



Boston Inspectional Services Department Planning and Zoning Division

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

Martin J. Walsh
Mayor

ZONING CODE REFUSAL

Gary P. Moccia
Inspector of Buildings

STEVEN HIGGINS
NO ADDRESS ON FILE
BOSTON, MA 11111

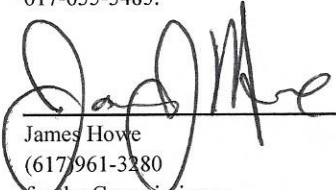
January 11, 2017

Location: 73 MOUNT VERNON ST BOSTON, MA 02108
Ward: 05
Zoning District: Boston Proper
Zoning Subdistrict: H-2-65
Appl. # : A672039
Date Filed: January 11, 2017
Purpose: Build an addition to the third floor of the existing building to match exactly as the first and second floors. Renovate existing FAR areas of the building interior and create new living space Looking for relief of a pre-existing condition (past work done without a permit) that is being considered a code violation. Add Juliette balconies to the rear of the building Add a roof deck to the top of the building. (Other costs of construction are reflected on ALT626697)

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. 13 Sec. 13-1	Dimensional Regulations	The reconfiguration of space in the basement and the proposed addition create an excessive F.A.R.
Art. 13 Sec. 13-1	Dimensional Regulations	The new addition at the rear is a side yard setback violation.
Art. 13 Sec. 13-1	Dimensional Regulations	The new addition at the rear is a rear yard setback violation.
Notes		Historic approval is required for the proposed exterior modifications.

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.



James Howe
(617)961-3280
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.



Martin J. Walsh
Mayor

Boston Inspectional Services Department Building and Structures Division

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

Gary P. Moccia
Inspector of Buildings

BUILDING CODE REFUSAL

January 11, 2017

STEVEN HIGGINS
NO ADDRESS ON FILE
BOSTON, MA 11111

Re: Application # : **A672039**
Date Filed: January 11, 2017
Location: 73 MOUNT VERNON ST BOSTON, MA 02108
Ward: 05
Purpose: Build an addition to the third floor of the existing building to match exactly as the first and second floors. Renovate existing FAR areas of the building interior and create new living space Looking for relief of a pre-existing condition (past work done without a permit) that is being considered a code violation. Add Juliette balconies to the rear of the building Add a roof deck to the top of the building. (Other costs of construction are reflected on ALT626697)

Your application requires Building Code Relief, as same would be in violation of Massachusetts State Building Code 780 CMR - Eighth Edition, Chapter 802, acts of 1972, as amended to wit:

Violation:	Violation Description:	Violation Comments:
8th 780CMR Chapter 30	ELEVATORS & CONVEYING SYSTEM	(780CMR Reference to Elevator Code) 3001.1 Scope. 524 CMR governs the design, construction, installation, alteration and repair of elevators and conveying systems and their components. (From 524CMR:) <u>7.01: Miscellaneous Regulations</u> <u>(6) Machine Rooms and Car Tops.</u> The top or cover of an elevator car shall be kept unobstructed. Entrances to hoistways and machine rooms shall be kept clear and accessible at all times. NOTE: The elevator machine room is located on and accessed via the roof. The proposed access to the roof will be obstructed by the top floor unit. Where the stairway was originally unobstructed all the way to the roof access, it will now require that an individual go through the top unit to get

Re: Application # : **A672039**
Date Filed: January 11, 2017
Location: 73 MOUNT VERNON ST BOSTON, MA 02108
Ward: 05
Purpose: Build an addition to the third floor of the existing building to match exactly as the first and second floors. Renovate existing FAR areas of the building interior and create new living space Looking for relief of a pre-existing condition (past work done without a permit) that is being considered a code violation. Add Juliette balconies to the rear of the building Add a roof deck to the top of the building. (Other costs of construction are reflected on ALT626697)

Your application requires Building Code Relief, as same would be in violation of Massachusetts State Building Code 780 CMR - Eighth Edition, Chapter 802, acts of 1972, as amended to wit:

Violation:	Violation Description:	Violation Comments:
8th 780CMR Chapter 7	Fire & Smoke Protection	to the roof/elevator machine room. 708.14.1 Elevator lobby. An enclosed elevator lobby shall be provided at each floor where an elevator shaft enclosure connects more than three stories. The lobby enclosure shall separate the elevator shaft enclosure doors from each floor by fire partitions. In addition to the requirements in Section 709 for fire partitions, doors protecting openings in the elevator lobby enclosure walls shall also comply with Section 715.4.3 as required for corridor walls and penetrations of the elevator lobby enclosure by ducts and air transfer openings shall be protected as required for corridors in accordance with Section 716.5.4.1. Elevator lobbies shall have at least one means of egress complying with Chapter 10 and other provisions within this code. (NOTE) This same section provides exceptions for compliance alternatives.

James Howe
for the Commissioner
(617)961-3280

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.