

Longmeadow Planning Board

Presented at Public Hearing, May 1, 2013

Recommended by The Planning Board May 1, 2013

Reviewed and Endorsed by land use Counsel: Kopelman & Paige, Jonathan Eichman, Esq.

**Annual Town Meeting, May 7, 2013 Warrant Article 26**

To see if the Town will vote to amend the Zoning Bylaw of the Town regarding dimensional requirements and fencing applicable to corner lots, or take any other action relative thereto.

**Move: To amend the zoning by-laws of the Town as follows:**

1. Add a definition of "Front Lot Line" in Article II as follows:  
"Front Lot Line." The front lot line for each lot shall be the street line opposite the rear lot line.
2. Add a definition of "Side Lot Line" in Article II as follows:  
"Side Lot Line." Each lot line that is neither a front nor a rear lot line.
3. Amend the definition of "Rear Lot Line" in Article II as follows:  
"Rear Lot Line." A rear lot line is a lot line opposite to the street line. In case of a corner or through lot, the owner may designate which line will be the rear lot line, provided his choice does not involve a violation of any of the provisions of this By-law. In the case of a corner lot where the side lot lines are curved or angled or joined by a tertiary line or curve, the Building Commissioner shall designate the extent of the rear lot line.
4. Amend the definition of "Frontage of a lot" in Article II as follows:  
"Frontage of a lot." The frontage of a lot is the distance ~~between the lot side lines~~ measured on the street line(s). On a curved street the frontage of the lot may be considered as the distance ~~between the side lines~~ measured on the street set-back line(s); provided that the distance measured on the street line(s) . . . .
5. Amend the definition of "Side yard" in Article II as follows:  
"Side yard." A side yard is a required open unoccupied space within the lot between a side lot line ~~which is not the street line~~ and the parts of a building which are nearest to such side lot line. Such a side yard must extend through from the street set-back line to the rear yard.
6. Amend Article II by deleting the definition of "Primary setback line"

7. Amend the definition of “Secondary setback line” in Article II as follows:

“Secondary setback line.” The line running parallel or concentric with the ~~street~~ front lot line which includes that part of the building nearest to such rear ~~property~~ lot line.

8. Amend the definition of “Set-back line” in Article II as follows:

“Street set-back line.” The street set-back line of a lot is a line running parallel or concentric to the street line at a given distance there from, as hereinafter provided . . . .

9. Amend Article IV, Section K. Fences, as follows:

No fence shall be erected in any zone except a fence which shall be within one of the classes and of a height as set forth herein, subject to the provisions of Article VI, Section H and which shall not be constructed forward of the ~~primary~~ street set-back line: . . .

10. Amend Article IV, Section K. Fences, by amending the phrase “primary set-back” to read “street set-back line”, and thereafter replacing the word “primary” wherever it appears with the words “street set-back line.”

11. Amend Article VI, Section B as follows:

Front yard and structure set-back requirements for the various zones shall be set forth in this section. ~~In the case of a corner lot, these requirements shall apply from both streets or ways.~~

12. Amend Article VI, Section B.1 by replacing “primary set-back” wherever it appears with “street set-back”, and amend the phrase “the line of the street or way upon which the lot fronts” wherever it appears to read “the line of the street or way upon which the lot abuts”.

13. Amend Article VI, Section B.2 as follows:

In the . . . Zones, no structure . . . except the main dwelling . . . and a garage and fence ~~as set forth under Article IV, Section B, sub-paragraph 1.2h,~~ may be constructed, erected, or placed between the front lot line and the secondary setback line. ~~nearer to the line of the street or way upon which the land fronts than a line constructed parallel or concentric with the aforesaid street line and through the rearmost extremity of the main residence, or any addition thereto, or extension or part thereof.~~

14. Amend Article VI, Section C as follows:

Side yard requirements for the various zones shall be as set forth in this section, provided that, in the case of corner and through lots, the street set-back requirement shall control in case of a conflict. ~~In the case of corner lot, the side lot lines shall be the abutting property lines on each of the two intersecting streets or ways.~~

15. Amend Article VI, Section C.1a as follows:

Within the area between the ~~primary~~ street and secondary set-back lines ~~as defined under Article VI, Section B~~, no structure, and no addition thereto, or extension or part thereof, except a fence ~~as permitted under Article IV, Section B, sub-paragraph 1.2h~~, shall be constructed, erected, or placed nearer than 15 feet to a side lot line.

