



Planning Department

MEMORANDUM

TO: Sherry Dong
Chairwoman, City of Boston Board of Appeal

FROM: Joanne Marques
Regulatory Planning & Zoning

DATE: April 09, 2025, 2025

RE: Planning Department Recommendations

Please find attached, for your information, Planning Department recommendations for the April 17, 2025 Board of Appeal's Hearing.

If you have any questions please feel free to contact me.



Case	BOA1631009
ZBA Submitted Date	2024-07-24
ZBA Hearing Date	2025-04-17
Address	857 to 861 Dorchester AV Dorchester 02125
Parcel ID	0703073000
Zoning District & Subdistrict	Dorchester Neighborhood MFR/LS
Zoning Article	65
Project Description	Extend space used for an existing cafe with no external work.
Relief Type	Variance, Conditional Use
Violations	Parking or Loading Insufficient Use: conditional (take-out)

Planning Context:

The project proposes extending the floor space dedicated to the use of an existing take-out restaurant (Sugar Bowl Cafe). The current space is already owned by the Sugar Bowl, but is not open to patrons. The surrounding area is predominantly mixed-use, with housing on upper stories and small commercial uses on the first stories, such as take-out restaurants and retail stores.

The proposed project would improve the accessibility of the existing restaurant opening the second entrance (on Roseclair Street) to the public. Unlike the existing public entrance (at the corner of Dorchester Street and Roseclair Street), which has a step up to the front door, this entrance has a ramp.

Zoning Analysis:

This project requires a conditional use permit because it extends the existing take-out restaurant use, which is a conditional use in this subdistrict. Per Article 6 Section 3, the Zoning Board of Appeal shall grant appeals for conditional uses if the specific site is an appropriate location for such use, the use will not adversely affect the neighborhood, there will be no serious hazard to vehicles or pedestrians from the use, no nuisance will be created by the use, and adequate and appropriate facilities will be provided for the proper operation of the use. This use meets these conditions because take-out uses are already prevalent in this area and a take-out restaurant has already been operating at this location successfully.



The zoning requires that Other Restaurant Uses in the Dorchester Neighborhood District have 0.15 spaces per seat. This restaurant appears to have zero off-street parking spaces, and because the proposed change increases the seating (from 16 seats to 49 seats), the project would worsen this nonconformity. However, due to the lot coverage of the existing building, it is not feasible to add off-street parking. In addition, the other commercial uses on this block also do not have off-street parking. , meaning the zoning does not align with built conditions. This is a case for zoning reform to better align zoning requirements to mixed-use contexts.

Plans reviewed: "SUGARBOWL CAFE INCREASE IN OCCUPANCY IN UN-USED CAFE SPACE" prepared by "TS" and dated 4/30/2024.

Recommendation:

In reference to BOA1631009, The Planning Department recommends APPROVAL.

Reviewed,

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Deputy Director of Zoning



Case	BOA1662019
ZBA Submitted Date	2024-10-15
ZBA Hearing Date	2025-04-17
Address	118 Woodrow AV Dorchester 02124
Parcel ID	1403667000
Zoning District & Subdistrict	Greater Mattapan Neighborhood 3F-5000
Zoning Article	60
Project Description	Expand the existing dormer and renovate unit two, which is located on the second floor and attic floor, including renovations for a new kitchen and bathrooms.
Relief Type	Variance
Violations	Front Yard Insufficient Side Yard Insufficient

Planning Context:

This project is located on a corner lot at the intersection of Woodrow Ave and Wollaston Terrace, within a 15-minute walk of two commuter rail stations (Talbot Ave and Morton Street) and a 30-minute walk of two Red Line stations (Ashmont and Shawmut). Just a few blocks north of Morton Street and east of Blue Hill Avenue, the site is well connected to major transit routes, including bus lines 28, 29, 31, 21, and 26. The surrounding area is predominantly residential, with buildings ranging from 2.5 to 3 stories, many featuring large dormers.

Although this lot sits just outside the PLAN: Mattapan study area, it shares similar built patterns with the neighborhoods included in the plan. As a result, many of PLAN: Mattapan's key objectives are highly relevant here. Notably, the proposed project focuses on improving existing housing in Mattapan, supporting a core goal of the plan—enhancing neighborhood stability and fostering wealth-building opportunities.

