

This form must be completed and signed by the owner-of-record, their attorney and/or authorized agent. If form is not signed by property owner, please attach a signed letter of authorization designating the authorized agent.



APPEAL
under Boston Zoning Code

Boston, Massachusetts March 24 2017

To the Board of Appeal in the Inspection Services Department of the City of Boston:

The undersigned, being John McGinn
The Owner(s) or authorized agent

of the lot at 28R Phillips Street 5 Boston
number street ward district

hereby appeal(s) under St. 1956, c. 665, s. 8, to the Board of Appeal in the Inspectional Services Department of the City of Boston the action taken by Inspectional Services Commissioner as outlined in the attached refusal letter.

DESCRIBE IN DETAIL THE REASON(S) FOR THIS APPEAL

To obtain zoning relief from the Board of Appeal to allow additional FAR for expansion on the fourth floor of an existing residential structure.

STATE REASONS FOR THIS PROPOSAL

Please see attached narrative statement.

PROVIDE REASONS WHY BOARD SHOULD GRANT RELIEF

Please see attached narrative statement.

COMMENTS

OWNER Zachary Canter

AUTHORIZED AGENT John McGinn

ADDRESS 28R Phillips Street

Boston, MA 02114

TELEPHONE 781-414-0605

FAX N/A

Application #ALT647028

March 24, 2017

NARRATIVE STATEMENT FOR
THE APPEAL TO THE BOARD OF APPEAL

28R PHILLIPS STREET
BOSTON, MASSACHUSETTS

Boston Custom Remodeling, LLC, contractor to the owners Zachary and Christina Canter of 28R Phillips Street, hereby requests the building code and zoning relief described below for the expanded area on the existing fourth floor.

ZONING RELIEF

In this appeal, the project is seeking zoning relief necessary for a fourth floor renovation to an existing residential building, located on an approximately 900 SF lot on land numbered 3 Coburn Court, rear of 28 Phillips Street, being Southwesterly corner of Lot No. 43. The project includes replacing an existing pitched roof with a new flat roof utilizing the existing ridge beam to expand the current usable area located on the fourth floor. This would result in an increase in Gross Floor Area of approximately 275 SF. The building is located within the H-2-65 Zoning District and has a current Gross Floor Area of approximately 1,792 SF. The maximum floor area ratio (FAR) in the H-2-65 Zoning District is 2.0.

The project includes two new exterior walls along the front and rear sides of the fourth floor are to be located in line with the existing masonry walls located on the floors below. The building will not increase in overall height or extend beyond the existing footprint of the structure.

In accordance with the Denial Letter, a copy of which is included with this appeal, the following relief is required for the project:

- Floor Area Ratio Excessive
- Rear Yard Insufficient

In a non-realized renovation to this property that was filed on 7/23/04, a copy of which is hereto attached, was approved by the Inspectional Services Department. The renovation included four fully occupied floors and roof deck with headhouse. The total Gross Floor Area of the plans are approximately 2,400 SF with an FAR of 2.67. In addition, the plans dated 7/23/04 utilized the existing building footprint for vertical expansion of the proposed usable area.

For the foregoing reasons and for additional reasons that may be presented at the public hearing, we respectfully request that the Board of Appeal grant the above-described variance for the project, and such other relief as the Board of Appeal deems proper.

March 24, 2017

VIA HAND DELIVERY

City of Boston
Zoning Board of Appeal
1010 Massachusetts Avenue, 5th Floor
Boston, MA 02118

Re: 28R Phillips Street, Boston, MA

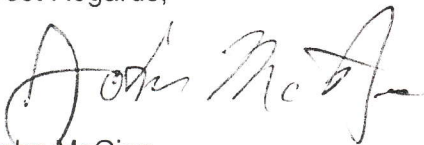
Dear Sir or Madam:

We are representatives to Zachary and Christina Canter, the owners of the property located at 28R Phillips Street in Boston. On January 13, 2017, Boston Custom Remodeling, LLC filed a building permit application (number ALT647028), which the application was denied by letter from the Inspectional Services Department dated February 8, 2017.

In connection with the denial of the application, enclosed please find four (4) copies of the Refusal Letter, one (1) original Appeal and three (3) copies of the same, four (4) copies of Boston Custom Remodeling's supplemental Narrative Statement, and four (4) copies of a prior approved addition for the property dated 7/23/04 in support of the appeal. A filing fee in the amount of \$150 for the zoning violation is enclosed.

Please date stamp the extra copy of this letter as evidence of the filing. Please do not hesitate to contact me if you have any questions or require additional information.

Best Regards,



John McGinn
781-414-0605
john@bostoncustomremodeling.com

cc (by email):
Zachary Canter
Nicholas Paulucci
Brian Slozak