



MEMORANDUM

TO: Sherry Dong
Chairwoman, City of Boston Board of Appeal

FROM: Joanne Marques
Regulatory Planning & Zoning

DATE: September 21, 2023

RE: BPDA Recommendations

Please find attached, for your information, the BPDA's recommendations for the Zoning Board of Appeal's Hearing scheduled for Tuesday, September 26, 2023.

If you have any questions, please feel free to contact me.



Case	BOA1518865
ZBA Hearing Date	2023-09-26
Address	389 Marlborough ST Boston 02115
Parcel ID	0503632000
Zoning District & Subdistrict	Boston Proper H-3-65
Zoning Article	Article 32
Project Description	Change of occupancy from two family to a one family dwelling. Complete interior renovations with the addition of a roof deck with access to a hatch. Upgrades to life safety included.
Relief Type	Conditional Use
Violations	Groundwater Conservation Overlay District

Planning Context:

Making necessary repairs to an existing dwellings is in keeping with the planning goals of preserving housing stock as detailed in Housing a Changing City, Boston 2030 (September 2018).

Zoning Analysis:

Due to the proposed complete interior renovations, the project requires a conditional use permit as it is located within the Groundwater Conservation Overlay District. The project requires review by BWSC.

Article 32 - Groundwater Conservation Overlay District states that any applicant seeking a building permit for a Proposed Project within a Groundwater Conservation Overlay District shall be subject to the requirements of this article where such Applicant seeks substantial rehabilitation of any structure. To obtain a conditional use permit, the Applicant shall show that the Proposed Project complies with the requirements set forth in section 32-6 in addition to the standards set forth in Article 6. The project has met these requirements.

Recommendation:

In reference to BOA1518865, The Boston Planning & Development Agency recommends APPROVAL WITH PROVISIO/S: the plans shall be reviewed and approved by the Boston Water



& Sewer Commission due to its location within the Groundwater
Conservation Overlay District (GCOD) .

Reviewed,

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Director of Planning, BPDA



Case	BOA1514330
ZBA Hearing Date	2023-09-26
Address	21 Holton St Allston 02134
Parcel ID	2201193000
Zoning District & Subdistrict	Allston/Brighton Neighborhood 3F-4000
Zoning Article	Article 51
Project Description	Change of occupancy from 3 to 5 dwelling units. Renovate existing dwelling and erect two 3 story additions. Create 9 parking spaces.
Relief Type	Variance
Violations	Forbidden Use (MFR)

Planning Context:

The proposed project is revised from a previous iteration heard by the Board of Appeal on June 27, 2023 (decision: denial without prejudice). It renovates an existing dwelling and expands its occupancy from 3 to 5 units; down from its original proposal of 9 units. Its scope is in keeping with City planning goals of preserving the existing housing stock and increasing housing availability, as detailed in Housing a Changing City, Boston 2030 (September 2018).

While the BPDA supports the project's scope and use, it does not support its proposed parking condition. While conforming to the requirements of the Code, the 9 total parking spaces shown on the project's plans are not aligned with City or Neighborhood transportation and resiliency goals. City policy goals detail the need to both reduce emissions and dependency on private vehicles (Go Boston 2030, 2017), as well as retain green space and limit the amount of impervious pavement on lots (Boston's Heat Resiliency Plan, 2022). Neighborhood transportation planning has also proposed a contraflow bike be implemented along Holton Street, just west of the site, to further incentivize multimodal mobility (Allston-Brighton Mobility Plan, 2021). In addition to these points, the excessive parking condition is something that was also flagged as justification for the project's previous denial without prejudice. That recommendation requested that the number of parking spaces (9 proposed) be reduced to preserve usable open space and the existing tree canopy. This proposal still shows 9 parking spaces for the project. We would prefer to see a proposal that reduces the number of spaces to

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5 or below, to decrease the amount of impervious surface and match the Boston Transportation Department's recommended parking maximums for the area.

The proposed design also features a 2nd and 3rd story rear overhang that BPDA Urban Design staff have flagged as contradictory to the site's context and design, and potentially problematic from a structural perspective. Because the overhang sits over required parking spaces, it can be assumed that the design move too was influenced by the site's parking. Removing said spaces would allow the rear overhang to be brought to the ground, thus eliminating any questions on structural issues and completing an otherwise high-quality and intentional design.

Zoning Analysis:

The project sits in an established three-family residential zoning subdistrict. While the area's zoning details a maximum occupancy of three (3) dwelling units per parcel, multifamily residential uses are contextual to the site. There are many lots within close proximity to the proposed project that are categorized as having multifamily residential uses (mainly 4-6 units), including the lot immediately adjacent to the proposed project. Because of this, the project's use will be minimally invasive to the surrounding area. Future zoning efforts in Allston/Brighton should contemplate the extension of MFR zoning, where appropriate, to better match use regulations with existing patterns of housing development.

Recommendation:

In reference to BOA1514330, The Boston Planning & Development Agency recommends DENIAL WITHOUT PREJUDICE: Proponent should explore a project which revises the number of parking spaces to 5 or fewer and reduces paving to retain usable open space and existing tree canopy (as detailed in the project's previous recommendation from 6/27/23). In conjunction, the proposed 2nd and 3rd story rear overhang should be brought to the ground, for both structural and design purposes.



Reviewed,

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Director of Planning, BPDA



Case	BOA1489609
ZBA Hearing Date	2023-09-26
Address	821 Cummins HWY Mattapan 02126
Parcel ID	1801780000
Zoning District & Subdistrict	Greater Mattapan Neighborhood 2F-4000
Zoning Article	Article 9, Article 60
Project Description	An addition and interior renovation of an existing funeral home. Project would add an attached garage, mechanical space, and two bathrooms. The proposed addition would take the place of an existing driveway and detached garage. Project also includes adding a ramp to the front entrance to comply with ADA.
Relief Type	Variance, Conditional Use
Violations	Side Yard Insufficient Rear Yard Insufficient Front Yard Insufficient FAR Excessive Extension of Non Conforming Use

Planning Context:

The site of this proposed project is on a corner lot. Therefore, although the addition is in the rear when viewed from Cummins Highway and described as a rear addition, it is highly visible from Hollingsworth St and experienced from this street as a side yard addition.

PLAN: Mattapan was adopted by the BPDA Board on May 11th 2023. Although new zoning has not yet been adopted, the PLAN recommends introducing lot coverage requirements in order to promote additional light and air for residents. The project proposes a lot coverage of approximately 70%. This is significantly higher than the surrounding lots, most of which have lot coverages of around 30%. Most neighboring properties also have rear yards of at least 10 feet and side setbacks of 5 to 10 feet, higher than the proposed rear/side setback of 3 feet.

Zoning Analysis:

The proposed project creates new zoning violations for FAR and front yard setback. Because the proposed addition would create new gross floor area, it increases the building's FAR from



about .79 to about 1.43. This means it would be almost two times the zoning maximum of 0.8 (Article 60 Table D). The project also proposes adding a ramp in the front entrance which decreases the front yard setback from 17.9 feet to 11.3 feet, making it not compliant with the required front yard of 15 feet (Article 60 Table D).

Article 60 Section 41 of the Zoning Code states that "The Front Yard requirements of this Article, and not the Side Yard requirements, shall apply to that part of a side Lot line that is also a Street Line extending more than one hundred (100) feet from the intersection of such line with another Street." Therefore, the setback along Hollingsworth St must meet the front yard requirement of 15 feet (as opposed to the side yard requirement). However, the existing 5.6 foot setback on this side of the building is an existing non-conformity. The side yard setback on the other side is zero feet and therefore also does not meet the zoning requirement. However, Article 60 Section 42 of the Zoning Code states that "A Building or use existing on the effective date of this Article and not conforming to the applicable dimensional requirements specified in other provisions of this Article may nevertheless be altered or enlarged, provided that such nonconformity is not increased and that any enlargement itself conforms to such dimensional requirements." This building was constructed in 1899, before Article 60 was adopted. The front yard and side yard nonconformities are pre-existing and the project does not increase the nonconformities.

The proposed worsens a pre-existing rear yard non-conformity. The zoning requirement for rear yard in this sub district is 30 feet (Article 60 Table D) . The existing building has a rear yard of 20.4 feet. The proposed project would decrease the rear yard to 3 feet.

This project was also flagged for Extension of Non Conforming Use because its use (Funeral home) is forbidden in this subdistrict (Article 60 Table A). Article 9 Section 1 states that the Board of Appeal may grant a conditional use permit to extend a nonconforming use, as long as the extension of the use is not more than 25% of the existing area of the use (which this is not).

Recommendation:



In reference to BOA1489609, The Boston Planning & Development Agency recommends DENIAL .

Reviewed,

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Director of Planning, BPDA



Case	BOA1494349
ZBA Hearing Date	2023-09-26
Address	2 Dexter ROW Charlestown 02129
Parcel ID	0200437000
Zoning District & Subdistrict	Charlestown Neighborhood Neighborhood Shopping
Zoning Article	Article 62
Project Description	Renovate existing 4 story residence. Erect 3 story rear addition.
Relief Type	Variance
Violations	FAR Excessive Neighborhood Design Overlay District

Planning Context:

The proposed project renovates an existing 4 story structure and erects a new three (3) story rear addition to expand the living spaces of the site's existing dwelling units. Adding more living space and making necessary repairs to existing dwellings is in keeping with planning goals of preserving housing stock and increasing housing availability for growing living arrangements, as detailed in Housing a Changing City, Boston 2030 (September 2018). PLAN: Charlestown echoes these goals and recommends providing residents greater flexibility to facilitate needed renovations to expand housing opportunities and living space (2023). The Plan also highlights historic preservation as a key goal for the neighborhood's core, of which this site sits. Because the project's scope is limited to the rear, the structure's street-visible historic architectural detailing will not be impacted.

Zoning Analysis:

The project's proposed FAR barely exceeds the area's maximum allowed figure (delta of 0.09). The addition, which creates the nonconformity, does not significantly differ in scale from the existing rear addition it replaces, and is also largely hidden from public view. In addition, the site is flanked by a significantly larger structure that further hides the massing, thus making it minimally intrusive to the surrounding area.

Because the parcel sits within 100' of a public park, the provisions of City Ordinance 7.4.11, which trigger Parks Design Review, apply to the site. A proviso for Parks Design Review has

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been added to the recommendation to satisfy this requirement. A proviso for BPDA Design Review has also been added to address the design of the proposed head house and satisfy the mandatory review triggered by the Charlestown Neighborhood Design Overlay District, of which the site sits within.

Recommendation:

In reference to BOA1494349, The Boston Planning & Development Agency recommends APPROVAL WITH PROVISOR/S: that plans shall be submitted to the Department of Parks and Recreation for review and the Agency for design review with attention to the head house and massing.

Reviewed,

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Case	BOA1507818
ZBA Hearing Date	2023-09-26
Address	120 Saint Andrew RD East Boston 02128
Parcel ID	0101511004
Zoning District & Subdistrict	East Boston Neighborhood 2F-4000
Zoning Article	Article 10, Article 29T, Article 53
Project Description	This project proposes a large addition which would convert an existing one-story, single family home to a 3 story, 2-family home. The project also proposes adding a new, 2 car driveway.
Relief Type	Variance, IPOD Permit
Violations	FAR Excessive Height Excessive (stories) Rear Yard Insufficient East Boston IPOD Applicability Limitation of Area of Accessory Use

Planning Context:

The proposed project would add an additional new unit to an existing single family dwelling, advancing planning goals of increasing housing supply, as detailed in Housing a Changing City, Boston 2030 (September 2018).

The proposed project is on a residential street characterized by detached 2-2.5 story homes. Most homes on this block have rear yards between around 25 feet. The proposed project has a rear yard setback of 24.9 feet and a height of 3 stories. It is therefore consistent with the predominant rear setbacks of the surrounding area, but is slightly taller in height.

This project is in an area that is currently being rezoned in order to implement PLAN: East Boston. The draft zoning (which was released in September 2023) puts the site of this project in an East Boston Residential 1 subdistrict. The project would comply with all the proposed zoning dimensions except for height and rear yard, since the draft zoning includes 2.5 stories for the height requirement and 1/3 of the lot depth for the rear yard requirement (which would be 30 feet for this lot).

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The project proposes creating a new curb cut on the east side of the property in addition to the existing curb cut and driveway on the west side. This means the property would have 2 curb cuts and driveways 60 feet apart from one another. This additional curb cut would increase pedestrian interface with traffic. In addition, the Boston Transportation Department's Guidelines for use by the Zoning Board of Appeal state that "New driveways added at residential dwellings need to accommodate a minimum of two (2) vehicular spaces for every one (1) public on-street parking space that will be removed as a result of the new driveway. A new driveway accommodating three (3) vehicular spaces for every one (1) public on-street parking space is the preferred ratio." The new curb cut would mean the removal of 1 on-street space, which means the project meets the minimum BTM recommendation of 2 off-street spaces but not the preferred ratio of 3 off-street spaces.

