



Kim Janey  
Mayor

## Boston Inspectional Services Department Planning and Zoning Division

1010 Massachusetts Avenue Boston, MA 02118 Telephone: (617) 635-5300

### ZONING CODE REFUSAL

Marc Joseph  
Inspector of Buildings

PING MANDAWÉ  
CHOO & COMPANY INC.  
ONE BILLINGS ROAD  
QUINCY, MA 02171

~~January 06, 2021~~  
June 23, 2021

**Location:** 16 S RUSSELL ST BOSTON, MA 02114  
**Ward:** 03  
**Zoning District:** Boston Proper  
**Zoning Subdistrict:** H-2-65  
**Appl. #:** ALT1147354  
**Date Filed:** December 18, 2020  
**Purpose:** Legalize ground level dwelling unit to correct occupancy from a store and 4 dwelling units to 5 dwelling units. NO WORK TO BE DONE

YOUR APPLICATION REQUIRES RELIEF FROM THE BOARD OF APPEAL AS SAME WOULD BE IN VIOLATION OF THE BOSTON ZONING CODE TO WIT: CHAPTER 665, ACTS OF 1956 AS AMENDED:


| <u>Violation</u> | <u>Violation Description</u>   | <u>Violation Comments</u> |
|------------------|--------------------------------|---------------------------|
| Art. 17 Sec. 01  | Usable open Space Insufficient |                           |

THIS DECISION MAY BE APPEALED TO THE BOARD OF APPEAL WITHIN FORTY-FIVE (45) DAYS PURSUANT TO CHAPTER 665 OF THE ACTS OF 1956, AS AMENDED. APPLICATIONS NOT APPEALED WITHIN THAT TIME PERIOD WILL BE DEEMED ABANDONED. IF YOU HAVE INQUIRIES REGARDING THE NEIGHBORHOOD PROCESS AND PUBLIC PARTICIPATION, PLEASE CONTACT THE MAYOR'S OFFICE OF NEIGHBORHOOD SERVICES AT 617-635-3485. For more information visit [boston.gov/zba-appeal](http://boston.gov/zba-appeal).

*Francesco D'Amato*

Francesco D'Amato  
(617)961-3265  
for the Commissioner

Refusal of a permit may be appealed to the Board of Appeal within 45 days. Chapter 802, Acts of 1972, and Chapter 656, Acts of 1956, Section 19.

  
**ZONING DECISION**  
**"DENIED"**  
**BOA PLAN SET**  
*Francesco D'Amato*  
 Francesco D'Amato  
 Associate Inspection Engineer  
 City of Boston

**FIRST FLOOR HABITABLE AREA NATURAL LIGHT & VENTILATION CALCULATIONS**

**BEDROOM**  
 BEDROOM TOTAL AREA = 120 ± SQ.FT.  
 (1205.2) REQUIRED 8% NATURAL LIGHT = 9.6± SQ.FT.  
 EXISTING DOUBLE HUNG WINDOW #1=  
 (3'-4" X 5'-0") / 2 = 8.3± SQ.FT.  
 EXISTING WINDOW #2=  
 (2'-7 1/2" X 2'-0") = 5.5± SQ.FT.  
 TOTAL GLASS = 13.8± SQ.FT.  
 13.8± SQ.FT. > 9.6± SQ.FT. = OK