Zoning Analysis:

The proposed project does not reduce the existing front or side yards, as the dormer already exists and is simply being extended forward for stair's headroom clearance without surpassing the home's front facade. As outlined in the planning context, the extended dormer aligns well with the character of many surrounding buildings. Given these factors, this proposal should be



approved. Additionally such a simple and everyday addition should be able to be done by right without needing to go through a long and expensive variance process. The side and front yard violations are existing non-conformities that are being extended but not worsened. Based on Google Earth approximate measurements, the existing front yard is about 6.5 feet and existing side yards are about 7 feet on both sides, while zoning requires a front yard of 15 feet and a side yard of 10 feet on either side. This is a very clear case for why zoning reform is needed.

Plans reviewed are titled "118 Woodrow Ave, Dorchester, MA" prepared by T Design LLC, and dated February 6, 2024.

Recommendation:

In reference to BOA1662019, The Planning Department recommends APPROVAL.

Reviewed,

A handwritten signature in black ink, appearing to read "Kathleen Onuf".

Deputy Director of Zoning



Case	BOA1667594
ZBA Submitted Date	2024-10-31
ZBA Hearing Date	2025-04-17
Address	68 F ST South Boston 02127
Parcel ID	0600990000
Zoning District & Subdistrict	South Boston Neighborhood MFR
Zoning Article	68
Project Description	Change use from one- to two-unit dwelling. No changes to the building's exterior are proposed.
Relief Type	Variance
Violations	Parking or Loading Insufficient Additional Lot Area Insufficient Forbidden Use (Basement Unit)

Planning Context:

The proposed project sits in an established residential subdistrict within the Saint Vincent area of South Boston. The project's surroundings consist of a mix of two- to three-story structures with single-family to multi-family residential land uses. Bus stops for the MBTA's 9, 10, and 11 routes as well as two Bluebikes stations are accessible to the site within a quarter-mile walk.

The project site is a small, narrow lot (2,106 square feet of area, 25' wide) currently occupied by an existing three-story, semi-attached, single-family residential structure. It does not feature any existing off-street parking. The proposed project seeks to renovate the structure's existing basement into an additional basement dwelling unit (bringing the structure's total occupancy to two units). Because the project does not sit in a flood zone, and is within a structure that provides appropriate egress and access to light and air, a basement unit is appropriate for the site. Because the project site does not meet the ADU owner-occupancy requirement, the new dwelling unit is considered a standard dwelling unit, not an internal ADU (despite it being functionally designed as such). No exterior alterations to the existing structure or changes to the existing site plan are proposed by the project.

This project scope is in keeping with the City's planning goal to increase housing availability, as detailed in Housing a Changing City, Boston 2030 (September 2018). The project's proposed



zero-parking condition also aligns with the stated goals of the in-progress South Boston Transportation Action Plan (whose study area the project site sits within): to retain existing open space and provide residents access to housing units in transit-accessible locales.

Zoning Analysis:

Section 68-7.3 of the Zoning Code details requirements for the creation of additional dwelling units (ADUs) in the South Boston Neighborhood. It states that ADUs shall be allowed and exempt from zoning requirements in cases where such project adds no more than one dwelling unit to the existing structure; does not involve any bump out, extension or construction to the existing envelope of the structure which results in the addition of gross floor area; occurs within an owner-occupied structure; and is registered in accordance with Ch. 9-1.3 of the City of Boston Rental Registry Ordinance. The project's proposed basement dwelling unit meets all of these criteria, except the owner-occupancy requirement. This means the proposed basement unit is not considered an ADU by zoning, and is instead categorized as a standard dwelling unit, added to the structure's existing dwelling unit count and subject to the requirements of the Zoning Code. This categorization triggers a forbidden use violation for the project, as non-ADU basement dwelling units are forbidden in the South Boston Neighborhood.

