

---

By Mr. Timilty, a petition (accompanied by bill, Senate, No. 687) of Joseph F. Timilty for legislation to amend the Zoning Act. Housing and Urban Development.

---

## The Commonwealth of Massachusetts

In the Year One Thousand Nine Hundred and Eighty-three.

### AN ACT AMENDING THE ZONING ACT.

*Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:*

1 Section 6 of Chapter 40A of the General Laws, as most re-  
2 cently amended by Chapter 106 of the Acts of 1979, is hereby  
3 further amended by striking out the first sentence of the  
4 fourth paragraph thereof and inserting in place thereof the  
5 following sentence: —

6 Any lot lawfully laid out by plan or deed duly recorded, as  
7 defined in Section 81L of Chapter 41, or any lot shown on a  
8 plan endorsed with the words "approval under the subdivi-  
9 sion control law not required" or words of similar import, pur-  
10 suant to Section 81P of Chapter 41, which complies at the  
11 time of such recording or such endorsement, whichever is  
12 earlier, with the minimum area, frontage, width, and depth  
13 requirements, if any, or any zoning ordinance or bylaw in  
14 effect in the city or town where the land is situated, notwith-  
15 standing the adoption or amendment or provisions of a zon-  
16 ing ordinance or bylaw in such city or town imposing mini-  
17 mum area, frontage, width, depth, or yard requirements, or  
18 more than one such requirement, in excess of those in effect  
19 at the time of such recording or endorsement may thereafter  
20 be built upon for single and two-family residential use if, at  
21 the time of the adoption of such requirements or increased re-  
22 quirements, or while building on such lot was otherwise per-  
23 mitted, whichever occurs later, such lot was held in ownership  
24 separate from that of adjoining land located in the same resi-  
25 dential district, and provided further that at the time of  
26 building (a) such lot has an area of seven thousand five hun-  
27 dred square feet and a seventy-five foot frontage or more is

28 in a district zoned for single or two family residential use,  
29 and conforms except as to area, frontage, width, and depth  
30 with the applicable provisions of the zoning ordinance or by-  
31 law in effect in such city or town and (b) any proposed struc-  
32 ture is to be located on such lot so as to conform with the  
33 minimum requirements of front, side, and rear yard setbacks,  
34 if any, in effect at the time of such recording or such en-  
35 dorsement, whichever is earlier, and to all other requirements  
36 for such structure in effect at the time of building.