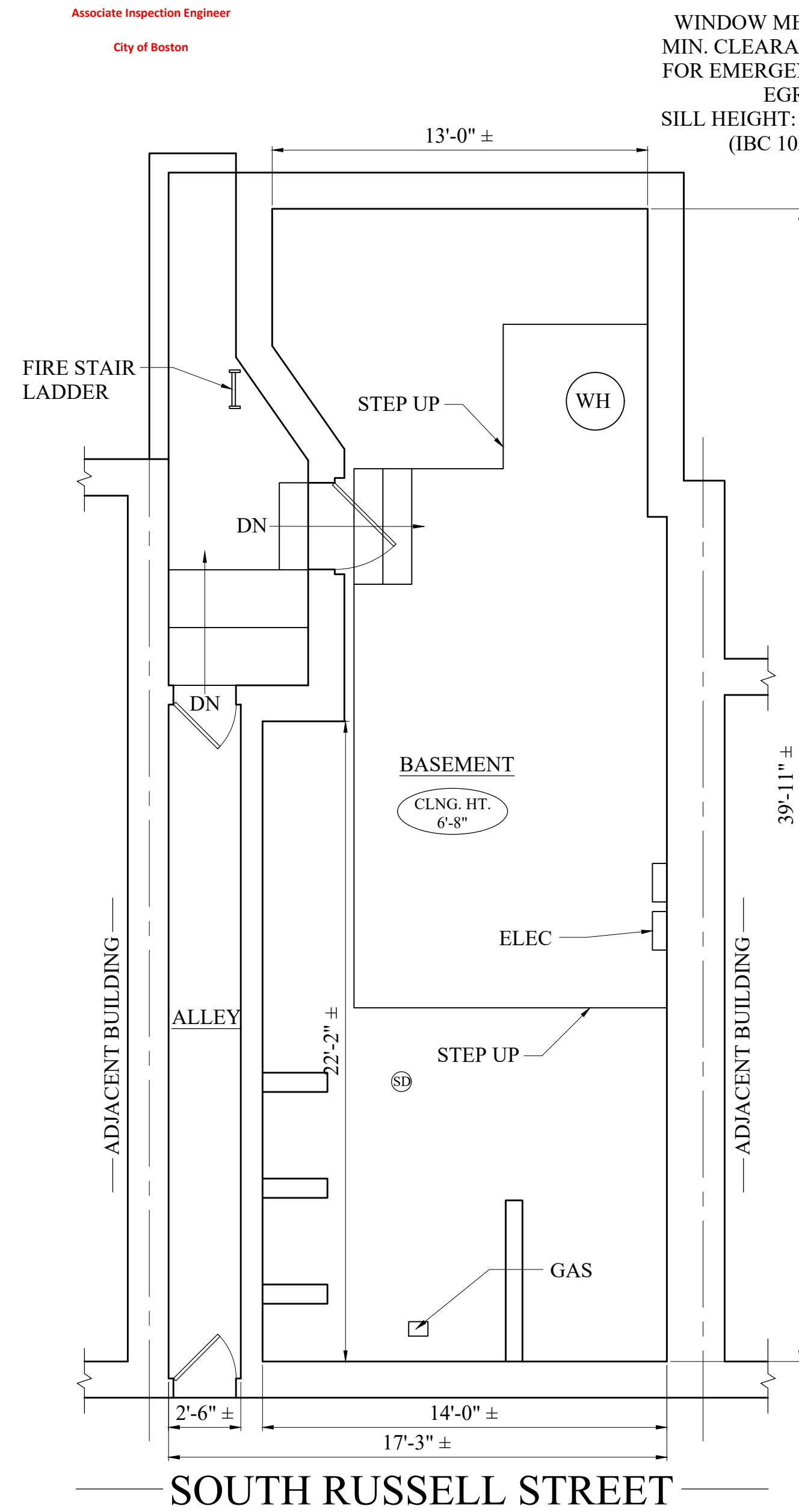
(1203.4.1) REQUIRED 4% NATURAL VENTILATION = 4.8± SQ.FT.  
 EXISTING DOUBLE HUNG WINDOW #1=  
 (3'-4" X 5'-0") / 2 = 8.3± SQ.FT.  
 EXISTING WINDOW #2=  
 (2'-7 1/2" X 2'-0") = 5.5± SQ.FT.  
 TOTAL GLASS = 13.8± SQ.FT.  
 13.8± SQ.FT. > 4.8± SQ.FT. = OK