While in violation of the Code, the project's new proposed basement dwelling unit is created by converting already existing basement space (currently operating as part living space / part storage for the structure's existing single-family use) into a separate and distinct dwelling unit. Because no alterations to the existing structure's building footprint are proposed (or needed to accommodate the proposed basement dwelling unit), the potential impacts of the cited forbidden use violation will be minimal to the surrounding area. Further, the project's existing basement has two established means of egress, sufficient access to light and air through multiple window wells, and is sited outside of the City's Coastal Flood Resilience Overlay District (CFROD). These factors make the existing structure an appropriate, safe, and livable location for a basement dwelling unit.

The project's remaining zoning violations relate to its lack of proposed off-street parking spaces (three spaces required, zero spaces existing/proposed), and insufficient lot area required to support the added dwelling unit (3,000 square feet required, 1,862 square feet existing/proposed). Both of these violations represent extensions of contextual nonconformities already existing upon the site. Regarding the former, the project's proposed zero-parking condition is one shared by each of the project's immediately abutting parcels as well as the vast



majority (over 90%) of its broader surroundings. This shared context stems from the area's uniquely small lot sizes and densely built existing form, which largely prohibits the development of new off-street parking without requiring the demolition of existing structures. Similarly, while insufficient by the Code's standards for its proposed use, the project's adjusted lot area per dwelling unit (931 square feet per dwelling unit) results in a figure similar to (and less severely nonconforming than) many of the properties in the surrounding area. Almost none of the parcels in the project's surrounding area have a lot which meets the minimum size requirement for the subdistrict, either by total lot area or adjusted lot area per dwelling unit. Of note, the proposed project sits in a multifamily residential subdistrict, which allows two-unit dwellings (up to multifamily residential uses) by right. Despite the project proposing an allowed land use within an existing structure, meeting the zoning's lot area requirements would require the existing structure to be demolished and redeveloped (a process that would have a far greater impact on the neighborhood than what the project proposes). Understanding these factors, the project's proposed parking and additional lot area conditions are deemed minimally invasive and contextual to the surrounding area.

A proviso for Planning Department design review has been added to this recommendation due to the project's lack of floor-to-ceiling heights listed on its project plans/elevations. This review should focus on ensuring that the project's existing basement space and proposed basement dwelling unit meets the 7'6" ceiling height threshold to support living space therein.

As evidenced by the area's widespread nonconformance with existing zoning regulations, future zoning reform in this area is needed. This reform should focus on eliminating minimum lot area requirements and right-sizing parking and other dimensional regulations, to better match zoning with the area's existing built context. Further efforts should focus on removing the neighborhood's prohibition on basement dwelling units, outside of the City's Coastal Flood Resilience Overlay District, to lower barriers for the development of new housing throughout the neighborhood.

Plans reviewed are titled "Change of Occupancy: 1-Family to 2-Family within Existing Building, 68 F Street, South Boston, MA 02127," prepared by "Time Johnson Architect, LLC" on July 15, 2024.

Recommendation:



In reference to BOA1667594, The Planning Department recommends APPROVAL WITH PROVISIO/S: that plans be submitted to the Planning Department for design review with attention to ensuring the project's proposed basement dwelling unit meets the 7'6" floor-to-ceiling height threshold to support living space therein.

Reviewed,

A handwritten signature in black ink, appearing to read "Kathleen Onuf".

Deputy Director of Zoning



Case	BOA1682233
ZBA Submitted Date	2025-01-07
ZBA Hearing Date	2025-04-17
Address	114 Eastwood CC West Roxbury 02132
Parcel ID	2010762000
Zoning District & Subdistrict	West Roxbury Neighborhood 1F-6000
Zoning Article	56
Project Description	Construct a rear addition to an existing two-story dwelling.
Relief Type	Variance
Violations	Rear Yard Insufficient

Planning Context:

This project proposes a rear addition to an existing two-story single unit dwelling. The proposed project includes the demolition of an existing garage at the rear of the property.

Zoning Analysis:

The proposed project creates a rear yard measuring only 27.8 feet in a zoning subdistrict with a required thirty-foot yard depth. A reduced rear yard setback is not uncharacteristic for the neighborhood. While adjacent properties do not tend to encroach on the rear property line, using online mapping applications to measure rear yard setbacks on surrounding parcels yields several results just under the thirty foot requirement. The proposed project also demolishes a garage in the rear yard, opening up the rear yard further, and removing accessory structures closer to the rear property line to ensure light and air for neighbors.

