLC  
James Freas, Acting Director of Planning and Development  
Ouida Young, Associate City Solicitor

**RE: Request to establish an accessory apartment in a detached accessory structure**

Applicant: 46 Suffolk Road LLC	
<b>Site:</b> 46 Suffolk Road LLC	<b>SBL:</b> 63016 0005
<b>Zoning:</b> SR1/Accessory Apartment Overlay A District	<b>Lot Area:</b> 110,719 square feet
<b>Current use:</b> Single-family dwelling	<b>Proposed use:</b> Single-family with accessory apartment in detached garage

### BACKGROUND:

The property at 46 Suffolk Road consists of a 110,719 square foot lot improved with a single-family dwelling built in 1911, and detached three-car garage constructed in 1956. Historic building permits indicate that the garage was built with living quarters within, which were removed in 1959. A remodel of the garage in 1989 required that no living quarters (ie kitchen) be allowed within the garage, however at some point since then a kitchen was added and the garage has been used as an accessory apartment with one garage bay remaining. The applicant would like to legitimize the existing accessory apartment. No exterior renovations are required 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 Jeff Birnbaum, applicant, submitted 5/20/2015
- Plan of Land, signed and stamped by Bruce Bradford, surveyor, dated 8/13/2013
- Floor plan, undated

## **ADMINISTRATIVE DETERMINATIONS:**

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1. The existing single-family structure is located in the SR1 district, as well as the Accessory Apartment Overlay A 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 3,200 square feet. The property is 110,719 square feet and has an approximate building size of 7,660 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 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).
6. Pursuant to Section 30-8(d)(1)(f), only one accessory apartment is allowed per lot. Only one is proposed.
7. No lodgers are proposed in either unit, per Section 30-8(d)(1)(g)
8. The applicant proposes to maintain one parking space within the first floor of the detached garage, as well as parking within an attached garage in the main dwelling. 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.
9. The proposed accessory unit is 1,192 square feet, which is greater than the minimum of 400 square feet, and less than the maximum of 2,528 square feet allowed by the ordinance per Section 30-8(d)(2)(a). (Section 30-8(d)(2)a) allows an accessory apartment in a detached structure to be 1,200 square feet, or 33% of the total building size, whichever is greater).

<b>Zone SR1, Overlay A</b>	<b>Required/Allowed</b>	<b>Existing</b>	<b>Proposed</b>
Lot Size	15,000 square feet	110,719 square feet	No change
Frontage	100 feet	250 feet	No change
Setbacks for existing structure <ul style="list-style-type: none"> <li>• Front</li> <li>• Side</li> <li>• Rear</li> </ul>	25 feet 12.5 feet 25 feet	48 feet 53.6 feet 102.7 .feet	No change No change No change
Setbacks for detached structures <ul style="list-style-type: none"> <li>• Front</li> <li>• Side</li> <li>• Rear</li> </ul>	25 feet 5 feet 5 feet	42 feet 8 feet >500 feet	No change No change No change
Max Lot Coverage	20%	3.1%	No change
Min Open Space	65%	94%	No change
FAR	.26	.07	No change

1. See “Zoning Relief Summary” below:

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