**LIVING/KITCHEN ROOM**  
 LIVING/KITCHEN ROOM TOTAL AREA = 319 ± SQ.FT.  
 (1205.2) REQUIRED 8% NATURAL LIGHT = 25.52± SQ.FT.  
 FRONT DOOR SIDELITES =  
 (2) 1'-0" X 3'-0" = 6± SQ.FT.  
 EXISTING KITCHEN WINDOW  
 3'-5" X 3'-7" = 12.24± SQ.FT.  
 TOTAL GLASS = 18.24± SQ.FT.  
 18.24± SQ.FT. < 25.52± SQ.FT. = NOT OK

(1205.2) LIVING/KITCHEN ROOM TO BE PROVIDED WITH ARTIFICIAL LIGHT

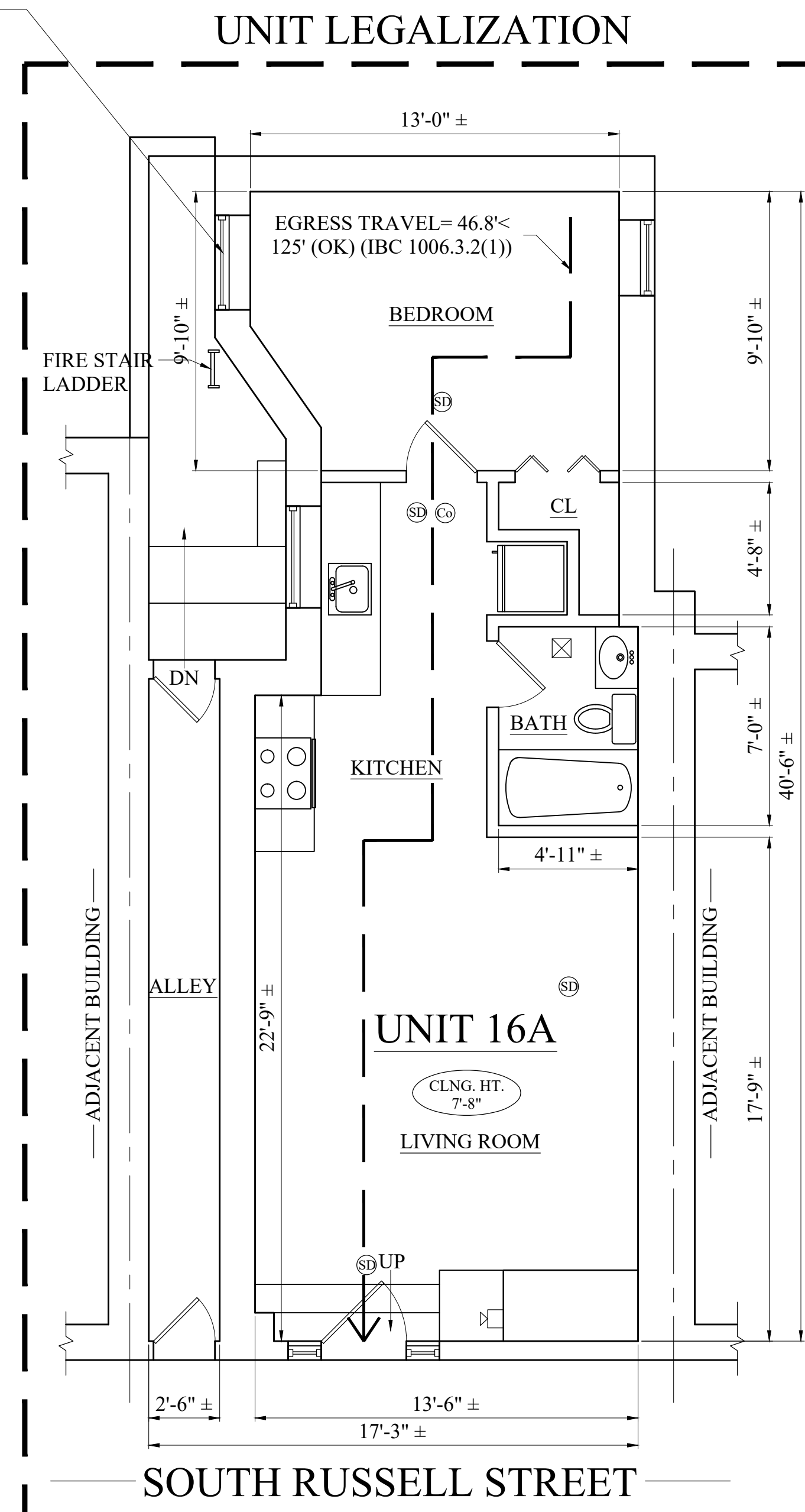
(1203.4.1) REQUIRED 4% NATURAL VENTILATION = 12.76± SQ.FT.  
 FRONT DOOR SIDELITES =  
 (2) 1'-0" X 3'-0" = 6± SQ.FT.  
 EXISTING KITCHEN WINDOW  
 3'-5" X 3'-7" / 2 = 6.12± SQ.FT.  
 TOTAL GLASS = 18.24± SQ.FT.  
 12.12± SQ.FT. < 12.76± SQ.FT. = NOT OK