Zoning Analysis:

The proposed project creates new zoning violations for FAR, height, and rear yard. Because the proposed addition would create new gross floor area, it increases the building's FAR from about .26 to about 0.89. This means it would be above the zoning maximum of 0.8 (Article 53 Table F). The project also proposes a two story addition which would increase the building height from 1 story to 3 stories. This puts the building above the allowed zoning height of 2.5 stories (Article 53 Table F). The project also proposes a rear addition and therefore decreases the rear yard setback. The existing rear yard setback is 48 feet and the proposed is 24.9 feet, making it not compliant with the required rear yard of 40 feet (Article 53 Table F).

The project also has a violation for "Limitation of Area of Accessory Use." Article 10 Section 1 states that, in any residential district, no accessory use shall occupy any part of the front or side yards required by this code, except that such a side yard may be used for off-street parking located more than 5 feet from the side lot line. The proposed parking area is zero feet from the side lot line. It therefore occupies part of the side yard required by this code (which is 7 feet, per Article 53 Table F) and is less than 5 feet from the side lot line.



This proposed project requires an Interim Planning Permit (or IPOD permit) because it is within the East Boston IPOD Study Area and seeks to enlarge or extend a building or structure so as to increase the gross floor area by more than one thousand (1,000) square feet (Article 27T Section 5). Article 27T Section 8 states that The Board of Appeal shall grant an IPOD permit if it finds that (a) the Proposed Project's benefits outweigh any burdens imposed; and (b) the Proposed Project is in substantial accord with the applicable provisions of Article 27T. Applicable provisions of Article 27T include Section 7, which states that "Proposed Projects within the East Boston IPOD Study Area should be consistent with the following elements that contribute to the special character of the area: (a) block and street patterns; (b) existing densities; (c) existing building types; (d) predominant setbacks and heights; and (e) open space and off-street parking patterns. Proposed Projects should also incorporate appropriate resiliency measures." Article 27T Section 8 also states that if the Boston Redevelopment Authority has made a recommendation to the Board of Appeal on the issuance of an IPOD permit, the Board of Appeal shall follow such recommendation unless specific, written reasons for not doing so are incorporated in the Board of Appeal's decision.

This project is within a Neighborhood Design Overlay District and would make an alteration changing the roof shape which is visible from a public street. Therefore, it is subject to the Design Component of Small Project Review and plans must be approved by the BPDA (Section 80E-2 of the Zoning Code).

Recommendation:

In reference to BOA1507818, The Boston Planning & Development Agency recommends DENIAL WITHOUT PREJUDICE applicant should amend plans to 1. lower height to be consistent with the predominant height of 2-2.5 stories and 2. remove proposed curb cut to decrease burden on public realm.

Reviewed,

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Director of Planning, BPDA



Case	BOA1501918
ZBA Hearing Date	2023-09-26
Address	40 to 42 Fowler ST Dorchester 02121
Parcel ID	1401826000
Zoning District & Subdistrict	Greater Mattapan Neighborhood Three-Family Residential (3F-5000)
Zoning Article	Art. 60 - Sec. 9; Art. 60 - Sec. 40
Project Description	Renovate and change occupancy of an existing two-family residential dwelling to a three-family residential dwelling to align with its assessed property classification. Renovations include adding a sprinkler system, closets, and minor interior changes with no changes made to the building footprint or envelope.
Relief Type	Variance
Violations	Parking Insufficient Additional Lot Area Insufficient Usable Open Space Insufficient

Planning Context:

This project proposes the interior renovation of an existing 2.5-story, two-family residential dwelling to convert it to a three-family residential dwelling in the western part of Dorchester near Franklin Park and Blue Hill Avenue. The property is within a 15-minute walk of several bus stops along Blue Hill Avenue, Columbia Road, and Washington Street. It is also within a similar distance to the Four Corners/Geneva MBTA commuter line stop.

The existing property is assessed as a three-family residential dwelling but currently holds two residential units and an attic. The renovation of the dwelling will convert the attic into a third residential unit. This renovation will include three residential units that will align the property with existing adjacent buildings that are also three-family residential dwellings. The proposed alterations will also align the property with its listed property classification. The creation of new housing units and the addition of more livable area to existing dwellings as this proponent does aligns with the planning goals of preserving housing stock and increasing housing availability for growing living arrangements, as detailed in Housing a Changing City, Boston 2030 (September 2018). Additionally, the proposed alterations align with the Four Corners/Geneva Station Area Plan of the Fairmount Indigo Planning Initiative (October 2015) which encourages that residents

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and owners in the area near the station improve existing homes and provide new mixed-income housing opportunities.

This property currently has no parking spaces and the proposed alterations do not introduce any new parking spaces. The lack of parking aligns with the City's goal to reduce dependence on private vehicles, as detailed in Go Boston 2030 (March 2017). The overall project also aligns with the BPDA's overall transit-oriented development goals which include increased housing density within and near transit-rich areas.

The property is located in a Massachusetts Historic Inventory Area and any alterations to the building should be responsive to the historic character of the existing building and surrounding area.

Zoning Analysis:

The property is in the Greater Mattapan Neighborhood District (Art. 60) within a Three-Family Residential subdistrict (3F-5000). The property's building footprint takes up most of the parcel's lot area and the parcel has a unique shape with the northwestern corner of the lot extending behind the rear yard of the next immediate parcel to the west. The property is on a 2,902 sqft lot within a zoning subdistrict meant to regulate development based on a 5,000 sqft minimum lot area. This makes the existing lot a non-conformity due to its relatively smaller size and many of the lot-related violations for this property are an extended condition of this non-conformity.

The violations related to an insufficient additional lot area and an insufficient usable open space (Art. 60 - Sec. 9) require a minimum additional lot area of 2,500 square feet and a usable open space minimum of 400 sqft per dwelling unit within a Three-Family Residential (3F-5000) subdistrict. These violations are existing conditions of the site due to the building footprint taking up close to 2,000 sqft of the 2,902-square foot lot. The proposed alterations to this property do not worsen this site's existing conditions and these alterations make efficient use of the existing building footprint and scale to provide additional housing in this neighborhood.

The violation related to insufficient off-street parking (Art. 60 - Sec. 40) requires a parking ratio of 1.0 (one space per unit). According to the Assessor's Report for this property, the existing property holds zero (0) parking spaces. The proposals' lack of additional parking aligns with the City's goals of reducing reliance on private vehicles.



Based on the site conditions and proposed changes, zoning relief in the form of a variance should be provided for the proponent's project as it relates to additional lot area insufficiency, usable open space insufficiency, and off-street parking insufficiency.

Site plans prepared by Miller Surveying Services on 02/28/2023. Plans titled "Proposed Alteration" prepared by GPHdesign, LLC on 03/07/2023.

Recommendation:

In reference to BOA1501918, The Boston Planning & Development Agency recommends APPROVAL.

Reviewed,

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Director of Planning, BPDA



Case	BOA1513689
ZBA Hearing Date	2023-09-26
Address	135 William T Morrissey BLVD Dorchester 02127
Parcel ID	1302364050
Zoning District & Subdistrict	Dorchester Neighborhood CC
Zoning Article	Article 65
Project Description	Change occupancy for additional uses to include Adult Education Center, Professional School, and Trade School.
Relief Type	Conditional Use
Violations	Use: Conditional

Planning Context:

The current building was an Article 80 project approved in 2018 that completed construction in 2021. The site includes creative office and life sciences space as well as public amenities including a food hall. The approved Article 80 project filing identified a desire to provide job training for the surrounding community in entry-level life science positions and the 2011 Columbia Point Master Plan identified job training as a goal for this area. Given this context, job training is an appropriate use for this site.

Zoning Analysis:

Per Article 6 Section 3, the Zoning Board of Appeal shall grant appeals for conditional uses if the specific site is an appropriate location for such use, the use will not adversely affect the neighborhood, there will be no serious hazard to vehicles or pedestrians from the use, no nuisance will be created by the use, and adequate and appropriate facilities will be provided for the proper operation of the use.

Plans reviewed are titled "Southline Massbio Teaching Lab 135 Morrissey Blvd, Boston, MA 02125", prepared by Jacobs, and dated March 17, 2023.

Recommendation:



In reference to BOA1513689, The Boston Planning & Development Agency recommends APPROVAL.

Reviewed,

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Director of Planning, BPDA



Case	BOA1514976
ZBA Hearing Date	2023-09-26
Address	26 Montrose ST Roxbury 02119
Parcel ID	1200234000
Zoning District & Subdistrict	Roxbury Neighborhood Three-Family Residential (3F-4000)
Zoning Article	Art. 50 - Sec. 29; Art. 50 - Sec 43
Project Description	Renovate and change occupancy from an existing two-family dwelling to a three-family dwelling with an increase in the living area on the third floor for the third unit. Demolish the existing third floor and add a new gable roof and dormers to create three bedrooms, a kitchen, a bathroom, and a living room for the third unit.
Relief Type	Variance
Violations	Parking Insufficient FAR Excessive Side Yard Insufficient

Planning Context:

This project proposes the demolition of the existing third floor and addition of a new third floor residential unit with three bedrooms within the Nubian Square area of Roxbury. The existing property is assessed as a three-family residential dwelling, but currently holds two residential units: a ground floor unit and a two-story unit between the second and third floors. The third floor residential unit addition will include the addition of a new gable roof and dormers for the third floor bedrooms.

The property was recently listed as a two-family residential dwelling until 2022 and is now listed as a three-family residential dwelling. The existing adjacent buildings are also three-family residential dwellings, so this proposal to create a third residential unit will further align this property with its surrounding context, its zoning subdistrict, and its listed property classification. The creation of new housing units and the addition of more livable area to existing dwellings as this proponent does aligns with the planning goals of preserving housing stock and increasing housing availability for growing living arrangements, as detailed in Housing a Changing City, Boston 2030 (September 2018). Additionally, the Roxbury Strategic Master Plan (January 2004) emphasizes that appropriate housing density for each sub-neighborhood should be determined

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based on historical densities, land use and context, which this proposal's density aligns with in this area.

The third floor addition will not make any changes to the property's building footprint. The property includes a driveway along the west of the parcel in the side yard that leads to an existing rear garage to the north of the parcel. The property is assessed for six parking spaces and the existing garage has entry for two cars as well as space in front of the garage to park additional vehicles. This project does not propose any new parking spaces and the lack of parking aligns with the City's goal to reduce dependence on private vehicles, as detailed in Go Boston 2030 (March 2017). Additionally, this property is located within a 15-minute walk of several bus stops along Warren Street and Walnut Avenue. The proposed addition aligns with the goals of the Roxbury Strategic Master Plan (January 2004) which emphasizes the benefits of transit-oriented development. It also aligns with the BPDA's overall planning goals which include increased housing density within transit-rich areas.

The proposed gable roof and dormers will create changes to parts of the property that face the public realm, so further attention should be given to the design of the new addition on the third floor. The property is located in a Massachusetts Historic Inventory Area and should be responsive to the historic character of the existing building and surrounding area. The Roxbury Strategic Master Plan (January 2004) also highlights that new housing should be compatible with the predominant character of the existing housing in the surrounding area.

Zoning Analysis:

The property is in the Roxbury Neighborhood District (Art. 50) within a Three-Family Residential subdistrict (3F-4000). The parcel is also located within the Roxbury Neighborhood Design Overlay District (NDOD) (Art. 50 - Sec. 36), specifically the Moreland Street Neighborhood Design District. This project includes a change in roof shape and design, which triggers further review in alignment with the Roxbury NDOD.

The violation related to excessive floor area ratio (FAR) (Art. 50 - Sec. 29) allows for a maximum FAR of 0.8. According to the Assessor's Report for this property, the existing livable area of the whole property is 3,785 sqft of the 7,600 sqft lot area, a 0.5 floor area ratio (FAR). The proposed third floor addition will not create a drastic increase in the existing livable area square footage, and thus the FAR is likely to remain around 0.5, which is already below the maximum allowable FAR.



The violation related to an insufficient side yard (Art. 50 - Sec. 29) requires a minimum side yard of ten (10) feet. The existing side yard on the eastern side of the parcel is five (5) feet and the eastern side yard line fully abuts the parking lot of a condominium building. The main building is located in the southeastern-most corner of the lot, so the majority of the lot's open space is in the northern rear yard and western side yard. This side yard violation is thus a result of the property's unique situation on the lot. Additionally, there are adjacent existing buildings with a similar side insufficiency along the block. The proposed third floor addition does not change the building footprint and is immediately adjacent to the open parking space area, so these proposed changes will not worsen the condition of this existing violation.

