



# Boston Inspectional Services Department Planning and Zoning Division

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

Michelle Wu  
Mayor

## ZONING CODE REFUSAL

Marc A. Joseph  
Inspector of Buildings

JEFFREY DRAGO  
11 BEACON  
SUITE 615  
BOSTON, MA 02108

January 24, 2024

**Location:** 85 CENTRE ST ROXBURY, MA 02119  
**Ward:** 11  
**Zoning District:** Roxbury Neighborhood  
**Zoning Subdistrict:** 3F-4000  
**Appl. #:** ERT1521724  
**Date Filed:** August 31, 2023  
**Purpose:** To erect a new residential building with (12) 10 units and 8 parking spaces. Demolition of existing building under SF:# Two lots being combined under ALT1534326 and ALT1534323 eplan -- BOA

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. 50 Sec. 29 *	Usable open space insufficient	Min. required: 6,500 sqft
Art. 50 Sec. 36	Neighborhood Design Overlay District	
Art. 50 Sec. 43	Off street parking insufficient	Min. spaces required: 10 Proposed: 8
Art. 50 Sec. 44.2	Existing Bldg Alignment	Land surveyor didn't provide a street modal calculation to verify its compliance.
Art. 50, Section 28 * **	Use: Forbidden	Multifamily
Article 50, Section 29 * *	Add'l Lot Area Insufficient	Min. required: 20,000 sqft Proposed: 6,089 sqft
Article 50, Section 29 **	Floor Area Ratio Excessive	Max. allowed: 0.8 Proposed: 2.38
Article 50, Section 29 ** *	Bldg Height Excessive (Stories)	Max. allowed: 3 Proposed: 5
Article 50, Section 29 ** **	Bldg Height Excessive (Feet)	Max. allowed: 35' Proposed: 55'-4"
Article 50, Section 29 ***	Front Yard Insufficient	Min. required: 20' Proposed: 5'
Article 50, Section 29 *** *	Side Yard Insufficient	Min. required: 10' Proposed: 5.9' (R) Aggregate required: 15' Proposed: insufficient (R)
Article 50, Section 29 ****	Rear Yard Insufficient	Min. required: 30' Proposed: 13'-10 3/4"

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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).

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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.