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**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**

Sean Lydon  
Inspector of Buildings

NICHOLAS P SOUGHLEY  
25 OVERLOOK DR  
HOLLIS, NH 03049


April 03, 2019

**Location:** 33-35 BOWDOIN ST BOSTON MA 02114  
**Ward:** 03  
**Zoning District:** Boston Proper  
**Zoning Subdistrict:** H-2-65  
**Appl. #:** ALT916838  
**Date Filed:** January 22, 2019  
**Purpose:** Modify ALT499699 to Change occupancy from 5 residential units and an office spaces to 6 residential units and office space.

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. 23 Section 1 **	Off-Street Parking (Residential) 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.

  
Luis A. Santana  
(617)961-3286  
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.

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 ..... April 11, 20 19.....

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

The undersigned, being ..... an Authorized Agent  
The Owner(s) or authorized agent

of the lot at ..... 33-35 ..... Bowdoin Street ..... 03 ..... Boston Proper .....  
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**

This appeal seeks to change the legal use and occupancy of the mixed use development located at 33-35 Bowdoin Street in the Boston Proper Zoning District, from 5 residential units and office spaces to to 6 residential units and office spaces, per plans.

**STATE REASONS FOR THIS PROPOSAL**

The relief requested would allow the proponent to more appropriately utilize the vast and ample residential living space in the basement level of the premises, without detriment to the immediate neighborhood. Rather, the subject modification is minimal and is consistent with the character and concerns of the community and its residential character.

**PROVIDE REASONS WHY BOARD SHOULD GRANT RELIEF**

The proponent submits that the Board should grant the requested relief, as the proposed change in Use is the minimal necessary under the circumstances, and consistent with the spirit and intent of the Variance Standards under Article 7, Section 7-3 of the Zoning Code.

**COMMENTS**

For these and other reasons more precisely enumerated at the public hearing before the Board, the proponent respectfully requests the allowance of the within appeal.

OWNER 33-35 Bowdoin Street, LLC...  
AUTHORIZED AGENT ..... Joseph P. Hanley, Esq. ....  
ADDRESS McDermott, Quilty & Miller LLP  
28 State Street, Suite 802  
Boston, MA 02109.....  
TELEPHONE 617-946-4600 .....  
FAX 617-946-4624 .....