The violation related to insufficient off-street parking (Art. 50 - Sec. 43) requires a parking ratio of 1.0 (one space per unit). According to the Assessor's Report for this property, the existing property can hold six (6) parking spaces, though it is not clear if all of those spaces are within and in front of the rear parking garage or if they are inclusive of space in the rear or side yards. Nonetheless, the parking garage has two entry points and existing parking spaces in front of those entries, accounting for at least four parking spaces which establishes a four-to-three parking space-to-unit ratio, or 1.3. The proposal's lack of additional parking aligns with the City's goals of reducing reliance on private vehicles and the amount of parking provided aligns with the amount of parking that nearby three-family residential dwellings have for their units.

Site plans prepared by R.E. Cameron & Associates, In.c on 07/24/2019. Plans titled "26 Montrose Street: Proposed Third Floor Addition" prepared by Design Development Consultants on 12/13/2022.

Recommendation:

In reference to BOA1514976, The Boston Planning & Development Agency recommends APPROVAL WITH PROVISIO/S: that plans shall be submitted to the Agency for design review with attention to the alignment of the gable roof and dormer addition designs with the surrounding context and the overall project's alignment with the Roxbury Neighborhood Design Overlay District.



Reviewed,

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Director of Planning, BPDA



Case	BOA1476876
ZBA Hearing Date	2023-09-26
Address	246 Havre St East Boston 02128
Parcel ID	0106115000
Zoning District & Subdistrict	East Boston Neighborhood Three-Family Residential (3F-2000)
Zoning Article	Art. 25 - Sec. 5; Art. 27T - Sec. 5; Art. 32 - Sec. 4; Art. 53 - Sec. 8; Art. 53 - Sec. 9; Art. 53 - Sec. 56; Art. 53 - Sec. 57.2
Project Description	Erect a four (4) story building containing nine (9) residential units with eight (8) parking spaces. The building features front and rear decks and a ground level garage.
Relief Type	Variance, Conditional Use, IPOD Permit
Violations	Parking Insufficient Existing Building Alignment Additional Lot Area Insufficient FAR Excessive Height Excessive (ft) Height Excessive (stories) Usable Open Space Insufficient Rear Yard Insufficient Flood Hazard District Use Forbidden: Multifamily Residential (MFR) East Boston Interim Planning Overlay District (IPOD) Applicability Groundwater Conservation Overlay District (GCOD) Applicability

Planning Context:

This project proposes the construction of a new 11,045 sqft, four (4)-story residential dwelling with nine (9) residential units and eight (8) parking spaces on an existing vacant parcel east of Central Square. The proposed development will include a ground level garage for four full parking spaces and four compact parking spaces, as well as various front and rear decks. The existing vacant parcel is a larger parcel (5,000 sqft) compared to most other land parcels in the surrounding area. Most other parcels on the block are as low as 900 sqft and don't get much higher than 2,500 sqft, setting this parcel as an outlier with unique conditions that are taken into account.

The property is within the East Boston Interim Planning Overlay District (IPOD) and is thus subject to the interim zoning recommendations as currently outlined in PLAN: East Boston

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(2023-ongoing. Within the PLAN: East Boston draft zoning, the proposed development is within the EBR-2 residential subdistrict which requires a maximum of six (6) residential dwelling units for parcels with a minimum width of fifty (50) feet, a maximum height of three (3) stories, a maximum building floorplate of 3,000 sqft, and variable setbacks between 2.5 feet and 5 feet. The proposed development is in excess of and does not align with these dimensional regulations as it includes: nine (9) residential dwelling units on a parcel with a 50-foot width, a proposed height of four (4) stories, a proposed floorplate of over 3,200 sqft, and a proposed front yard setback of under 2 feet.

Overall, the proposed residential construction does not conform to the existing, adjacent buildings. This level of density and height does not advance the standards set by the East Boston IPOD or the planning goal as outlined in PLAN: East Boston (2023-ongoing) to preserve "low-scale development in neighborhood residential areas" such as this area. The creation of new housing aligns with the planning goals of increasing housing availability for growing living arrangements, as detailed in Housing a Changing City, Boston 2030 (September 2018). However, the scale of this new housing does not align with housing density goals and zoning recommendations for this area of East Boston.

The proposed development includes eight (8) parking spaces, which is lower than the permitted parking ratio per unit and aligns with the City's goal to reduce dependence on private vehicles, as detailed in Go Boston 2030 (March 2017). However, the proposal of any parking does not align with the East Boston parking freeze zone restrictions that cap the number of off-street parking spaces as mandated by the City's Environment Department. The property is also within proximity of several bus stops along Meridian and Marion Streets and the Maverick MBTA T stop. The proposal of parking spaces and reliance on private vehicles within a transit-rich area like this does not align with the BPDA's transit-oriented development goals.

Zoning Analysis:

The property is in the East Boston Neighborhood District (Art. 53) within a Three-Family Residential subdistrict (3F-2000). This project is within the East Boston Interim Planning Overlay District (IPOD) (Art. 27T - Sec. 5) and is thus subject to the interim zoning recommendations for this area as outlined in PLAN: East Boston (2023-ongoing) and detailed in the planning context. This project is 5,000 sqft and is significantly larger than the typical lot size within this subdistrict which is usually around or below the 2,000 sqft minimum. There are many lot-related violations



that are extended conditions of this non-conformity due to the parcel's larger than typical square footage.

This parcel is subject to the impacts of present-day and future coastal flooding as it is located within the Flood Hazard District (Art. 25 - Sec. 5) and the City of Boston's Coastal Flood Resilience Overlay District (CFROD). The proponent should be mindful of the Coastal Flood Resilience Design Guidelines (Article 25A) in proposing this new construction. The proponent also plans for the extension of a structure that occupies more than fifty (50) square feet of the lot area within a Groundwater Conservation Overlay District (GCOD) (Art. 32 - Sec. 4), so the parcel is subject to GCOD review from the Boston Water and Sewer Commission.

The violation related to the forbidden land use as a multifamily residential (MFR) dwelling (Art. 53 - Sec. 8) allow for a maximum of three (3) residential units within this subdistrict. The proposed development exceeds both the existing zoning maximum of three (3) residential units and the interim zoning recommendations from PLAN: East Boston of six (6) residential units for a parcel of this size. The proposed number of units would create too dense of a new development in both the existing and proposed subdistrict.

The violations related to dimensional regulations such as insufficient additional lot area, excessive floor area ratio, excessive building height (in stories and feet), insufficient usable open space, and insufficient rear yard area (Art. 53 - Sec. 9) all requires a set of minimum lot, FAR, and height areas that this project exceeds. While this project proposes infill development that produces new housing, the dimensional violations are too large and continue to exist or are worsened within the application of interim zoning recommendations for the EBR-2 subdistrict. The violation related to conformity with the existing building alignment (Art. 53 - Sec. 57.2) requires front yard building alignment with existing adjacent buildings. Many buildings on Havre Street have a 0-foot front yard setback while this proposed development has a 1'7" front yard setback. This is slightly aligned with the existing front yard setbacks on the street, but the remaining depth and height of the proposed development are excessive compared to nearby buildings. Additionally, this proposed setback is below the 2.5-foot minimum setback proposed in the interim zoning recommendations for this area in PLAN: East Boston.

The violation related to insufficient off-street parking (Art. 53 - Sec. 56) requires 1.75 parking spaces per unit. As mentioned in the planning context, while the proposed parking ratio of 0.8 parking spaces aligns with reduced private vehicle dependency goals from Go Boston 2030



(March 2017), the overall proposed parking is in violation of the East Boston parking freeze zone in which this parcel is located.

Based on the site conditions, proposed development plans, and interim zoning recommendations, zoning relief should not be provided for the proponent's project as it relates to these various violations.

Site plans prepared by Boston Survey, Inc. on 12/06/2022. Plans titled "246 Havre Street" prepared by Context, LLC. on 07/20/2023.

Recommendation:

In reference to BOA1476876, The Boston Planning & Development Agency recommends DENIAL WITHOUT PREJUDICE: the proponent should update the plans to better align with the existing or proposed zoning regulations of this neighborhood residential area to increase alignment with existing adjacent buildings.

Reviewed,

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Director of Planning, BPDA



Case	BOA1497572
ZBA Hearing Date	2023-09-21
Address	65 High ST Charlestown 02129
Parcel ID	0200382000
Zoning District & Subdistrict	Charlestown Neighborhood Three-Family Residential (3F-2000)
Zoning Article	Art. 62 - Sec. 25
Project Description	Removal of an existing one-story rear addition and existing rear deck, erection of a new two-story addition (610 sqft), extension of living space to the basement through both the main building and the new addition, erection of a new first-story rear deck behind the new addition, and erection of a new rear roof deck above the first story of the new addition. Extending electrical and HVAC systems into the new addition. Replacement of windows throughout the building.
Relief Type	Conditional Use
Violations	Roof Structure Restrictions

Planning Context:

The proponent plans to remove an existing one-story rear addition and existing rear deck and replace them with a new two-story addition (610 sqft) on a parcel in the Original Peninsula area of Charlestown. As part of this addition, the living space will extend into the basement through both the main building and the addition. The proponent will also erect a new first-story rear deck behind the addition and erect a new rear roof deck above the first story of the addition. The addition will have electrical and HVAC systems extended into it. The main building will have interior renovations for the expansion of living space and windows will be replaced.

The proposed project brings the existing property further into alignment with the designs of existing, adjacent buildings. The current property is a three-story, one-family dwelling with an existing rear addition. The project does not propose any changes to the existing structure that face or are visible from the public realm. The proposed changes align with an existing adjacent building since the project will extend the proponent's property into the rear at about the same lot depth as the building to its immediate right (61 High Street).



The existing rear addition has a 0' setback on the northwest side of the parcel while the main building has a 3.2' setback on the northwest side. This creates a side yard condition on the northwest side that prevents an uninterrupted alleyway passage from the southwestern front of the parcel on High Street to the rear yard in the north. The new rear addition will have a 3.2' setback on the northwest side, thus improving the side yard condition by creating that alleyway passage and creating greater space between the proponent's property and the left side abutter's property. The proposed new roof deck use on the first story of the proponent's addition also aligns with the left-side abutter's (69 High Street) roof deck on the first story of their existing side yard addition. The project efficiently uses available rear yard space to expand the livable area of the main structure by aligning the new rear addition with the building footprint of the existing main structure. Adding more livable area to existing dwellings aligns with the planning goals of preserving housing stock and increasing housing availability for growing living arrangements, as detailed in *Housing a Changing City, Boston 2030* (September 2018).

The new rear addition is two stories high and the new roof deck that is proposed above the first story of the addition will be accessible from the second floor of the main building. This roof deck will not be visible from the public realm due to the main building being a story taller. The new roof deck only takes up 96 sqft of the new addition's second story while the remaining 257 sqft of the second story will be for livable space. This roof deck aligns with the planning goals outlined in the draft of *PLAN: Charlestown (2023)* which details that roof deck additions on residential buildings in the Original Peninsula area are permitted on flat roofs and should be located in the rear of the rooftop footprint to reduce visibility from the public right of way.

The property is located in a Massachusetts Historic Inventory Area and should be responsive to the historic character of the existing building and surrounding area with this new addition.

Zoning Analysis:

The proposed project is in the Charlestown Neighborhood District (Art. 62) within a Three-Family Residential Subdistrict (3F-2000). The parcel is also located within the Charlestown Neighborhood Design Overlay District (Art. 62 - Sec. 19). The plans for the project show a potential variation in design between the main building and the new rear addition, warranting further design review to improve alignment with the surrounding context.

The violation related to Roof Structure Restrictions (Art. 62 - Sec. 25) requires a conditional use permit through the Zoning Board of Appeals process for a roofed structure built on an existing



building. This project's proposed roof deck is part of the new addition and would not alter or relocate the existing roof structure of the main building. Additionally, the roof deck is part of the second floor of the rear addition and sits lower than the third story of the main building, placing it out of view of the public realm. Zoning relief is recommended for the modification of this property towards the goals outlined in the plans.

Site plans prepared by DeCelle-Burke-Sala & Associates, Inc. on 05/02/2023. Plans titled "65 High Street" prepared by The Holland Companies on 05/10/2023.

Recommendation:

In reference to BOA1497572, The Boston Planning & Development Agency recommends APPROVAL WITH PROVISIO/S: that plans shall be submitted to the Agency for design review with attention to the Charlestown Neighborhood Design Overlay District (NDOD) guidelines and the alignment of historic design of the rear addition to the main building and surrounding context.

Reviewed,

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Director of Planning, BPDA



Case	BOA1466435
ZBA Hearing Date	2023-09-21
Address	889 Dorchester AV Dorchester 02125
Parcel ID	0702902002
Zoning District & Subdistrict	Dorchester Neighborhood MFR/LS
Zoning Article	Article 65
Project Description	Request for removal of a proviso for takeout restaurant.
Relief Type	Conditional Use
Violations	Conditional use

Planning Context:

The proposed conditional use for a restaurant offering take-out is in keeping with the area along Dorchester Ave, which is a mixed-use commercial area with many other restaurants offering takeout.