Recommendation:

In reference to BOA1682233, The Planning Department recommends APPROVAL.

Reviewed,

Deputy Director of Zoning



Case	BOA1682573
ZBA Submitted Date	2025-01-08
ZBA Hearing Date	2025-04-17
Address	401 W Fourth ST South Boston 02127
Parcel ID	0601094000
Zoning District & Subdistrict	South Boston Neighborhood MFR
Zoning Article	68
Project Description	Renovate and erect addition for an existing three-story, single-family dwelling. Change occupancy from single-family to two-family dwelling.
Relief Type	Variance, Conditional Use
Violations	Roof Structure Restrictions Rear Yard Insufficient Nonconformity as to Dimensional Regulations

Planning Context:

The proposed project sits in an established residential subdistrict within the Saint Vincent area of South Boston. It also lies within a Restricted Parking and Restricted Roof Structure Overlay Districts. The project's surroundings consist of a mix of two- to three-story structures with single-family to multi-family residential land uses. Bus stops for the MBTA's 9, 10, and 11 routes as well as two Bluebikes stations are accessible to the site within a quarter-mile walk.

The project site is a small, narrow lot (1,488 square feet of area, 25' wide) currently occupied by an existing three-story, single-family residential structure. It does not feature any existing off-street parking. The proposed project seeks to erect a new two-story rear addition and renovate the structure's interior to support the addition of a new dwelling unit therein (bringing the structure's total occupancy to two units, a net addition of one dwelling unit). These alterations extend living space into the structure's existing basement level (to accommodate an expanded living area for the proposed ground floor/basement unit) and update the structure's building floorplate to create greater setbacks from the property's side lot lines. Because the project does not sit in a flood zone, and updates the structure's built form to provide additional egress and access to light and air, the proposed basement living space is appropriate for the site. These updates result in the creation of two family-sized, three bedroom dwelling units upon the site.



While the project's rear addition does alter the structure's existing roofline (triggering the provisions of the area's roof structure restrictions), those proposed changes will not be visible from the public right of way. Because of this, Planning Department Urban Design staff see the project's addition as contextual to the area and have noted it as not requiring additional design review.

This project scope is in keeping with the City's planning goal to increase housing availability, as detailed in *Housing a Changing City, Boston 2030* (September 2018). The project's proposed zero-parking condition also aligns with the stated goals of the in-progress South Boston Transportation Action Plan (whose study area the project site sits within): to retain existing open space and provide residents access to housing units in transit-accessible locales.

Zoning Analysis:

The project's insufficient rear yard violation is triggered by its proposed rear addition. This rear yard addition, while not adding a substantial amount of gross floor area, alters the shape of the existing structure's building floor plate, extending it five feet further into the site's rear yard.

While the extension results in a dimension that exceeds the area's minimum rear yard setback (twenty feet required, fifteen feet proposed), the result is a built form that mirrors (and has a rear yard setback less severely nonconforming than) the existing conditions of many of the project's surroundings (roughly 50% of the site's surrounding parcels have a rear yard setback of less than ten feet). The impacts of the project's rear yard setback are also mitigated by the addition's more narrow nature (as compared to the existing structure), which increase the structure's side yard setbacks and retain the site's amount of usable open space. Because of this, the project's insufficient rear yard setback will have minimal impacts on the surrounding area.