(1203.5.1) LIVING/KITCHEN ROOM TO BE PROVIDED WITH MECHANICAL VENTILATION



1 EXISTING BASEMENT FLOOR PLAN  
 1/4" = 1'-0"

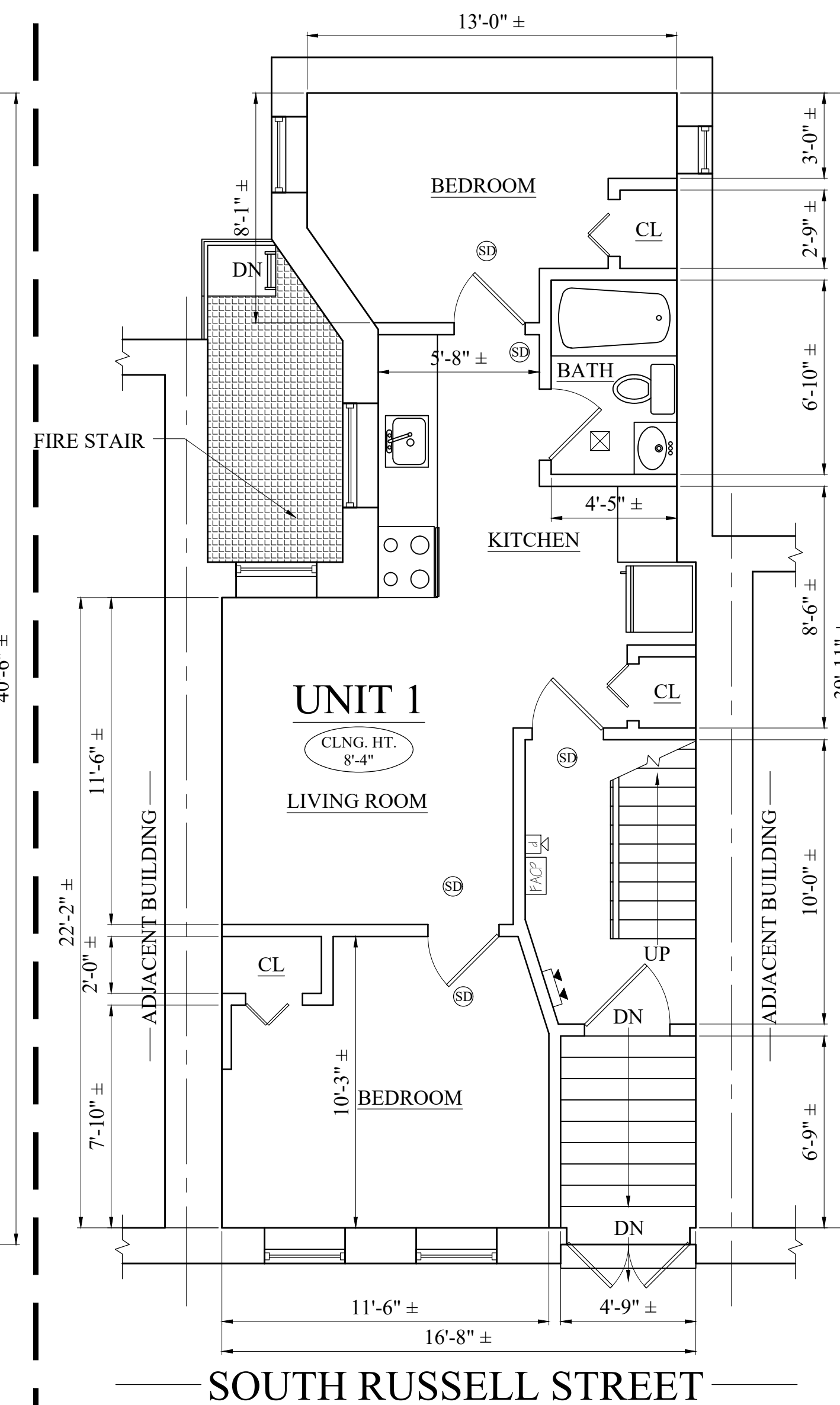
WINDOW MEETS  
 MIN. CLEARANCE  
 FOR EMERGENCY  
 EGRESS  
 SILL HEIGHT: 2'-2"  
 (IBC 1030.2)