Zoning Analysis:

Zoning for the conditional use of a takeout restaurant in MFR/LS areas along Dorchester Ave is out of date with the current, approved, and common uses that have been established. Take-out and retail catering are common uses that are reflected in many establishments along Dorchester Ave.

The plans reviewed are titled "MJ Teriyaki" and prepared by CLDA Architect. They are dated 1/22/23.

Recommendation:

In reference to BOA1466435, The Boston Planning & Development Agency recommends APPROVAL.



Reviewed,

A handwritten signature in black ink, appearing to read 'Amee Rand'. The signature is fluid and cursive, with a long, sweeping tail on the final letter.

Director of Planning, BPDA



Case	BOA1491061
ZBA Hearing Date	2023-09-21
Address	10 E Cottage ST Roxbury 02119
Parcel ID	0800175000
Zoning District & Subdistrict	Roxbury Neighborhood 3F-4000
Zoning Article	Article 10
Project Description	The project proposes a new curb cut to create a driveway with two tandem spaces. The existing space for the driveway is a paved area. The main use of the property is a church.
Relief Type	Variance
Violations	Limitation of parking areas

Planning Context:

The location of the proposed driveway on the site is currently paved and no additional paved area would be created by the project. In addition, the area immediately abutting the proposed driveway is a parking lot. Therefore, the neighboring lot would be minimally impacted by the close proximity vehicular use of the new driveway (since this area of the abutting lot is also used for parking).

As noted in the abutter's letters of support, this project would allow the church to park their bus off-street, which would open up one or two on-street parking spaces to be used by other residents.

The two spaces would be used by the same owner (the church), which minimizes the potential issues caused by tandem spacing.

Zoning Analysis:

Article 10 Section 1 states that, in any residential district, no accessory use shall occupy any part of the front or side yards required by this code, except that such a side yard may be used for off-street parking located more than 5 feet from the side lot line. The proposed parking area is about 2 feet from the side lot line. It therefore occupies part of the side yard required by this code (which is 5 feet, per Article 50 Table F) and is less than 5 feet from the side lot line.

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Recommendation:

In reference to BOA1491061, The Boston Planning & Development Agency recommends APPROVAL.

Reviewed,

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Director of Planning, BPDA



Case	BOA1468501
ZBA Hearing Date	2023-09-21
Address	55 Monadnock ST Dorchester 02125
Parcel ID	1301251020
Zoning District & Subdistrict	Dorchester Neighborhood 2F-6000
Zoning Article	Article 65
Project Description	Construct addition to existing single unit duplex and convert to 2 units.
Relief Type	Variance
Violations	FAR Excessive Lot Area Insufficient Usable Open Space Insufficient Front Yard Insufficient Side Yard Insufficient

Planning Context:

The addition of housing units while preserving existing structures advances planning goals of increasing housing stock citywide as detailed in Housing a Changing City, Boston 2030 (September 2018). The site is within 1/4 mile of Upham's Corner and both rapid transit and bus transit; the addition of housing units here is appropriate.

The property sits within the historic Monadnock Street district as defined by the Massachusetts Historical Commission Historic Inventory Areas, but the building itself is not identified as a historic property or contributing to the historic character of the Monadnock Street district.

Zoning Analysis:

The surrounding dense residential neighborhood within the 2F-6000 sub-district includes a mix of townhomes, 2-unit, 3-unit, and 6-unit homes on parcels of similar size (3,000-4,000 square feet).

The existing townhouse unit is on a separate, but neighboring, lot from its other adjoined townhouse, meaning there is an existing 0 foot side yard condition on the north side of the lot. The proposed side lot to the south is proposed to be 12.4 feet wide, which is greater than the minimum required side yard of 10 feet. The proposed 10.4 foot front yard setback is an existing



nonconformity per the plans that will not be worsened by constructing this additional unit.

The usable open space required for two units is 1,500 square feet and the construction of this additional unit and 1 required additional parking space removes some existing open space on the site; the remaining open space is not indicated on the site plans. Maintaining the existing chain-link fence on the site further restricts the amount of usable open space. Additionally, the tree located on the southeast corner of the parcel is of concern as it relates to the proposed driveway relocation.

Opportunities to increase this usable open space include but are not limited to moving parking to the side of the building, removing one of the parking spaces, or decreasing the building footprint and adjusting the massing.

Plans reviewed are titled "Proposed Renovations to 55 Monadock St Boston, MA", prepared by Phung/Prozio Inc., and dated January 28th, 2023.

Recommendation:

In reference to BOA1468501, The Boston Planning & Development Agency recommends DENIAL WITHOUT PREJUDICE.

Reviewed,

A handwritten signature in black ink, appearing to read "Amee Rana", written in a cursive style.

Director of Planning, BPDA



Case	BOA1483184
ZBA Hearing Date	2023-09-21
Address	80 Pleasant ST Dorchester 02125
Parcel ID	1302158000
Zoning District & Subdistrict	Dorchester Neighborhood 2F-5000
Zoning Article	Article 9
Project Description	Legalize 4 off-street parking spaces.
Relief Type	Conditional Use
Violations	Extension of Nonconforming Use

Planning Context:

The proposed 4 off-street parking spaces are an existing condition and have been in place for at least 10 years.

Zoning Analysis:

With reference to Article 9 Section 1, the use of this 3-unit building is an existing nonconformity and the existence of these 4 parking spaces does not change that existing nonconformity.

Plans reviewed are titled "Certified Plot Plan Located at 80 Pleasant Street Dorchester, MA", prepared by Boston Survey, Inc., and dated March 6th, 2023.

Recommendation:

In reference to BOA1483184, The Boston Planning & Development Agency recommends APPROVAL.

Reviewed,

A handwritten signature in black ink, appearing to read 'Amee Rand', with a long, sweeping flourish extending to the right.

Director of Planning, BPDA



Case	BOA1484588
ZBA Hearing Date	2023-09-21
Address	47 to 49 Owencroft RD Dorchester 02124
Parcel ID	1704267000
Zoning District & Subdistrict	Dorchester Neighborhood Two-Family Residential (2F-5000)
Zoning Article	Art. 65 - Sec. 9
Project Description	Legalize an existing extension of livable area from the second-story unit into the attic in a two-family residential dwelling.
Relief Type	Variance
Violations	FAR Excessive

Planning Context:

The proponent has an existing second-story residential unit that has an extended livable area into the attic. The property is a three-story, two-family dwelling located in the Ashmont area of Dorchester. There is no proposed work to the existing extended livable area.

According to the Assessor's Report for this property, the existing livable area of the whole property is 3,287 sqft of the 5,228 sqft lot area, a 0.63 floor area ratio (FAR). Several existing, adjacent buildings to this property on the same side of that block are three-story, two-family dwellings with similar livable areas around 3,200 sqft and lot areas around 5,200 sqft, making this amount of livable area space a common nonconformity in the neighborhood. Adding more livable area to existing dwellings as this proponent did aligns with the planning goals of preserving housing stock and increasing housing availability for growing living arrangements, as detailed in Housing a Changing City, Boston 2030 (September 2018).

Zoning Analysis:

The property is in the Dorchester Neighborhood District (Art. 65) within a Two-Family Residential subdistrict (2F-5000).

The violation related to excessive FAR (Art. 65 - Sec. 9) requires a maximum FAR of 0.5. The property is an existing nonconformity with an FAR of 0.63 and that is due to the expansion of the livable area from the second-story unit into the attic. The excessive FAR violation is related

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to expansion of use within the building rather than an increase of the building's actual footprint. Additionally, this is a common nonconformity within the neighborhood and is a nonconformity that supports housing availability for growing living arrangements, thus furthering City housing goals. Zoning relief is recommended for the legalization of this property's existing extension of livable area into the attic as it makes efficient use of a viable livable area.

Plans titled "Griffin Residence: Attic Extended Living Area" prepared by Social Impact Collective, LLC on 03/23/2023.

Recommendation:

In reference to BOA1484588, The Boston Planning & Development Agency recommends APPROVAL.

Reviewed,

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Director of Planning, BPDA



Case	BOA1484588
ZBA Hearing Date	2023-09-21
Address	47 to 49 Owencroft RD Dorchester 02124
Parcel ID	1704267000
Zoning District & Subdistrict	Dorchester Neighborhood Two-Family Residential (2F-5000)
Zoning Article	Art. 65 - Sec. 9
Project Description	Legalize an existing extension of livable area from the second-story unit into the attic in a two-family residential dwelling.
Relief Type	Variance
Violations	FAR Excessive

Planning Context:

The proponent has an existing second-story residential unit that has an extended livable area into the attic. The property is a three-story, two-family dwelling located in the Ashmont area of Dorchester. There is no proposed work to the existing extended livable area.

According to the Assessor's Report for this property, the existing livable area of the whole property is 3,287 sqft of the 5,228 sqft lot area, a 0.63 floor area ratio (FAR). Several existing, adjacent buildings to this property on the same side of that block are three-story, two-family dwellings with similar livable areas around 3,200 sqft and lot areas around 5,200 sqft, making this amount of livable area space a common nonconformity in the neighborhood. Adding more livable area to existing dwellings as this proponent did aligns with the planning goals of preserving housing stock and increasing housing availability for growing living arrangements, as detailed in Housing a Changing City, Boston 2030 (September 2018).

Zoning Analysis:

The property is in the Dorchester Neighborhood District (Art. 65) within a Two-Family Residential subdistrict (2F-5000).

The violation related to excessive FAR (Art. 65 - Sec. 9) requires a maximum FAR of 0.5. The property is an existing nonconformity with an FAR of 0.63 and that is due to the expansion of the livable area from the second-story unit into the attic. The excessive FAR violation is related



to expansion of use within the building rather than an increase of the building's actual footprint. Additionally, this is a common nonconformity within the neighborhood and is a nonconformity that supports housing availability for growing living arrangements, thus furthering City housing goals. Zoning relief is recommended for the legalization of this property's existing extension of livable area into the attic as it makes efficient use of a viable livable area.

Plans titled "Griffin Residence: Attic Extended Living Area" prepared by Social Impact Collective, LLC on 03/23/2023.

Recommendation:

In reference to BOA1484588, The Boston Planning & Development Agency recommends APPROVAL.

Reviewed,

A handwritten signature in black ink, appearing to read "Amee Rana". The signature is fluid and cursive, with a long, sweeping tail on the final letter.

Director of Planning, BPDA



Case	BOA1428568
ZBA Hearing Date	2023-09-21
Address	84 to 100 River ST Dorchester 02126
Parcel ID	1704030000
Zoning District & Subdistrict	Dorchester Neighborhood NS
Zoning Article	Article 65
Project Description	Change use from bank to nail salon.
Relief Type	Conditional Use
Violations	Conditional Use

Planning Context:

PLAN: Mattapan, adopted by the BPDA in 2023, recommends that the area in which this parcel lies be designated a Local Convenience sub-district. The site is within an existing strip mall containing other retail and service uses, including a fitness center, dentists' office, shoe store, and beauty store. Through the planning process, the community expressed desires for businesses that help residents enjoy their neighborhood and support their needs. The conversion of this currently vacant bank commercial space to a nail salon is an appropriate use to serve the community.

Zoning Analysis:

The project proposes a nail salon, which is a conditional use in a Dorchester Neighborhood Shopping Sub-District (see Article 65 Table B). Per Article 6 Section 3, the Zoning Board of Appeal shall grant appeals for conditional uses if the specific site is an appropriate location for such use, the use will not adversely affect the neighborhood, there will be no serious hazard to vehicles or pedestrians from the use, no nuisance will be created by the use, and adequate and appropriate facilities will be provided for the proper operation of the use.

Plans reviewed are titled "Nail Salon Construction 90 River Street Boston, MA", prepared by T Design, LLC, and dated July 16th, 2022.

Recommendation:

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In reference to BOA1428568, The Boston Planning & Development Agency recommends APPROVAL.

Reviewed,

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Director of Planning, BPDA



Case	BOA1502177
ZBA Hearing Date	2023-09-21
Address	32R Augustus AV Roslindale 02131
Parcel ID	1804639000
Zoning District & Subdistrict	Roslindale Neighborhood 2F-5000
Zoning Article	Article 67
Project Description	Existing 2 car garage to be demolished. Erect new two car garage with an open storage loft above. Includes electrical and plumbing for a wash sink and two water spigots.
Relief Type	Variance
Violations	Height Excessive (ft)

Planning Context:

The proposed 2-car garage replaces an existing structure fulfilling the same use. A curb cut is already present for the driveway. The project also proposes an occupiable second story space that provides additional living or storage space for the owners, and given the context, would have aligned the project well with the City's previous ADU 2.0 Pilot (2021).