The project's violation for the extension of existing nonconforming dimensions relates to its lack of proposed off-street parking spaces (three spaces required, zero spaces existing/proposed), and insufficient lot area (3,000 square feet required for the two-family use, 1,488 square feet existing/proposed). Both of these violations represent extensions of contextual nonconformities already existing upon the site. Regarding the former, the project's proposed zero-parking condition is one shared by each of the project's immediately abutting parcels as well as the vast majority (over 90%) of its broader surroundings. This shared context stems from the area's uniquely small lot sizes and densely built existing form, which largely prohibits the development of new off-street parking without requiring the demolition of existing structures. Similarly, while



insufficient by the Code's standards for its proposed occupancy, the project's adjusted lot area per dwelling unit (744 square feet per dwelling unit) results in a figure similar to (and less severely nonconforming than) many of the properties in the surrounding area. In fact, almost none of the parcels in the project's surrounding area have a lot which meets the minimum size requirement for the subdistrict, either by total lot area or adjusted lot area per dwelling unit. Looking at the numbers specifically, roughly half of the project's proximal parcels have an existing adjusted lot area per dwelling unit of less than 500 square feet, a figure significantly more constrained than what this project proposes. Understanding these factors, the project's proposed parking and additional lot area conditions will result in minimal impacts to the surrounding area, rendering them contextual to the area.

The project's violation of the area's roof structure restrictions relates to its proposed rear addition, which alters the structure's existing roofline. As per Section 68-35 of the Zoning Code, these alterations trigger the need for a conditional use permit. Conditional uses are required to meet several criteria to be approved, including that they must: (1) be appropriate to the location; (2) not adversely affect the surrounding neighborhood; (3) avoid creating serious hazard to pedestrians and vehicles; and (4) not create nuisance. Considering that the project's roof line alterations do not increase the structure's existing height, are entirely hidden from public view, and result in expanded side yard setbacks from adjacent properties, the proposal is deemed as being appropriate and minimally invasive to the surrounding area, thus meeting the criteria required for approval.

As evidenced by the area's widespread nonconformance with existing zoning regulations, future zoning reform in this area is needed. This reform should focus on eliminating minimum lot area requirements and right-sizing parking and other dimensional regulations, to better match zoning with the area's existing built context. Further efforts should focus on amending the area's roof structure restrictions, so as to avoid having low-impact additions/alterations trigger the need for zoning relief, lowering barriers for the development of new housing throughout the neighborhood.

Plans reviewed are titled "Reno/Addition to 3-St., Single-Family Dwelling to Create 3-St., 2-Family Dwelling, 401 West Fourth Street, South Boston, MA," prepared by "Time Johnson Architect, LLC" on November 29, 2023.

Recommendation:



In reference to BOA1682573, The Planning Department recommends APPROVAL.

Reviewed,

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Deputy Director of Zoning



Case	BOA1686002
ZBA Submitted Date	2024-10-31
ZBA Hearing Date	2025-04-17
Address	28 Shaw ST West Roxbury 02132
Parcel ID	2002858011
Zoning District & Subdistrict	West Roxbury Neighborhood 1F-6000
Zoning Article	56
Project Description	Construct rear addition to existing two-unit building.
Relief Type	Variance, Conditional Use
Violations	FAR Excessive Extension of Non-Conforming Use

Planning Context:

Parcel is a two-unit residence within the Bellevue Hill portion of West Roxbury approximately four blocks east of the Bellevue Hill Park. Residential uses are consistent and fairly widespread for multiple blocks in all directions. Each unit in this structure has a rear porch, and the applicant seeks to replace these stacked porches with family rooms in the same location, expanded to the rear.

This modification is an example of an incremental improvement to an existing residential structure, which the Neighborhood Housing zoning initiative, launched in November 2024, seeks to enable by-right.

Zoning Analysis:

Parcel is sited well within a 1F-6000 subdistrict in West Roxbury. No dimensional violations except for Floor Area Ratio require zoning relief. Per Article 56, Table D, the maximum FAR allowed in a 1F-6000 is 0.4. While existing square footage at 2,392 square feet on a 6,728 square foot lot yields an FAR of approximately 0.36, this addition of 240 square feet of livable area on each floor would yield a new FAR of 0.42, which would be a violation. That said, many neighboring structures are at least the same size as the proposed new building and on much smaller lots, so this FAR requirement is not reflective of existing conditions. Relief is appropriate, especially given the relatively small violation of 0.02 above the maximum allowed.



