

WARRANT ARTICLE 6

Definition of Accessory Use 8.01

This article was submitted by the Redevelopment Board. It proposes to correct an inconsistency in our Bylaw. At present it is possible to rent not more than two rooms in a private home to not more than two people. This is an accessory use and requires a Special Permit. The definition of "family" in the bylaw, however includes "not more than three (3) lodgers or roomers taken for hire". Because the definition of "family" is well established in case law, it is proposed to change the use regulation to correct the inconsistency.

Even with the proposed change, the activity is allowed in residential districts only after a Special Permit is granted by the Zoning Board of Appeals. In the Bylaw, use 8.01 is allowed by Special Permit in the R1, R2, R3, R4, R5, R6, and R7 districts and by right in the B1, B2, B3, B4, B5, and I districts.

In accordance with Massachusetts General Laws Chapter 40A and the Arlington Zoning Bylaw, a public hearing on articles which amend the Zoning Bylaw was held by the Arlington Redevelopment Board on March 4, 1991. No comments were received from the public concerning this article.

VOTE ON THE ARTICLE

VOTED: That the Town vote to amend the Zoning Bylaw in Article 5, Section 5.04, Table of Use Regulations, in the definition of use 8.01 by deleting the words, "not more than two rooms" and inserting in place thereof the words, "not more than three rooms", and by deleting the words, "not more than two persons" and inserting in place thereof the words, "not more than three persons",

EXISTING TEXT:

8.01 Renting of not more than two rooms
to not more than two persons within
a dwelling unit

PROPOSED TEXT:

8.01 Renting of not more than ~~two~~ **three** rooms
to not more than ~~two~~ **three** persons within
a dwelling unit