



**Boston Inspectional Services Department
Planning and Zoning Division**

BOA965725

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Martin J. Walsh
Mayor

ZONING CODE REFUSAL

Sean Lydon
Inspector of Buildings

TIMOTHY BURKE
142 BERKELEY ST
BOSTON, MA 02116

June 06, 2019

Location: 42-44 S RUSSELL ST BOSTON MA 02114
Ward: 03
Zoning District: Boston Proper
Zoning Subdistrict: H-2-65
Appl. #: ALT950003
Date Filed: May 07, 2019
Purpose: Remove portion of roof to install new dormer on rear wall and roof deck with new stair and hatch access. Install new bathroom and interior finishes. Install associated new mechanical and electrical work.

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. 15 Sec. 01	Floor Area Ratio excessive	Floor area ratio is excessive
Art. 19 Sec. 01	Side yard insufficient	Side yard setback requirement is insufficient
Notes		No openings allowed in zero lot line wall. Plans show some windows. In buildings of four stories or more occupied roofdeck , such as this proposed one, shall be accessed through a penthouse

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.

Marc A Joseph
(617)961-3233
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.