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Barney S. Heath
Director

ZONING REVIEW MEMORANDUM

Date: September 8, 2016

To: John Lojek, Commissioner of Inspectional Services

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

Cc: Frank Dill, architect
Orly Mishan and Timothy Crawford, applicants
Barney S. Heath, Director of Planning and Development
Ouida Young, Associate City Solicitor

RE: Request to establish an accessory apartment in an existing single-family dwelling

Applicant: Orly Mishan & Timothy Crawford	
Site: 89 Hyde Avenue	SBL: 72026 0008
Zoning: SR2	Lot Area: 13,889 square feet
Current use: Single-family dwelling	Proposed use: Single-family dwelling with accessory apartment

BACKGROUND:

The property at 89 Hyde Avenue is located in the SR2 zoning district and is improved with a single-family residence built in 1925. The applicant is proposing to convert an existing guest suite in the basement into a 945 square foot accessory apartment. The applicant is seeking a special permit to allow for the creation of the accessory apartment on a lot which is less than 15,000 square feet.

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

- Zoning Review Application, prepared by Frank Dill, architect, dated 8/26/2016
- Plan of Land, signed and stamped by Bruce Bradford, surveyor, dated 8/3/2015
- Site Plan, signed and stamped by Frank Young Dill, architect, dated 8/26/2016
- Floor Plans, signed and stamped by Frank Young Dill, architect, dated 8/26/2016

ADMINISTRATIVE DETERMINATIONS:

1. The existing single-family structure is located in the SR2 district. Per Section 6.7.1.F, a dwelling must have a building size of at least 3,100 square feet to allow an accessory apartment by right. The existing dwelling has approximately 3,700 square feet of building size, meeting the by-right requirement.
2. Section 6.7.1.F requires a lot have at least 15,000 square feet for a by-right accessory apartment, or 10,000 square feet by special permit. The applicants' lot is 13,889 square feet, requiring a special permit.
3. Section 6.7.1.D.1.a requires that an accessory apartment in the SR3 district be no larger than 1,200 square feet. The proposed apartment is 945 square feet.
4. Section 6.7.1.B.1 requires that an accessory apartment must have one of the units occupied by the owner of the property. The owner of the property must maintain residency in the main dwelling or the proposed apartment.
5. Section 6.7.1.B.2 requires a 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 1925 and thus meets the requirement.
6. Section 6.7.1.D.1.c states that any alterations required to meet the applicable Building, Fire or Health codes are permitted provided they maintain the residential character of the neighborhood.
7. Section 5.1.4.A requires two parking stalls for the primary dwelling unit, and one stall for the accessory unit. There are three existing parking stalls on the property, satisfying the parking requirement.

SR2 Zone	Required/Allowed	Existing	Proposed
Lot Size	10,000 square feet	13,889 square feet	No change
Frontage	80 feet	70 feet	No change
Lot size required for an accessory apartment	15,000 square feet	13,889 square feet	No change
Unit size required for an accessory apartment	3,100 square feet	3,700 square feet	No change
Setbacks <ul style="list-style-type: none"> • Front • Side • Rear 	25 feet 7.5 feet 15 feet	35 feet 10.3 feet >100 feet	No change No change No change
Stories	2.5	2.5	No change
Max Lot Coverage	30%	11.8%	No change
Min Open Space	50%	75%	No change

1. See “Zoning Relief Summary” below:

Zoning Relief Required		
Ordinance		Action Required
§6.7.1.D §6.7.1.F	Creation of an accessory apartment in a single-family dwelling on a lot with less than 15,000 square feet	S.P. per §7.3.3