Per Article 6, Section 1, an extension of a nonconforming use requires a conditional use permit. This property is a two-family residence, which is forbidden in a 1F-6000 subdistrict. Though this proposal does not add any additional units, it does extend each of the existing units, making this an extension of a nonconforming use. These extensions are minor, appropriate to the existing site, reasonable in scale, and should present no nuisance or difficulties for pedestrians or vehicles. Indeed, not only the abutting properties, but many properties throughout the subdistrict have two units or more present, which are existing nonconformities. Future zoning reform should adjust unit count requirements to, at a minimum, make existing unit counts conforming with the zoning code. Relief in the form of a conditional use permit is appropriate.

Recommendation:

In reference to BOA1686002, The Planning Department recommends APPROVAL.

Reviewed,

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Deputy Director of Zoning



Case	BOA1686131
ZBA Submitted Date	2025-01-24
ZBA Hearing Date	2025-04-17
Address	286 Perham ST West Roxbury 02132
Parcel ID	2008485000
Zoning District & Subdistrict	West Roxbury Neighborhood 1F-6000
Zoning Article	56
Project Description	Finishing an unfinished basement for more living space, including a family room, bathroom, office, and storage space.
Relief Type	Variance
Violations	FAR Excessive

Planning Context:

The proposed project is located in a low-density, primarily single-family neighborhood just south of the VFW Parkway and Brook Farm. The project site - a 1.5 story single-family home with a pitched roof - reflects the surrounding built fabric in the immediate vicinity.

This kind of improvement is an example of the kinds of renovations and changes the Planning Department seeks to streamline via the new Neighborhood Housing Zoning initiative, announced in November 2024, where a clear goal is the eventual citywide allowance of maintenance and upgrades to existing structures without the need for zoning relief. West Roxbury is among several neighborhoods with large lots and low-density housing that will be part of phase 1 of this initiative. This project exemplifies how home improvements can contribute to contextual growth in Boston's lower-density residential neighborhoods especially where current and future flood risk is low. Updating a basement to extend living space also aligns with the Boston Housing Strategy 2025 goal to make Boston one of the most family-friendly cities in the country, in part by providing housing that serves various household sizes and compositions.

Zoning Analysis:

The only zoning violation is excessive Floor Area Ratio (FAR), which has a maximum of 0.4 in the 1F-6000 subdistrict. The current FAR is 0.43, and the proposed FAR is 0.61. This is an existing non-conformity that is being increased by finishing the existing basement floorplate to



create more living space, which will not affect building massing. Relief from the existing FAR requirements is recommended.

The plans reviewed are titled ALT1631528 Stamped for ZBA. The date when these plans were prepared and name of the entity/individual who drew them is not indicated on the plans.

Recommendation:

In reference to BOA1686131, The Planning Department recommends APPROVAL.

Reviewed,

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Deputy Director of Zoning



Case	BOA1686290
ZBA Submitted Date	2025-01-24
ZBA Hearing Date	2025-04-17
Address	28 Chesbrough RD West Roxbury 02132
Parcel ID	2008749000
Zoning District & Subdistrict	West Roxbury Neighborhood 1F-6000
Zoning Article	56
Project Description	The proposed project is a rear first floor and basement addition. A portion of the rear addition would encompass and enclose the existing deck. The new, proposed deck would be built further into the backyard.
Relief Type	Variance
Violations	Side Yard Insufficient

Planning Context:

28 Chesborough Road is a one-unit house on a block with other one-unit houses, mostly between one and two stories. The proposed project is a rear first floor and basement addition roughly 22' in depth. A portion of the rear addition would encompass and enclose the existing deck, repurposing it as part of the addition. The project includes added space in the basement, along with another bedroom, a laundry room, a family room, and an expanded bathroom. The new, proposed deck would be built further into the backyard. The addition and the new deck would not be any wider than the existing house.

Zoning Analysis:

The project received one violation for an insufficient side yard. The minimum side yard requirement in this subdistrict is 10', and the proposed project's side yard measurements are 12' and 7'6". However, the addition and new deck would be the same width as the existing house, extending the non-conformity, and would not worsen the side yard nonconformity.

Recommendation:

In reference to BOA1686290, The Planning Department recommends APPROVAL.



Planning Department

CITY of BOSTON

Reviewed,

Kathleen Onuf

Deputy Director of Zoning