Zoning Analysis:

The proposed structure exceeds the maximum height for accessory rear yard structures by 6'. Despite this, the footprint is set back from the public right of way and largely out of view from the street, thus limiting its impact on the surrounding area. Similarly scaled accessory structures exist on multiple parcels in the project site's adjacent blocks. A proviso for BPDA Design Review has been added to limit paving and retain permeable surface on the lot.

Proposed project plans, titled "Detach Garage Construction, 32R Augustus Avenue, Roslindale, MA" were prepared by T Design. LLC on 11/14/2022.

Recommendation:

In reference to BOA1502177, The Boston Planning & Development Agency recommends

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APPROVAL WITH PROVISIO: that plans shall be submitted to the Agency for design review with attention to site plan and retention of permeability.

Reviewed,

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Director of Planning, BPDA



Case	BOA1441910
ZBA Hearing Date	2023-09-21
Address	25 Neillian CRES Jamaica Plain 02130
Parcel ID	1902325000
Zoning District & Subdistrict	Jamaica Plain Neighborhood 1F-9000
Zoning Article	Article 55, Article 88
Project Description	Construct new vestibule in front of dwelling.
Relief Type	Variance
Violations	Front Yard Insufficient Design Review

Planning Context:

Making necessary repairs to existing dwellings is in keeping with planning goals of preserving housing stock, as detailed in Housing a Changing City, Boston 2030 (September 2018).

Zoning Analysis:

The insufficient front yard dimension of 15' is below the minimum required by zoning of 25', but is an existing condition of the dwelling that remains unchanged and will not be worsened by the scope of this project. The dwelling's front yard setback is contextual to the surrounding front setbacks along the block.

Since the dwelling is located in a Neighborhood Design Overlay District, it requires design review. The zoning code states that Neighborhood Design Overlay Districts are established to protect the historic character and existing scale of neighborhoods. Section 36-2 of the neighborhood article dictates that "In the rehabilitation of residential or commercial buildings, deteriorated architectural features should be repaired rather than replaced, wherever possible and appropriate. In the event that replacement is necessary, the new material should be compatible with the existing in composition, design, texture, and appearance. Repair or replacement of missing architectural features should be based, where appropriate, on accurate duplication of original features of the building to be rehabilitated or those of other buildings of the same style and period." The Design Review process will ensure that the materials and design of this new front entryway are consistent with surrounding dwellings.

The plans reviewed are titled "Proposed Alterations to: 25 Neillian Crescent, Jamaica Plain, MA, 02130," and prepared by I.S. Hernandez Design Services, Inc. They are dated 2/18/2022.

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Recommendation:

In reference to BOA1441910, The Boston Planning & Development Agency recommends APPROVAL WITH PROVISIO/S: that plans shall be submitted to the Agency for design review .

Reviewed,

A handwritten signature in black ink, appearing to read "Amee Rand". The signature is fluid and cursive, with a long horizontal stroke at the end.

Director of Planning, BPDA



Case	BOA1496409
ZBA Hearing Date	2023-09-21
Address	38 Sycamore ST Roslindale 02131
Parcel ID	1904189000
Zoning District & Subdistrict	Roslindale Neighborhood 2F-5000
Zoning Article	Article 67
Project Description	The proposed project includes upgrades and an addition to an existing 2 story, single-family dwelling. The scope includes a rear addition, side dormer, front landing, and upgrade to the siding of the building. The rear addition would be 2 stories with a 2 story porch, the upper level of which would be fully enclosed. This addition and the porches would be the full height of the existing structure. The proposal also includes a dormer to raise the ceiling height of an existing side bump out. This bump out would remain shorter than the main part of the structure. The project would also include adding a canopy over the front landing and upgrading the material of the siding on the upper portion of the building.
Relief Type	Variance
Violations	Usable Open Space Insufficient Side Yard Insufficient Rear Yard Insufficient FAR Excessive

Planning Context:

Adding more living space to existing dwellings is in keeping with planning goals of preserving housing stock and increasing housing availability and flexibility for growing living arrangements, as detailed in Housing a Changing City, Boston 2030 (September 2018).

The proposed project is on a block characterized by detached, single family dwellings which are similar in scale to the existing building. Many neighboring properties have covered landings similar to the one proposed for this project, meaning the front elevation would fit well with the character of the neighborhood. Most neighboring properties have rear yards between 20 and 30



feet, which means the proposed project (with rear yard of 19.7 ft) would have a rear yard that is slightly smaller than that of the typical dwelling in this neighborhood.

The rear addition would be minimally visible from Sycamore St. It would, however, be visible from Wilkins Pl. The tall roof height of the enclosed second story porch means that the rear addition could have a noticeable impact on the neighborhood.

Zoning Analysis:

The proposed project creates new nonconformities for FAR and usable open space:

Zoning requires 1,750 sq ft of usable open space for a single dwelling unit in this subdistrict (Article 67 Table C). The plans submitted for this project state that the proposed changes would result in 1,696 sq ft of usable open space. However, this appears to be counting both levels of the deck. These spaces, however, should not be counted as part of usable open space, as they are not at least 75% open to the sky (see the definition of usable open space in Article 2). Therefore, the proposed project has approximately 1,450 sq ft of usable open space.

The proposed project also makes the property noncompliant with FAR regulations. Because the proposed project creates new gross floor area, it increased the FAR from .48 to .65. This means it becomes noncompliant with the FAR maximum of .50 (Article 67 Table C).

The project also increases the pre-existing yard nonconformities in the west side and the rear yards:

For the side yard, the requirement is 8.5 feet. This is because this is a narrow lot, and Article 67 Section 33 states that "For each full foot by which a Lot existing at the time this Article takes effect is narrower than the minimum Lot Width specified for such Lot in this Article... a deduction



of one and one half (1-½) inches shall be made from the width otherwise required by this Article for each Side Yard of such Lot" The width of this lot is 38 ft, the minimum lot width is 50 ft, and the required side yard stated in table C is 10 ft. $50 \text{ ft} - 38 \text{ ft} = 12 \text{ ft}$, $12 \text{ ft} \times 1.5 \text{ in} = 1.5 \text{ ft}$, $10 \text{ ft} - 1.5 \text{ ft} = 8.5 \text{ feet}$. The existing building has a side yard of 7.4 feet on the west side. Because the building is oriented diagonally on the lot, the rear addition would make this side yard to 5.1 ft.

The required rear yard is 29.5 feet. This is because this is a shallow lot, and Article 67 Section 33 states that "For each full foot by which a Lot existing at the time this Article takes effect is less than one hundred (100) feet deep, six (6) inches shall be deducted from the depth otherwise required by this Article for the Rear Yard of such Lot." The depth of this lot is 79 ft and the required rear yard stated in table C is 40 ft. $100 \text{ ft} - 79 \text{ ft} = 21 \text{ ft}$, $21 \text{ ft} \times 6 \text{ in} = 10.5 \text{ ft}$, $40 \text{ ft} - 10.5 \text{ ft} = 29.5 \text{ ft}$. The existing rear yard is 26.2 ft and the proposed project's rear yard is 19.7 ft.

Recommendation:

In reference to BOA1496409, The Boston Planning & Development Agency recommends DENIAL WITHOUT PREJUDICE. Applicant should limit scale of the addition to minimize usable open space and yard nonconformities. Applicant should also consider lowering roof height to minimize impact on the neighborhood.

Reviewed,

A handwritten signature in black ink, appearing to read "Amee Rana", with a long, sweeping flourish extending to the right.

Director of Planning, BPDA



Case	BOA1492359
ZBA Hearing Date	2023-09-21
Address	25 Oriole ST West Roxbury 02132
Parcel ID	2002163000
Zoning District & Subdistrict	West Roxbury Neighborhood 1F-6000
Zoning Article	Article 56, Article 10
Project Description	Create curb cut for tandem parking spaces.
Relief Type	Variance Conditional Use
Violations	Usable Open Space Insufficient Limitation of Parking Areas Off Street Parking Design Conditional Use

Planning Context:

The City does not support the removal of healthy and mature trees and plantings, and open space to accommodate the development of off-street parking. The planning goals of Climate Ready Boston (addressing permeability, heat island effect, and increase tree canopy, 2016) and Boston's Urban Forest Plan (preserving healthy and mature trees, 2022) outline this point. Additionally, the proposed parking condition creates a double curb (22.5' in width) with that of the adjacent residential property. That condition does not align with the preferences of BPDA Transportation staff or BTD's 12' maximum curb cut dimension for residential uses in Boston.

Zoning Analysis:

The location of the proposed parking does not adhere to the provisions of either (1) Section 56-37, which requires a 5' planting buffer between parking and adjacent residential lots, (2) Section 56-39, which forbids accessory front yard parking with a width greater than 10', or (3) Section 10-1, which forbids accessory parking occupying the Code's required front yard setbacks or in side yards less than 5' from the side lot line. The proposed parking also creates nonconformity relating to the site's amount of usable open space.

BOA1492359

2023-09-21

1 Boston Planning & Development Agency



The plans reviewed are titled "Proposed New Curb Cut - Two Family Residence - 25 Oriole Street, West Roxbury, MA 02132" and prepared by Marc Besio & Associates Civil Engineering, Land Surveying. The plans are dated October 18, 2021.

Recommendation:

In reference to BOA1492359, The Boston Planning & Development Agency recommends DENIAL WITHOUT PREJUDICE: Proposed parking should be moved to the left side of the lot (mirroring the condition of the adjacent 21 Oriole Street) to avoid the removal of existing plantings and greenery, and prevent a double curb cut. Paving materials should be permeable. A future proposal shall also seek to comply with the 10' maximum parking width, as detailed in the Code.

Reviewed,

A handwritten signature in black ink, appearing to read "Amee Rana", with a stylized flourish at the end.

Director of Planning, BPDA



Case	BOA1492091
ZBA Hearing Date	2023-09-21
Address	3 Ardmore RD West Roxbury 02132
Parcel ID	2006228000
Zoning District & Subdistrict	West Roxbury Neighborhood 1F-6000
Zoning Article	Article 10
Project Description	Construct driveway and 2 parking spaces on the side of the dwelling
Relief Type	Variance
Violations	limitation of parking areas: parking less than 5ft from side lot line

Planning Context:

The proposed construction of the parking area would pave over existing grass and shrubs on the property. The City does not support the reduction of permeable surface area to accommodate the development of off-street parking as identified in Climate Ready Boston(2016) which outlines goals to increase permeability and decrease the heat island effect. Additionally, while the proposed parking spaces conform with the zoning parking minimums for the neighborhood district, they do not align with the City's goal of reducing dependence on private vehicles, as detailed in Go Boston 2030 (March 2017).

Zoning Analysis:

Article 10 Section 10-1 states that off-street parking can only be located in the side yard if it is five feet from the side lot line. The proposed parking area does not meet this requirement and could not meet this requirement as it has an 11 foot side yard setback on both sides of the lot.

Recommendation:

In reference to BOA1492091, The Boston Planning & Development Agency recommends DENIAL.



Reviewed,

A handwritten signature in black ink, appearing to read "Amee Rand". The signature is fluid and cursive, with a long, sweeping tail that extends to the right.

Director of Planning, BPDA



Case	BOA1480464
ZBA Hearing Date	2023-09-21
Address	44 Blenford RD Brighton 02135
Parcel ID	2102836000
Zoning District & Subdistrict	Allston/Brighton Neighborhood 2F-5000
Zoning Article	Article 50
Project Description	Confirm occupancy as a 2-family dwelling. Extend living space from unit 1 into basement as per plans.
Relief Type	Variance
Violations	FAR Excessive Side Yard Insufficient

Planning Context:

The proposed project seeks to expand basement living space and confirm the occupancy of an existing two-family residence. Adding more living space to existing dwellings is in keeping with planning goals of preserving housing stock and increasing housing availability and flexibility for growing living arrangements. In addition, because the extended living area contains bedrooms, full bathrooms, and a moderately sized living space with room for a kitchen, it could also be easily converted to a separate unit in the future. This would also contribute to planning goals of increasing housing stock. These goals are detailed in *Housing a Changing City, Boston 2030* (September 2018).

Zoning Analysis:

The project violates FAR requirements by turning an existing basement into habitable living space. While the total gross floor area of the structure is expanded through this renovation, the footprint of the existing building is not, and therefore not detrimental to the neighborhood.

The project's side yard violation is an existing condition slightly expanded (4') to enable a second entry and egress stair for the basement living space. The stair is situated along the rear portion of the existing structure and beyond its parking spaces, making it minimally intrusive to view from street. Additionally, because of the stair's location and minimal footprint (4' width), adequate access to rear yard is still able to be provided along the side of the structure (4' wide path).

BOA1480464

2023-09-21

1 Boston Planning & Development Agency



Proposed project plans - titled "44 Blenford St, Boston, MA 02124" - were prepared by Dellamora Architecture on 12/5/2022.

