



Planning Department

MEMORANDUM

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

FROM: Joanne Marques
Regulatory Planning & Zoning

DATE: February 05, 2025

RE: Planning Department Recommendations

Please find attached, for your information, Planning Department recommendations for the February 13, 2025 Board of Appeal's Hearing.

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



Case	BOA1653711
ZBA Submitted Date	2024-09-18
ZBA Hearing Date	2025-02-13
Address	268 to 274 Centre ST Jamaica Plain 02130
Parcel ID	1002221010
Zoning District & Subdistrict	Jamaica Plain Neighborhood NS
Zoning Article	55
Project Description	Remove proviso for takeout use
Relief Type	Conditional Use
Violations	Use: Conditional (Removal of Proviso)

Planning Context:

The proposed project is a change of ownership for a takeout restaurant requiring a new conditional use permit, as the previous permit was issued with a proviso for the specific property owner. The proponent is not proposing changes to the property; a change of ownership triggered the need for the Board of Appeal.

PLAN: JP/Rox further supports the transfer of use for this property through the intention to preserve and revitalize small independent businesses. The composition of existing businesses within the Jamaica Plain and Roxbury neighborhoods, albeit diverse, was composed of 7% takeout/fast-food establishments at the time of PLAN publication. Limiting the use of the property based on the owner negatively impacts the ability of these restaurants to undergo tenant changes over time.

Zoning Analysis:

This appeal presents a case for future zoning reform, as uses should not be tied to the owner of a property. Reform to allow a wider range of businesses, including takeout, should make it easier to re-tenant appropriate spaces, and not limit zoning relief to individual businesses.

Recommendation:

In reference to BOA1653711, The Planning Department recommends APPROVAL.



Planning Department

CITY of BOSTON

Reviewed,

A handwritten signature in black ink, reading "Kathleen Onuf".

Deputy Director of Zoning



Case	BOA1683041
ZBA Submitted Date	2025-01-08
ZBA Hearing Date	2025-02-13
Address	55 to 57 Willow ST West Roxbury 02132
Parcel ID	2005961000
Zoning District & Subdistrict	West Roxbury Neighborhood 1F-6000
Zoning Article	56
Project Description	Convert a second floor open porch to a sunroom.
Relief Type	Variance
Violations	Rear Yard Insufficient

Planning Context:

Parcel is an existing two-family residential structure in West Roxbury. The proponent seeks to convert an existing second floor porch into a sunroom for the second unit, which involves a slight expansion of the footprint in the rear yard. These kinds of small upkeep renovations are the kinds of changes the Planning Department seeks to streamline through in the Planning Department’s ongoing Neighborhood Housing zoning initiative, launched in November 2024.

Zoning Analysis:

Per Article 56, Table D, the required rear yard in a 1F-6000 is 30 feet. While the exact distance is not marked for the new plans, the plans examiner estimates based on the scale that the new sunroom would have a rear yard of 20 feet, which would be a worsening of an existing violation. The existing nonconformity is also not fully marked, but appears to provide a rear yard of approximately 25 feet, so this would worsen the violation from approximately 5 feet to approximately 10 feet. This change is fairly minor and is appropriate for the design solution of creating a usable new room. Many existing buildings on this block have rear yards even smaller than 20 feet, and the current zoning does not reflect even baseline existing conditions, making nonconformity the norm rather than the exception. Future zoning reform should consider modified yard requirements to, at a minimum, allow existing conditions to be in compliance with zoning. Relief is appropriate.

Recommendation:



Planning Department

CITY of BOSTON

In reference to BOA1683041, The Planning Department recommends APPROVAL.

Reviewed,

A handwritten signature in black ink, appearing to read "Kathleen O'Neil".

Deputy Director of Zoning