16. Amend Article VI, Section C.1b as follows:

Within the area between the secondary set-back line and the rear lot line, no pool . . . shall be constructed or placed nearer than 30 feet to a side lot line, and no structure, and no other accessory structure, except a fence ~~as aforesaid~~, and no addition thereto, or extension or part thereof shall be constructed, erected, or placed nearer than 5 feet to a side lot line.

17. Amend Article VI, Section C.3a as follows:

Within the Business Zone and Professional Zone, no structure, except a fence, and no addition thereto, or extension or part thereof, may be constructed, erected, or placed to a side lot line than the abutting zone within the area between the primary street and secondary set-back lines.

18. Amend Article VI, Section D as follows:

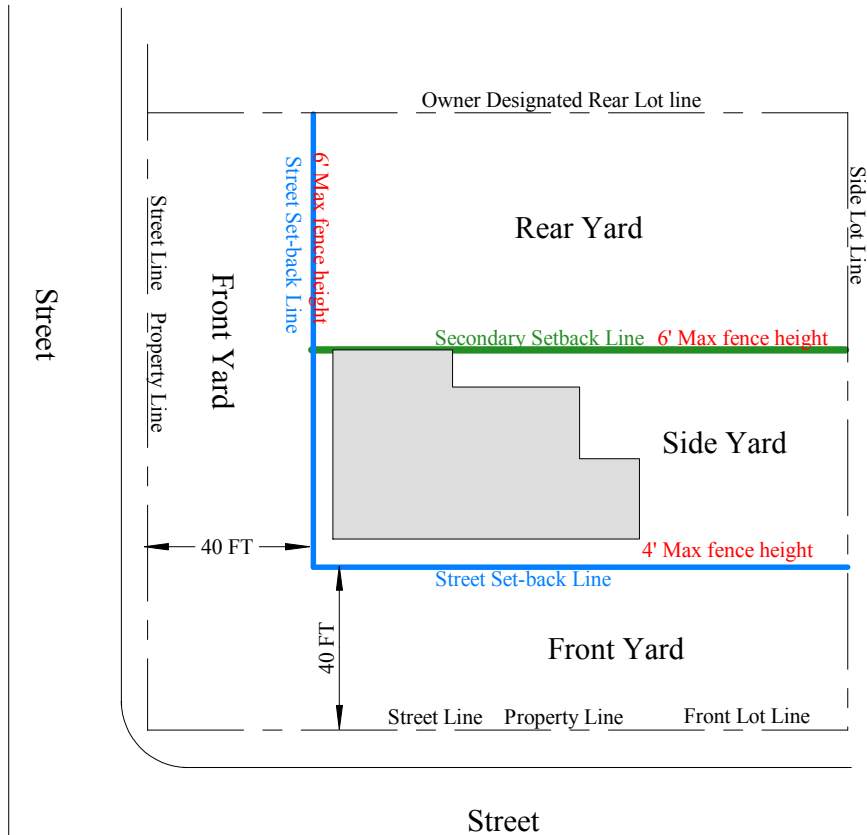
Rear yard requirements for the various zones shall be as set forth in this section, provided that, in the case of corner and through lots, the street set-back requirement shall control in case of a conflict. ~~In the case of corner lot there may be no rear lot line, unless the side lot lines are curved or angled or joined by a tertiary line or curve, in which case the portion of line to be so designated shall be at the discretion of the Building Commissioner.~~

19. Amend Article VI, Section D.1 as follows:

In the Residence . . . except a fence ~~as per Section C, sub-paragraph 1a~~, or addition thereto . . . .



# Town of Longmeadow Proposed Zoning Regulations for Corner Lots



Not to Scale

Version 5/1/2013  
Longmeadow Planning Board