Recommendation:

In reference to BOA1480464, The Boston Planning & Development Agency recommends APPROVAL WITH PROVISIO/S: that no building code relief be granted.

Reviewed,

A handwritten signature in black ink, appearing to read "Amee Rana". The signature is fluid and cursive, with a long, sweeping tail on the final letter.

Director of Planning, BPDA



Case	BOA1448246
ZBA Hearing Date	2023-09-21
Address	24 Common ST Charlestown 02129
Parcel ID	0203457010
Zoning District & Subdistrict	Charlestown Neighborhood 3F-2000
Zoning Article	Article 62
Project Description	Construct parking spot
Relief Type	Variance
Violations	Front Yard Insufficient

Planning Context:

The project is located in the Original Peninsula, as identified by Draft PLAN: Charlestown (July 2023). The project's parcel is a through lot, located between Common St and Ellwood St. The proposed parking spot is located on the Ellwood St side. One of the existing Common St-fronting dwellings has a parking spot along Ellwood, similarly designed to the proposed parking area. As a result, the proposed parking spot would match the existing street context.

Zoning Analysis:

Section 62-30 of the Code states that the front yard requirements shall apply to that part of a rear yard which is also a street line except in the case of a rear yard which abuts a street less than twenty feet in width. Given that Ellwood St is smaller than 20 feet (~ 12 ft), the proposed parking area is located in the rear yard of the parcel and thus does not have an impact on the front yard setback.

Recommendation:

In reference to BOA1448246, The Boston Planning & Development Agency recommends APPROVAL.



Reviewed,

A handwritten signature in black ink, which appears to read "Anne Kane". The signature is fluid and cursive, with a long horizontal stroke extending to the right.

Director of Planning, BPDA



Case	BOA1033851
ZBA Hearing Date	2023-09-21
Address	35 Rockwood ST Jamaica Plain 02130
Parcel ID	1902262000
Zoning District & Subdistrict	Jamaica Plain Neighborhood 1F-9000
Zoning Article	Article 55
Project Description	The project proposes renovating an existing deck. The existing railing and deck boards are proposed to be upgraded to composite PVC railing system. The existing conventional wood framing structures and footings are proposed to remain unless damaged or rotten. The project would marginally increase the size of the deck due to the new deck and railing materials.
Relief Type	Variance
Violations	Rear Yard Insufficient

Planning Context:

The property sits in a one-family residential subdistrict in Jamaica Plain. The deck is an existing structure and therefore the project's scope aligns with the stated planning goals of the area to preserve existing structures and allow for minor and contextually sensitive changes to structures, as stated in the Establishment of Residential Districts in the Jamaica Plain Neighborhood District (Boston Zoning Code Article 55 Section 7).

The site of this project (35 Rockwood ST) has a sloping topography in the rear yard. Therefore, back deck allows the property owner to make use of a flat, outdoor living space.

Zoning Analysis:

The definitions of side and rear yards in Article 2 of the Zoning Code state that open porches without roofs, and the like, that do not extend more than 3 feet above the floor of the first story, may encroach into the required rear yard, except that they may not come within 10 feet of a rear lot line or within 8 feet of an accessory building. Therefore, because the existing deck is within



10 feet of the rear lot line, it is not in compliance with zoning. This is a pre-existing nonconformity that would be only marginally increased by the proposed project.

The project was reviewed by the BPDA in August 2023 using plans dated March 27, 2019. The BPDA recommended Approval with a proviso for design review because the plans used to review showed a large privacy screen which would have increased the impact of the project on the surrounding area. The plans reviewed for this recommendation (dated October 1st, 2019) show that this screen has been removed and therefore design review is no longer needed.

Recommendation:

In reference to BOA1033851, The Boston Planning & Development Agency recommends APPROVAL .

Reviewed,

A handwritten signature in black ink, appearing to read "Amee Rana". The signature is fluid and cursive, with a long, sweeping underline that extends to the right.

Director of Planning, BPDA



Case	BOA1461525
ZBA Hearing Date	2023-08-08
Address	48 Torrey St Dorchester MA 02124
Parcel ID	1701725000
Zoning District & Subdistrict	Dorchester Neighborhood 3F-6000
Zoning Article	Article 65
Project Description	THE PROPOSED PROJECT WILL REQUIRE THE DEMOLITION AND REMOVAL OF THE THREE EXISTING GARAGE STRUCTURES. THE PROPOSAL IS A NEW (14) UNIT 3 LEVELS OF MULTI-FAMILY HOUSING OVER 1 LEVEL OF OFF-STREET OPEN-AIR PARKING, LOBBY, AND UTILITIES.
Relief Type	Variance, Conditional Use
Violations	FAR Excessive Parking Insufficient Height Excessive (stories) Height Excessive (ft) Rear Yard Insufficient Front Yard Insufficient Forbidden use

Planning Context:

Infill development on vacant or underutilized parcels within the City's residential fabric is in keeping with planning goals related to increasing housing stock, as detailed in Housing a Changing City, Boston 2030 (September 2018).

The project is consistent with City goals of reducing dependency on private vehicles, as outlined in Go Boston 2030 (March 2017).

Zoning Analysis:

The proposed multi-family use is in line with City goals of increasing housing stock. The proposed front yard setback of 8' meets the modal setback along the street edge. The proposed rear yard setback of 12.3' is needed for the scale of the project, yet still allows for necessary



spacing and screening. The proposed FAR and height dimensions, while noncompliant, are in keeping with the general size and scale of existing buildings in the immediate area.

Recommendation:

In reference to BOA1461525, The Boston Planning & Development Agency recommends APPROVAL WITH PROVISIO/S: that plans shall be submitted to the Agency for design review.

Reviewed,

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Director of Planning, BPDA



Case	BOA1443137
ZBA Hearing Date	2023-09-26
Address	43 to 45 Stanton ST Dorchester 02124
Parcel ID	1702029000
Zoning District & Subdistrict	Dorchester Neighborhood 3F-6000
Zoning Article	Article 65; Article 55
Project Description	Change occupancy from convent to multifamily with 14 dwelling units, 19 parking space, add new 4 story addition rear building, and demolish one garage.
Relief Type	Variance; Conditional Use
Violations	FAR Excessive Parking Insufficient Height Excessive Height Excessive (stories) Rear Yard Insufficient Forbidden use: Multifamily dwelling Off-street loading insufficient

Planning Context:

This project was reviewed by the BPDA in July 2023. The ZBA deferred the application on 7/25/2023.

The proposed project has a gross floor area of 19,974 square feet and is therefore only 26 square feet below the threshold for Article 80 Small Project Review. Although Article 80 review is not required for this project, its large scale means that extra attention should be paid to the protecting and enhancing the public realm, mitigating the impacts of the project on its surroundings, and ensuring compliance with the intent and purpose of the Zoning Code.

This project proposes a renovation and addition to an existing building (which is currently used as a convent) to create 14 housing units. This adaptive reuse makes the project in-line with the goals stated in Imagine Boston 2030 (2017) to increase housing units and preserve historic architecture.

The existing building is in a Boston MHC Historic Inventory Area. Therefore, the design of the project should be responsive to the historic character of the existing building and surrounding area. The proposed design of the addition is not sufficiently related and complementary to the



existing building. The applicant should consider using a hipped roof and aligning the fenestration with that of the existing building.

The project's proposed 19 parking spaces would pave over existing grass and shrubs on the property. The City does not support the reduction of permeable surface area to accommodate the development of off-street parking as identified in Climate Ready Boston (2016) which outlines goals to increase permeability and decrease the heat island effect. Additionally, while the proposed number of parking spaces does not meet the required zoning parking minimums for the neighborhood district (1.5 spots to 14 dwelling units = 21), the proposed 19 parking spaces do not align with the City's goal of reducing dependence on private vehicles, as detailed in Go Boston 2030 (March 2017). Additionally, the proposed parking spaces cover more square feet on the ground floor than the proposed ground floor building footprint (approximately 7% more). Following the Guidelines by the Boston Transportation Department for use by the Zoning Board of Appeal, bicycle parking area should be added (as the project is more than 8 dwellings). To mitigate the parking's impact on the surrounding area, parking should also be removed from the front yard and arranged to allow for better screening and buffering. Following BTB guidelines, parking spaces should remain between 14 and 21 spaces.

Lastly, the project is within 0.5 miles from the Morton Street Commuter rail stop and 0.6 miles from the MBTA's Talbot Ave T-stop. Given the proposed project's location to two transit nodes, the proposed density, use, and height is inline with the goal of building more transit-oriented development as stated in Imagine Boston 2030 (2017).

Zoning Analysis:

Article 65 3F-6000's required rear yard setback is 30'. The proposed project is proposing less than half of the required number at 13'.1".

Article 65 3F-6000's required FAR is 0.4, required height is 35', and required stories is 2.5. The project's proposed FAR is 1.2, proposed height is 45'2", and proposed stories is 4. The proposed density is appropriate as identified in the planning context.

Article 65 Table G requires 1.0 off-street loading bay for projects with a GFA greater than 15,001. The proposed project is not proposing an off-street loading bay for projects. Loading



zones are applicable to active loading and unloading of commercial vehicles. Given that the proposed project is residential, a loading bay for commercial vehicles is not a necessity.

Per plans by: A.L.S.

Plans issued on: 1/10/2023

Recommendation:

In reference to BOA1443137, The Boston Planning & Development Agency recommends DENIAL WITHOUT PREJUDICE with attention to increasing the rear yard and permeable area of lot, reducing and consolidating the parking spaces and removing them from the front yard, adding bike parking, ensuring the building's front entrance is accessible, and more closely aligning the design with the historic character of the existing building.

Reviewed,

A handwritten signature in black ink, appearing to read "Amee Rand". The signature is fluid and cursive, with a long horizontal flourish extending to the right.

Director of Planning, BPDA



Case	BOA1484717
ZBA Hearing Date	2023-09-26
Address	229 to 233 Bowdoin ST Dorchester 02122
Parcel ID	1501313000
Zoning District & Subdistrict	Dorchester Neighborhood LC
Zoning Article	Article 65
Project Description	Construct three story residential addition and change the use from retail, laundromat, and dry cleaners to retail, laundromat, and six dwelling units
Relief Type	Variance, Conditional Use
Violations	FAR Excessive Height Excessive (ft) Conditional Residential Use; Off-street parking & loading requirements

Planning Context:

The proposed project is located within 1/2 mile from the Four Corners/Geneva commuter rail stop on the Fairmount Line and is thus within the Fairmount Indigo Planning area (2015). According to the PLAN, the project area is designated in the Main Street District. Proposed developments within the Main Street District should reinforce local-serving businesses, create mixed-use development, and create multi-family developments. The proposed project supports the plan by retaining the active ground floor uses, ensuring continuity of active ground floor uses, and reinforces these critical retail nodes as a center of neighborhood activity. The proposed addition of the residential dwelling units supports the plan by concentrating density around the transit stop and increasing foot traffic around local retail. The proposed project is consistent in scale and use with the plan drawing from existing context.

Zoning Analysis:

Article 65's LC subdistrict establishes a max height of 40'. The proposed project's height is marginally taller at 43'9". The required FAR is 1.0 and the proposed FAR 2.48.

Since the proposed project is a mixed use development, the code requires off-street parking spaces equal to the total of the required number of off-street parking spaces for each use (9.5 spaces). The proposed project is not proposing any parking spaces as it is located within 1/2 mile of a transit stop.

BOA1484717

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1 Boston Planning & Development Agency



Recommendation:

In reference to BOA1484717, The Boston Planning & Development Agency recommends APPROVAL WITH PROVISIO/S: that plans shall be submitted to the Agency for design review.

Reviewed,

A handwritten signature in black ink, appearing to read "Arnee Raab". The signature is fluid and cursive, with a long, sweeping tail that extends to the right.

Director of Planning, BPDA



Case	BOA1309386
ZBA Hearing Date	2023-09-26
Address	75 Maywood St Roxbury 02119
Parcel ID	1200996000
Zoning District & Subdistrict	Roxbury Neighborhood 3F-4000
Zoning Article	Article 50
Project Description	Erect 6 unit residential building with 6 parking spaces.
Relief Type	Variance
Violations	Front Yard Insufficient Side Yard Insufficient FAR Excessive Roof Structure and Building Height Restrictions

Planning Context:

The proposed project is revised from a previous iteration heard by the Board of Appeal on May 9, 2023 (decision: denial without prejudice). It would erect a residential structure on a vacant lot, creating 6 new dwelling units for the neighborhood. The creation of new infill housing on empty lots throughout the City is in keeping with planning goals of increasing housing availability and density, as detailed in Housing a Changing City, Boston 2030 (September 2018). The use is in keeping with the surrounding area and contextual to the site, which sits right off Blue Hill Avenue. The drawings omitted in the initial submission (plans, elevations, etc.) have been included as a part of this proposal.

