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James Freas  
Acting Director

## ZONING REVIEW MEMORANDUM

Date: September 16, 2014

To: John Lojek, Commissioner of Inspectional Services

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

Cc: David Hornstein, Designer  
R. Rand Ross, Applicant  
James Freas, Acting Director of Planning and Development  
Ouida Young, Associate City Solicitor

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

Applicant: R. Rand Ross	
Site: 40 Hampshire St	SBL: 32041 0002
Zoning: SR1	Lot Area: 43,377 square feet
Current use: Single-family dwelling	Proposed use: Single-family with accessory apartment

### BACKGROUND:

The property at 40 Hampshire Street, located in the SR1 district, is improved with a single-family dwelling built in 1913 and a detached two-car garage built in 1917. The applicant built a new attached three-car garage in 2013, and abandoned the garage use in the detached structure. The detached garage has been used as an office and gym. The applicant proposes to convert the detached garage into an accessory apartment with 301 square feet of the building reserved with a separate entrance for a gym and bathroom.

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

- Zoning Review Application, prepared by David Hornstein, designer, dated 8/20/2014
- Site Plan, signed and stamped by Bruce Bradford, surveyor, and Michael S. Kosmo, civil engineer, dated 8/1/2013
- Site Plan, prepared by Melissa MacDonald, Landscape Architect, dated 7/2014
- Existing Floor Plan, prepared Light House Design, undated
- Proposed Floor Plan, prepared by Light House Design, undated
- Elevations, prepared by Light House Design, undated

## **ADMINISTRATIVE DETERMINATIONS:**

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1. The applicant proposes to convert an existing detached garage in to an accessory apartment. Section 30-8(d)(2) requires a special permit to create an accessory apartment in a detached structure.
2. Table 30-8 requires a lot have at least 10,000 square feet for an accessory apartment in the SR3 district. The Applicant's lot has 43,377 square feet.
3. The Applicant's main structure has 6,354 square feet. Table 30-8 requires a special permit for the creation of an accessory apartment associated with a dwelling which is at least 1,800 square feet, but less than 2,500. No special permit is required.
4. Section 30-8(d)(1)(a) requires that when there is an accessory apartment within a single-family dwelling, one of the units must be occupied by the owner of the property. The owner of the property intends to maintain residency on the property.
5. 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 1913, and the garage in 1917, and thus meet the requirement.
6. The proposed accessory unit must be greater than the minimum of 250 square feet, and less than the maximum of 1,200 square feet required by the ordinance per Section 30-8(d)(2)(a). The proposed apartment is approximately 935 square feet.
7. Any exterior alterations required to meet applicable building, fire or health codes are permitted, per section 30-8(d)(1)(d). The proposed alterations to the garage structure are cosmetic in nature.
8. There are no other existing or proposed accessory apartments on the lot, per section 30-8(d)(1)(f).
9. No lodgers are allowed in any unit, per section 30-8(d)(1)(g).
10. Sections 30-8(d)(h), 30-19(d)(19) and 30-19(g) require two parking stalls for the main dwelling unit, and one stall for the accessory unit. There currently exists a three-car attached garage on the main dwelling built in 2013 receiving its access off Hampshire Street, as well as parking for six vehicles in the space in front of the detached garage structure on a separate driveway off of Valentine Park.
11. The accessory apartment must comply with all applicable building, fire and health codes, per section 30-8(d)(1)(i).

<b>SR1 Zone</b>	<b>Required/Allowed</b>	<b>Existing</b>	<b>Proposed</b>
Lot Size	15,000 square feet	43,377 square feet	No change
Frontage	100 feet	300 feet (62 ft and 63 ft)	No change
Lot size required for an accessory apartment	25,000 square feet	43,377 square feet	No change
Building size required for an accessory apartment	4,000 square feet	6,354 square feet	No change
Size of accessory apartment	250 sf minimum to 1,200 sf maximum		935 square feet
Lot Coverage	20%	13.8%	No change
Open Space	65%	74%	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 an detached structure	S.P. per §30-24