2 EXISTING FIRST FLOOR PLAN  
 1/4" = 1'-0"

LOWER LEVEL CONSIDERED  
 STORY ABOVE GRADE

| KEY |                             |
|-----|-----------------------------|
|     | PULL STATION (HORN, STROBE) |
|     | HORN STROBE                 |
|     | EMERGENCY LIGHT             |
|     | FIRE ALARM CONTROL PANEL    |
|     | CARBON MONOXIDE DETECTOR    |
|     | SMOKE DETECTOR              |

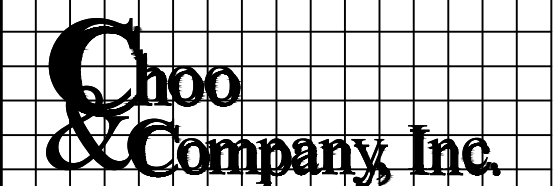


3 EXISTING SECOND FLOOR PLAN  
 1/4" = 1'-0"

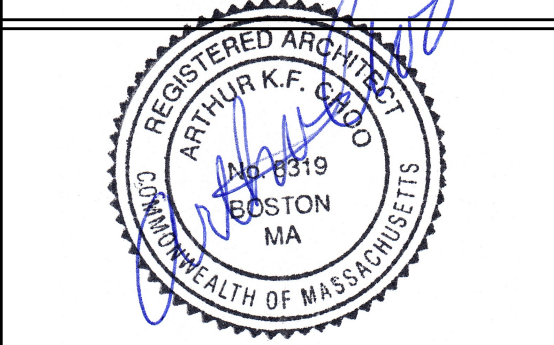
**CODE SUMMARY**  
 EX'G TYPE 3B CONSTRUCTION  
 EX'G 5 STORIES & BASEMENT  
 EX'G USE GROUP B & R-2  
 PROP. USE GROUP R-2  
 EX'G NON SPRINKLED  
 EX'G FULLY ALARMED

**ZONE: BOSTON PROPER H-2-65**

Location  
**UNIT LEGALIZATION**  
**16 SOUTH RUSSELL STREET**  
**BOSTON, MA 02114**



One Billings Road Quincy, MA 02171  
 617-786-7727 fax 617-786-7715



| No. | Revision Date |
|-----|---------------|
|     |               |
|     |               |
|     |               |
|     |               |
|     |               |

Project No: 2020013  
 Scale: AS NOTED  
 Date: 03-02-20  
 Drawn By: CP

Drawing Name  
**EXISTING FLOOR PLANS**

Sheet No.  
**A-1.1**