While project's use aligns with Boston's housing goals, its site plan shows a design contradictory to City resiliency goals. Specifically, the project proposes parking and pavement across almost the entirety of the lot. The width of the drive aisle has been narrowed from the original design, as requested. However, the design of the rear parking itself eliminates a significant amount of existing permeable landscape and will also likely result in removal of several mature trees on the site. The City does not support the removal of open space and healthy, mature trees to accommodate paving or off-street parking, especially on a site that has immediate access to transit (a stop for the 45 bus line is less than 100' from the front door). The planning goals of Climate Ready Boston (addressing permeability, heat island effect, and increased tree canopy, 2016) and Boston's Urban Forest Plan (preserving healthy and mature trees, 2022) outline this point.

BOA1309386

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Zoning Analysis:

The proposed project's front yard setback, while insufficient by the Code's standards, conforms to the block's predominant existing building alignment. Future zoning should revisit front yard setback requirements for this area (currently 20'), as few, if any, structures surrounding the site conform to that figure.

The project's side yard violation can largely be attributed to the project's narrow and irregularly shaped lot. While the side yard dimension conforms with many of the site's immediately abutting parcels, modifications to the structure's built form can be made to meet this requirement. A future proposal should consider an updated massing to remedy this condition. Specifically, the structure should be narrowed. Doing such would also enable the drive aisle to be moved off of the side lot line, creating an opportunity to preserve many of the lots existing trees, which line the property's edge.

The project's FAR violation is in keeping with the scale of what exists surrounding the property. While it narrowly exceeds the area's allowed maximum (delta of 0.2), the figure proposed (1.0) would conform to the dimensional standards of the MFR subdistrict the property directly abuts. Future zoning for the neighborhood should explore updates to districting and/or FAR requirements; to expand MFR zoning, where appropriate, or allow slightly greater density on lots abutting MFR districts and key neighborhood corridors.

Because the parcel sits within 100' of a public park, the provisions of City Ordinance 7.4.11, which trigger Parks Design Review, will apply to the site. A proviso for Parks Design Review has been added to the recommendation to satisfy this requirement. A proviso for BPDA Design Review has also been added to address issues relating to parking configuration and excessive paving, retention of existing trees and green space, and screening and buffering for front and side lot lines (relating to parking).

Recommendation:

In reference to BOA1309386, The Boston Planning & Development Agency recommends **DENIAL WITHOUT PREJUDICE**: The proponent should explore a proposal that narrows the structure's massing to meet the area's side yard requirement. Updates should also relocate the



proposed driveway off of the side lot line and significantly reduce the amount of pavement on the site to retain the site's landscape and existing trees.

Reviewed,

A handwritten signature in black ink, appearing to read "Amee Rand". The signature is fluid and cursive, with a long, sweeping tail on the final letter.

Director of Planning, BPDA



Case	BOA1341023
ZBA Hearing Date	2023-09-26
Address	81 Woodlawn St Jamaica Plain 02130
Parcel ID	1103626000
Zoning District & Subdistrict	Jamaica Plain Neighborhood 3F-5000
Zoning Article	Article 55
Project Description	New erection of a 3 story, 3 family building on an empty lot. Includes new curb cut for a new 30 foot, 3 car driveway.
Relief Type	Variance
Violations	Lot Area Insufficient FAR Excessive Side Yard Insufficient Lot Width Insufficient Lot Frontage Insufficient

Planning Context:

The creation of new infill housing on empty lots throughout the City is in keeping with planning goals of increasing housing availability and density, as detailed in Housing a Changing City, Boston 2030 (September 2018).

The proposed project is on a residential street characterized by detached 2.5-3 story homes. Most homes on this block have side yards between around 5 feet. The proposed size and siting of the project is in keeping with the existing surroundings.

This project includes a new curb cut for a 30 foot, 3 car driveway. The Boston Transportation Department's Guidelines for use by the Zoning Board of Appeal state that "New driveways added at residential dwellings need to accommodate a minimum of two (2) vehicular spaces for every one (1) public on-street parking space that will be removed as a result of the new driveway. A new driveway accommodating three (3) vehicular spaces for every one (1) public on-street parking space is the preferred ratio." The new 30 foot curb cut would mean the removal of 2 on-street spaces, which means the project does not meet the minimum BTDA recommendation of 4 off-street spaces or the preferred ratio of 6 off-street spaces. The

BOA1341023

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additional curb cut would also increase pedestrian interface with traffic. Also note that curb cuts over 24 feet wide require approval from the Boston Public Improvement Commission

The Disabilities Commission reviewed the plans for this project and noted that there is no accessible entrance to the building or the ground floor unit. Due to the site constraints and topography, it may not be feasible to provide a ramp. If not, the design should include a lift or elevator in order to comply with Architectural Access Board requirements [521 CMR section 10].

Zoning Analysis:

This project is flagged for violations for the lot width, lot frontage, and lot area. These are pre-existing characteristics and the dimensions of this lot are similar to most other lots along Woodlawn Street and the immediate surrounding area within this same zoning subdistrict.

The project is also flagged for violations for FAR and side yard. The proposed FAR is .76 and therefore larger than the zoning maximum of .6. In addition, the side yard setbacks are 5 feet, which is not in compliance with the required side yard setback of 7 (Article 55 Table E). However, many existing buildings in the surrounding area and on similarly sized lots are also not compliant with the FAR and side yard requirements, which indicates that these provisions of the Code likely need to be updated to better reflect the built environment.

The project plans, titled "81 Woodlawn Street" were prepared by Dellamora Architecture and dated April 3, 2023.

Recommendation:

In reference to BOA1341023, The Boston Planning & Development Agency recommends DENIAL WITHOUT PREJUDICE applicant should remove or reconfigure off-street parking in order to 1. minimize the width of curb cut and impact on public realm and 2. comply with BTB recommendation to accommodate a minimum of two spaces for every one public on-street parking space that will be removed .



Reviewed,

A handwritten signature in black ink, appearing to read 'Amee Rand'. The signature is fluid and cursive, with a long, sweeping tail on the final letter.

Director of Planning, BPDA



Case	BOA1513036
ZBA Hearing Date	2023-09-12
Address	25 Colebrook ST South Boston 02127
Parcel ID	0701621000
Zoning District & Subdistrict	South Boston Neighborhood MFR
Zoning Article	Article 68
Project Description	Erect a 3 story structure on top of an existing grade-level parking pad and lower level basement. With interior parking at grade and two living levels above.
Relief Type	Variance
Violations	FAR Excessive Rear Yard Insufficient Front Yard Insufficient Side Yard Insufficient Lot Area Insufficient

Planning Context:

The project's scope, which converts an existing surface level parking pad into housing, is consistent with both Neighborhood and City planning goals: to encourage appropriately-scaled residential infill development (Zoning Code Section 68-6, 2011) and create new housing (Imagine Boston 2030, 2016).

Zoning Analysis:

The project's setback violations are existing conditions, stemming from the lot's narrow width. The proposed dimensions fall within those of the existing parking pad and lower level basement upon which the structure is being built. The project's lot size and FAR figures, while noncompliant with the Code, are consistent with what exists in the surrounding area. The project is minimally invasive and contextual to the site, which is surrounded by similar building typologies and a mix of single family to multifamily residential uses. A proviso for BPDA Design Review has been added to address façade treatment and articulation.

Proposed project plans - titled "25 Colebrook Street, South Boston, MA 02127" - were prepared by 686 Architects on 7/11/2022.

BOA1513036

2023-09-12

1 Boston Planning & Development Agency



Recommendation:

In reference to BOA1513036, The Boston Planning & Development Agency recommends APPROVAL WITH PROVISIO/S: that plans shall be submitted to the Agency for design review .

Reviewed,

A handwritten signature in black ink, appearing to read "Amec Rand". The signature is fluid and cursive, with a long horizontal flourish extending to the right.

Director of Planning, BPDA



Case	BOA1459061
ZBA Hearing Date	2023-09-26
Address	74 Horace St East Boston 02128
Parcel ID	0100904000
Zoning District & Subdistrict	East Boston Neighborhood 2F-2000
Zoning Article	Article 53, Article 27T
Project Description	Raze existing building. Erect a 5 unit residential dwelling with 5 parking spaces.
Relief Type	Variance, IPOD Permit
Violations	FAR Excessive Height Excessive (stories) Rear Yard Insufficient Side Yard Insufficient Parking Insufficient Forbidden Use (MFR); East Boston IPOD Applicability; Parking Maneuverability

Planning Context:

This project sits in an existing two-family residential area in East Boston. It is also a part of the East Boston Interim Planning Overlay District, implemented in 2018 to ensure that, during the development of the neighborhood's new strategic plan, adequate planning and zoning protections were in place to guide and regulate new construction in the area.

PLAN: East Boston, said strategic plan, will recommend that infill development in this area be consistent with the adjacent residential context. Recommended dimensional standards relevant to this site include maximum building footprint (60%), maximum building floorplate (3,000 square feet), maximum building depth (70'), and minimum rear setback (1/3 lot depth). The proposed project exceeds each of these recommended figures.

Zoning Analysis:

The project's proposed dimensions are in violation of the area's current standards, including an FAR almost double what's allowed (delta of 0.63) and a rear setback several feet short of what's required (delta of 6'9"). This, coupled with the project's noncompliant off-street parking design (insufficient maneuverability), renders it non-compliant with both existing and future zoning.



Proposed project plans - titled "74 Horace St." - were prepared by Context Architecture on 7/16/2023.

Recommendation:

In reference to BOA1459061, The Boston Planning & Development Agency recommends DENIAL WITHOUT PREJUDICE. Proponent should explore a project that removes or reconfigures parking to create greater maneuverability, and complies with the dimensional regulations of PLAN: East Boston. .

Reviewed,

A handwritten signature in black ink, appearing to read "Amee Rand". The signature is fluid and cursive, with a long, sweeping tail on the final letter.

Director of Planning, BPDA



Case	BOA1463517
ZBA Hearing Date	2023-09-26
Address	32 to 34 Larch ST Brighton 02135
Parcel ID	2204585000
Zoning District & Subdistrict	Allston/Brighton Neighborhood 1F-5000
Zoning Article	Article 51
Project Description	Renovate second floor kitchen, renovate 1 bathroom on second floor, and renovate 1 bathroom on third floor with a 12-foot shed dormer.
Relief Type	Variance, Conditional Use
Violations	FAR Excessive Height Excessive (stories) Extension of Nonconforming use

Planning Context:

The proposed kitchen and bathroom renovations improves the quality of the existing housing stock and advances goals of enhancing neighborhoods as described in Imagine Boston 2030.

Zoning Analysis:

The existing nonconformity of a two-family dwelling in this 1F-5000 will not be worsened by the interior renovations or shed dormer addition. The maximum FAR in this subdistrict is 0.5; this addition nominally increases the FAR by 0.04, from 0.66 to 0.70

The maximum height in this subdistrict is 2.5 stories and 35 feet. Pursuant to the definition of "Story, Half" in Article 2 of the Zoning Code, any dormer wider than 8' shall be counted as a full story. The proposed 20'-wide dormer counts towards a full story in height, increasing the existing height from 2.5 stories to 3 stories. Proximate buildings within this subdistrict similarly exceed height in stories with shed dormers or with three full stories.

Design review is recommended as these plans are hand-drawn and have some inconsistencies in showing the pitch of the roof.

Plans reviewed are titled "32-34 Larch St Quinn Residence" and dated November 28, 2022.

Recommendation:

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In reference to BOA1463517, The Boston Planning & Development Agency recommends APPROVAL WITH PROVISIO/S: that stamped architectural plans shall be submitted to the Agency for design review with attention to the pitch of the roof and confirmation of shed dormer dimensions.

Reviewed,

A handwritten signature in black ink, appearing to read "Amee Rand". The signature is fluid and cursive, with a long, sweeping tail that extends to the right.

Director of Planning, BPDA



Case	BOA1477631
ZBA Hearing Date	2023-09-26
Address	175 School St Roxbury 02119
Parcel ID	1101262000
Zoning District & Subdistrict	Jamaica Plain Neighborhood 3F-4000
Zoning Article	Article 55
Project Description	Construct 3 story, 3-unit townhouse building.
Relief Type	Variance
Violations	Lot Frontage Insufficient

Planning Context:

This project for a currently vacant site proposes 3 townhouse units, advancing planning goals of increasing housing stock as detailed in Housing a Changing City, Boston 2030 (September 2018).

Zoning Analysis:

This parcel is within a 3F-4000 sub-district, where the minimum lot frontage requirement for a Town House building is 25 feet. The 3 proposed Town Houses here would therefore require a lot frontage of 75 feet, but the proposed lot frontage is 51.38 feet. The proposed density and setbacks for this lot are both contextually appropriate and also allowed as-of-right through zoning.

