

(r) Requirements For Creation of Rear Lots in Residential Districts.

Purpose: The purpose of this subsection is to eliminate or mitigate against potential undesirable development impacts on adjacent residential uses and neighborhoods by the application of the density and dimensional controls set out in Table 4 of this subsection as well as through the requirement of a special permit that shall include, but not be limited to, a review of proposed building placement and buffering.

(1) Definition of rear lot.

A rear lot is defined as a parcel of land not fronting or abutting a street, as defined in section 30-1, which does not have the required minimum frontage directly on a street, and which has limited access to a street by either (1) a "flag pole" or "pan-handle" shaped portion of the lot, (2) an easement over an adjoining lot possessing frontage directly on the street, or (3) a private right-of-way as shown or described in plans or deeds duly recorded with the Middlesex (South) Registry of Deeds. A rear lot may, with the permission of the board of aldermen in accordance with the procedure provided in section 30-24, satisfy the minimum frontage requirement for the zoning district in which it is located by measuring lot frontage along the rear line of the lot or lots in front of it.

(2) Administration.

a) Creation of rear lots in residential zoning districts shall require a special permit from the board of aldermen in accordance with the procedure provided in section 30-24. The rear lot development density and dimensional controls in section 30-15(r), Table 4, shall apply to the proposed rear lot(s) and the remainder of the original lot shall be subject to the density and dimensional controls of section 30-15; Table 1, for lots created after December 7, 1953, unless waivers from either of such controls are granted by the board of aldermen in accordance with the section 30-15(r) (3) below.

b) The provisions of section 30-26 shall not apply to the creation of rear lots under this subsection.

c) In addition to the provisions of section 30-23 and 30-24, general application requirements and criteria for grant of a special permit for a rear lot development are as follows:

i) Applicants must submit a sufficient number of copies of architectural plans for all proposed residential buildings and structures, a landscape plan, site plan, and an area plan showing distances from proposed building(s) or structure(s) to existing residential buildings and structures used for accessory purposes on the original lot and all abutting lots, along with information on the heights and number of stories of these existing building(s) or structure(s). All plans must be prepared, stamped and signed, as appropriate, by an architect, landscape architect, professional engineer or registered land surveyor.

ii) The board of aldermen shall consider the special permit application for a rear lot development in light of the following criteria:

(a) Whether the proposed building(s) or structure(s) exceed the respective average height of abutting residential buildings and structures used for accessory purposes;

(b) The scale of a proposed building(s) or structure(s) in relation to adjacent residential buildings and structures used for accessory purposes and the character of the neighborhood;

(c) Topographic differentials, if any, between proposed building(s) or structure(s) and adjacent residential buildings and structures used for accessory purposes;

(d) Proposed landscape screening;

frontage on Lasell Street this property would not meet the definition of a rear lot per section 15.2.G.1 of the zoning ordinance.

The docket item proposes revising the rear lot definition as follows:

G. Rear Lots

1. A rear lot is defined as a parcel of land not fronting or abutting a street, ~~which or does not~~ have the required minimum frontage directly on a street, ~~and or~~ which has limited access to a street by either:

- a. A "flag pole" or "pan-handle" shaped portion of the lot.
- b. An easement over an adjoining lot possessing frontage directly on the street, or
- c. A private right-of-way as shown or described in plans or deeds duly recorded with the Registry of Deeds for the Southern District of Middlesex County.

2. Where the City Council issues a special permit, a rear lot may satisfy the minimum frontage requirement for the zoning district in which it is located by measuring lot frontage along the rear line of the lot or lots in front of it.

If the Committee would like to set a public hearing for this item, planning staff recommends modifying the language to reduce potential confusion. The proposed language could classify lots with substandard frontage as rear lots. Instead, Planning recommends adding a new section that gives the City Council the authority to grant a rear lot subdivision on through lots where there is insufficient frontage along one street.

Next Steps

If the Committee sets a public hearing for this item Planning will work with the Law department to further refine the proposed language.

The current zoning ordinance allows for rear lot subdivisions in the single residential (SRL, SRS, and SRS) and multiple (MRL, MRS, and MRS) zoning districts. Rear lot subdivisions allow for larger, deep parcels to be subdivided into two lots where the rear lot does not front on a street. The City Council must grant a special permit for a rear lot subdivision and adhere to the minimum frontage requirements. In all districts rear lots require a larger lot, greater setback, and allow less front area than a standard lot. A rear lot is required to provide a minimum 20-foot wide vehicular access by easement, private right of way, or "flag pole" or "pan-handle" shaped portion of the lot. In the single residential districts only a single family home may be located on the rear lot and in the multiple residential districts the rear lot may contain a two-family home.

The subject docket item would expand the definition of rear lot subdivisions to include lots which do not meet the minimum frontage requirements. This docket item has been filed in conjunction with a special permit application for a rear lot subdivision at 113 Grove Street. The property at 113 Grove Street is a large lot that fronts Grove Street and also has 30 feet of frontage at the end of Lasell Street. Due to the