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Barney S. Heath
Director

ZONING REVIEW MEMORANDUM

Date: March 1, 2022

To: John Lojek, Commissioner of Inspectional Services

From: Jane Santosuosso, Chief Zoning Code Official
Neil Cronin, Chief Planner for Current Planning

Cc: Cheng Bin Zhang, Applicant
Barney S. Heath, Director of Planning and Development
Jonah Temple, Assistant City Solicitor

RE: Request to allow a detached accessory apartment

Applicant: Cheng Bin Zhang	
Site: 88 High Street	SBL: 51005 0005
Zoning: MR1	Lot Area: 5,053 square feet
Current use: Two-family dwelling	Proposed use: Two-family dwelling with a detached accessory apartment

BACKGROUND:

The property at 88 High Street consists of a 5,053 square foot lot improved with a two-family dwelling constructed circa 1930 and a detached garage. The petitioner proposes to use an existing detached garage as an accessory unit, requiring a special permit.

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

- Zoning Review Application, [prepared by Cheng bin Zhang, applicant, submitted 1/7/2022](#)
- [Floor plans and elevations, prepared by Up Design & Build, dated 7/18/2021](#)
- [Site Plan, signed and stamped by Frank Iebba, surveyor, dated 11/2/2021](#)
- FAR worksheet, signed and stamped by Kui Xue, architect, submitted 2/17/2022

ADMINISTRATIVE DETERMINATIONS:

1. The petitioner proposes to use finished space in a detached accessory building as an accessory apartment. Per section 6.7.1.E.1, a special permit is required to allow a detached accessory apartment.
2. Per section 6.7.1.E.2, a detached accessory apartment may be a maximum of 40% of the habitable area of the principal dwelling or 1,200 square feet, or up to 1,500 square feet with additional relief. The petitioners propose a 1,014 square foot accessory apartment, which is 36% of the 2,805 square feet of habitable area of the principal dwelling unit, requiring no relief.
3. Section 6.7.1.E.5 requires that a detached accessory apartment meet the setback requirements for the principal structure unless by special permit. The existing detached accessory building has a side setback of 5 feet where 7.5 feet is required per section 3.2.3. Additionally, the accessory apartment has a front setback of 18 feet from Spring Street where 25 feet is required per section 3.2.3. A special permit is required to allow the detached accessory structure with reduced setbacks.

See "Zoning Relief Summary" below:

Zoning Relief Required		
Ordinance		Action Required
§6.7.1.E.1	To allow detached accessory apartment	S.P. per §7.3.3
§6.7.1.E.5 §3.2.3	To allow a detached accessory apartment that does not meet principal setbacks	S.P. per §7.3.3