However, these 3 townhouses are not proposed to each be facing the street, but rather extend into the lot. Given this proposed condition, it would not be detrimental to the neighborhood to have a reduced lot frontage. Design review is recommended to minimize impacts to the neighboring property along the driveway.

Plans reviewed are titled "New Multi-Family Dwelling 175 School St Jamaica Plain, MA", prepared by McKay Architects, and dated July 23rd, 2023.

Recommendation:



In reference to BOA1477631, The Boston Planning & Development Agency recommends APPROVAL WITH PROVISIO/S: that plans shall be submitted to the Agency for design review with attention to minimizing impacts to the neighboring property to the south.

Reviewed,

A handwritten signature in black ink, appearing to read "Amee Rand". The signature is fluid and cursive, with a long, sweeping tail that extends to the right.

Director of Planning, BPDA



Case	BOA1486207
ZBA Hearing Date	2023-09-26
Address	28 Clifton St Roxbury 02119
Parcel ID	0800301000
Zoning District & Subdistrict	Roxbury Neighborhood 3F-4000
Zoning Article	Article 50
Project Description	Erect 2 semi-attached 3 family dwellings, with a total of 4 parking spaces.
Relief Type	Variance
Violations	FAR Excessive Rear Yard Insufficient Side Yard Insufficient Front Yard Insufficient Usable Open Space Insufficient Additional Lot Area Insufficient Existing Building Alignment Parking Insufficient Dimensional Regulations (Front Entry) Screening and Buffering Two or More Dwellings on Same Lot Traffic Visibility Across Corner

Planning Context:

This project proposal was previously heard by the Board of Appeal on September 27, 2022. It received a denial without prejudice recommendation from the BPDA and a decision with the same designation from the BOA.

The proposed project sits within an established three-family residential area. Its scope, which expands the lot's occupancy from 2 to 6 dwelling units, is in keeping with planning goals of increasing housing availability, as detailed in Housing a Changing City, Boston 2030 (September 2018).

Despite this, the project proposes an excessive scale and massing that out of character with the site's surroundings. The project's site plan also contradicts City resiliency goals. It does so by removing all of the site's existing green space (including 2 large, mature trees) in favor of laying down new pavement and parking, covering roughly 40% of the lot. The City does not support the removal of open space and healthy, mature trees to accommodate paving for off-street parking. The planning goals of Climate Ready Boston (addressing permeability, heat island

BOA1486207

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effect, and increased tree canopy, 2016) and Boston's Urban Forest Plan (preserving healthy and mature trees, 2022) outline this point. The project's previous decision cited both of these points (site plan and scale) as justification for the denial without prejudice decision. Neither issue has been remedied in this updated proposal; the plans submitted have not been updated.

Zoning Analysis:

The proposed project holds violations for insufficient front yard, side yard, and rear yard setbacks. The front yard setback, while non-conforming with Code, aligns with the site's surrounding existing building alignment. Overwhelming noncompliance from nearby structures in this arena signals that future zoning may need to recalibrate regulations for front yard setbacks in the area.

On the other hand, the project's side and rear yard violations should be considered differently. These, in addition to its FAR violation (exceeds the required figure by roughly 60%), contribute to creating a massing that is inappropriately scaled for the area and which severely diminishes the site's usable open space, which is also insufficient. Additional violations relating to excessive dwellings and insufficient lot area per dwelling bring this point home. Even though the site's parking does not meet the required minimum for the area (off by 2 spaces), its proposed number of spots and the amount of paving it shows in the plans still exceeds what typically exists on the surrounding lots; the majority of which have no off-street parking. This is significant because the amount and design of the parking proposed directly contribute to the site's screening and buffering, and usable open space violations.

Future updates to this proposal should work to reduce the footprint and scale of the structure, and potentially the number of dwelling units proposed as well, to more closely comply with the regulations of the site. It is recommended that the Proponent pursue a design featuring a single structure, not two (a violation). If the proponent desires to pursue a divided massing with multiple entrances (which would be contextual given the area's typically narrow building frontage), it is recommended that the lot be subdivided to differentiate each dwelling or set of dwellings.

While forbidden, MFR uses are not new to the surrounding area. The project sits 1 block from 2 MFR subdistricts, and the use is pre-existing elsewhere nearby - especially on corner lots, which this project is sited on. Future planning and zoning efforts for the area should explore



expanded MFR zoning as well as slight density increases to match the regulations with what is already existing.

Recommendation:

In reference to BOA1486207, The Boston Planning & Development Agency recommends DENIAL WITHOUT PREJUDICE: The proponent should contemplate a proposal that reduces the building's scale and number of units, and preserves the site's usable open space and existing trees.

Reviewed,

A handwritten signature in black ink, appearing to read "Amee Rand". The signature is fluid and cursive, with a long horizontal flourish extending to the right.

Director of Planning, BPDA

Case	BOA 1340974
BPDA Referral Date	Thursday, September 15, 2022
ZBOA Hearing Date	Tuesday, September 27, 2022
Applicant	Vernon Woodworth
Address	28-30 Clifton Street Roxbury
Parcel	080301000
Use	1-3FAM
Zoning Subdistrict	3F-4000
Purpose of Appeal	One two three family building to be constructed adjacent another separated fire wall as per plans nominal fee requested pending zba approval eplan ert1320001.
Violations	Excessive Floor Area Ratio (2) Insufficient Usable open space Insufficient Lot Area Insufficient Front, Side, and Rear yard setbacks (2) Dimensional Requirements (2)

Recommendations:

In reference to BOA 1340974, Vernon Woodworth, 28-30 Clifton Street, Roxbury, for 12 violations to erect two three-family semi-attached dwellings in a 3F-4000, The Boston Planning & Development Agency recommends **DENIAL WITHOUT PREJUDICE**: Proposal is excessive. The Proposed Project would require the removal of mature trees. The proponent should consider preserving the trees and reduce the number of units.



Case	BOA1501503
ZBA Hearing Date	2023-09-26
Address	30 Clifton St Roxbury 02119
Parcel ID	0800300000
Zoning District & Subdistrict	Roxbury Neighborhood 3F-4000
Zoning Article	Article 50
Project Description	Erect 2 semi-attached 3 family dwellings, with a total of 4 parking spaces.
Relief Type	Variance
Violations	FAR Excessive Rear Yard Insufficient Side Yard Insufficient Front Yard Insufficient Parking Insufficient Usable Open Space Insufficient Additional Lot Area Insufficient Existing Building Alignment Dimensional Regulations (Front Entry); Screening and Buffering; Two or More Dwellings on Same Lot; Traffic Visibility Across Corner

Planning Context:

This project proposal was previously heard by the Board of Appeal on September 27, 2022. It received a denial without prejudice recommendation from the BPDA and a decision with the same designation from the BOA.

The proposed project sits within an established three-family residential area. Its scope, which expands the lot's occupancy from 2 to 6 dwelling units, is in keeping with planning goals of increasing housing availability, as detailed in Housing a Changing City, Boston 2030 (September 2018).

Despite this, the project proposes an excessive scale and massing that out of character with the site's surroundings. The project's site plan also contradicts City resiliency goals. It does so by removing all of the site's existing green space (including 2 large, mature trees) in favor of laying down new pavement and parking, covering roughly 40% of the lot. The City does not support the removal of open space and healthy, mature trees to accommodate paving for off-street parking. The planning goals of Climate Ready Boston (addressing permeability, heat island

BOA1501503

2023-09-26

1 Boston Planning & Development Agency



effect, and increased tree canopy, 2016) and Boston's Urban Forest Plan (preserving healthy and mature trees, 2022) outline this point. The project's previous decision cited both of these points (site plan and scale) as justification for the denial without prejudice decision. Neither issue has been remedied in this updated proposal; the plans submitted have not been updated.

Zoning Analysis:

The proposed project holds violations for insufficient front yard, side yard, and rear yard setbacks. The front yard setback, while non-conforming with Code, aligns with the site's surrounding existing building alignment. Overwhelming noncompliance from nearby structures in this arena signals that future zoning may need to recalibrate regulations for front yard setbacks in the area.

On the other hand, the project's side and rear yard violations should be considered differently. These, in addition to its FAR violation (exceeds the required figure by roughly 60%), contribute to creating a massing that is inappropriately scaled for the area and which severely diminishes the site's usable open space, which is also insufficient. Additional violations relating to excessive dwellings and insufficient lot area per dwelling bring this point home. Even though the site's parking does not meet the required minimum for the area (off by 2 spaces), its proposed number of spots and the amount of paving it shows in the plans still exceeds what typically exists on the surrounding lots; the majority of which have no off-street parking. This is significant because the amount and design of the parking proposed directly contribute to the site's screening and buffering, and usable open space violations.

Future updates to this proposal should work to reduce the footprint and scale of the structure, and potentially the number of dwelling units proposed as well, to more closely comply with the regulations of the site. It is recommended that the Proponent pursue a design featuring a single structure, not two (a violation). If the proponent desires to pursue a divided massing with multiple entrances (which would be contextual given the area's typically narrow building frontage), it is recommended that the lot be subdivided to differentiate each dwelling or set of dwellings.

While forbidden, MFR uses are not new to the surrounding area. The project sits 1 block from 2 MFR subdistricts, and the use is pre-existing elsewhere nearby - especially on corner lots, which this project is sited on. Future planning and zoning efforts for the area should explore



expanded MFR zoning as well as slight density increases to match the regulations with what is already existing.

Recommendation:

In reference to BOA1486207, The Boston Planning & Development Agency recommends DENIAL WITHOUT PREJUDICE: The proponent should contemplate a proposal that reduces the building's scale and number of units, and preserves the site's usable open space and existing trees.

Reviewed,

A handwritten signature in black ink, appearing to read "Anne Rade". The signature is fluid and cursive, with a long, sweeping tail on the final letter.

Director of Planning, BPDA

Case	BOA 1340980
BPDA Referral Date	Thursday, September 15, 2022
ZBOA Hearing Date	Tuesday, September 27, 2022
Applicant	Vernon Woodworth
Address	30 Clifton Street
Parcel	800301000
Use	1-3FAM
Zoning Subdistrict	3F-4000
Purpose of Appeal	One two three family buildings to be constructed adjacent one another separated fire wall as per plans nominal fee requested pending zba approval eplan ert1319999.
Violations	Excessive Floor Area Ratio Insufficient Front, Side, and Rear Yard Setbacks Dimensional Requirements

Recommendations:

In reference to BOA 1340980, Vernon Woodworth, 30 Clifton Street, Roxbury, for 5 Violations to one two three family buildings to be constructed adjacent one another separated fire wall as per plans nominal fee requested pending zba approval eplan ert1319999 in a 3F-4000, The Boston Planning & Development Agency recommends DENIAL WITHOUT PREJUDICE: The Proposed Project would require the removal of mature trees. The proponent should consider preserving the trees and adhere to the zoning dimensional requirements .



Case	BOA1485550
ZBA Hearing Date	2023-09-26
Address	60 Oakridge St Mattapan 02126
Parcel ID	1703375000
Zoning District & Subdistrict	Dorchester Neighborhood 1F-6000
Zoning Article	Article 65
Project Description	Interpretation
Relief Type	Conditional Use,Variance
Violations	Lot Area Insufficient Lot Frontage Insufficient FAR Excessive Height Excessive (stories) Rear Yard Insufficient Lot Width Insufficient 3 Family Detached Dwelling Forbidden

Planning Context:

This project was approved on September 27th, 2022 with provisos stating: "BPDA design review with attention to preserving existing trees where possible and usage of permeable pavers in the rear."

Zoning Analysis:

A Stop Work Order was issued on May 1, 2023. The purpose of this appeal is to determine if the Commissioner erred in issuance of the Stop Work Order and the applicant is requesting it be reversed and work be permitted to resume.

Appeal for interpretation.

Recommendation:

In reference to BOA1485550, The Boston Planning & Development Agency recommends NO RECOMMENDATION NEEDED.

Case	BOA 1332546
BPDA Referral Date	Thursday, September 15, 2022
ZBOA Hearing Date	Tuesday, September 27, 2022
Applicant	Derick Joyner
Address	60 Oakridge Street Dorchester
Parcel	1703375000
Use	Vacant land
Zoning Subdistrict	1F-6000
Purpose of Appeal	To erect three family dwelling with parking spaces in rear.
Violations	Forbidden 3 Family Detached Dwelling Excessive Floor Area Ratio and Building Height Insufficient lot area, lot width, lot frontage, and rear yard,

Recommendations:

In reference to BOA 1332546, Derick Joyner, 60 Oakridge Street, Dorchester, for 7 violations to erect a three-family dwelling with parking spaces in rear in a 1F-6000, The Boston Planning & Development Agency recommends **APPROVAL WITH PROVISIO**: that plans shall be submitted to the Agency for design review.