



# Planning Department

## MEMORANDUM

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

FROM: Joanne Marques  
Regulatory Planning & Zoning

DATE: July 16, 2025, 2025

RE: Planning Department Recommendations

Please find attached, for your information, Planning Department recommendations for the July 24, 2025 Board of Appeal's Hearing.

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



<b>Case</b>	BOA1674561
<b>ZBA Submitted Date</b>	2024-11-26
<b>ZBA Hearing Date</b>	2025-07-24
<b>Address</b>	18 to 20 Crestway RD East Boston 02128
<b>Parcel ID</b>	0102283000
<b>Zoning District &amp; Subdistrict</b>	East Boston Neighborhood 1F-4000
<b>Zoning Article</b>	53
<b>Project Description</b>	Add a roof deck and an external stair to existing building
<b>Relief Type</b>	Variance, Conditional Use
<b>Violations</b>	Height Excessive (ft) Roof Structure Restrictions Extension of non conforming use

#### **Planning Context:**

The proposed project would erect a new roof deck and associated outside access stair on an existing building. The proposed project triggers zoning violations, these are either extensions of previously existing non-conformities and dimensional violations that can be resolved through the reconfiguration of the proposed roof deck through the design review process. These violations are not reflective of an inappropriate fit for the project overall, but evidence that the newly adopted zoning is having its intended effect on building design.

These plans were submitted to ISD on March 19, 2024 under the previously existing 1F-4000 zoning district. PLAN: East Boston was adopted by the BPDA board in March 2024, and the Plan and its zoning was adopted by the Boston Zoning Commission in April 2024. This project was reviewed under the previously existing zoning as plans were submitted before the adoption date. If a ZBA were to be resubmitted, it would be under the new zoning adopted in 2024.

#### **Zoning Analysis:**

The proposed project triggers three separate citations. The first is conditional use for extension of non-conforming use. The area was previously zoned for single-family dwellings, while this is an existing nonconforming nine unit dwelling use. This proposed project would have no material impact on the existing nonconforming use, as no new units are being added.



The second and third citations are directly related. The roof structures restriction section of the code (53-25) outlines a series of design guidelines that, if followed, create a situation where the roof deck is not counted towards the overall building height. These guidelines are:

1. The deck is to be erected on the main roof of a Building with a flat roof or a roof with a slope of less than five (5) degrees;
2. The deck is less than one (1) foot above the highest point of such roof;(iii)access is: (a) by a roof hatch or bulkhead no more than thirty (30) inches in height above the deck; or (b) by a stairway headhouse no greater than ten (10) feet in height, eight (8) feet in width, and ten (10) feet in length;
3. The deck be set back horizontally at least ten (10) feet from the roof edge(s) facing the public right of way;
4. And any appurtenant hand rail, balustrade, hatch, or bulkhead is set back horizontally at least five (5) feet from all roof edges.

While the proposed project complies with one of these guidelines, it is not setback five feet from the street-facing edge of the building, the roof is accessed by a side stair and not a hatch or headhouse, and the proposed pergola would count towards height and trigger a new building violation. The roof deck is only 4 feet setback from the edge. If the pergola was removed, the height violation would be resolved. With access moved from the side stair to roof based access, then all dimensional violations will be resolved.

**Recommendation:**

In reference to BOA1674561, The Planning Department recommends APPROVAL W/PROVISOS: that the rooftop pergola is removed;the front facing edge of the deck is set back at least five feet from the building edge;access is moved from a side stair to an internal stair leading to a headhouse or hatch; and zoning relief shall only be granted for extension of non-conforming use.

Reviewed,

Deputy Director of Zoning



<b>Case</b>	BOA1728524
<b>ZBA Submitted Date</b>	2025-05-30
<b>ZBA Hearing Date</b>	2025-07-24
<b>Address</b>	389 Maverick ST East Boston 02128
<b>Parcel ID</b>	0105162000
<b>Zoning District &amp; Subdistrict</b>	East Boston Neighborhood 3F-2000
<b>Zoning Article</b>	7
<b>Project Description</b>	To removed proviso granted to this petitioner only Under BZC32368
<b>Relief Type</b>	Variance
<b>Violations</b>	Conditions for Variance

**Planning Context:**

389 Maverick Street is located in the East Boston neighborhood district. The proponent seeks to change the legal use from restaurant to restaurant with take-out use. Take out uses in this area are consistent with similar uses in the surrounding neighborhood. The proponent also notes that this site was previously operated as a take-out restaurant. Tawakal Cafe is a small family owned business that serves authentic Somali cuisine. Permitting these services to continue will not be detrimental to the neighborhood.

**Zoning Analysis:**

PLAN: East Boston was adopted by the BPDA Board on January 18, 2024. Its accompanying zoning amendments were adopted by Boston Zoning Commission on April 24, 2024. 389 Maverick Street is now located in the EBR-4 which allows for take-out use. As a result, this request for zoning relief would no longer be needed.

Given the fact this is an allowed use now, it is fully appropriate for the board to remove the previous proviso limiting zoning relief to only the petitioner, if this action is necessary.

**Recommendation:**

In reference to BOA1728524, The Planning Department recommends APPROVAL.



Planning Department

**CITY of BOSTON**

Reviewed,

*Kathleen Onuf*

Deputy Director of Zoning



<b>Case</b>	BOA1715590
<b>ZBA Submitted Date</b>	2025-04-29
<b>ZBA Hearing Date</b>	2025-07-24
<b>Address</b>	30 Harvard ST Charlestown 02129
<b>Parcel ID</b>	0203723000
<b>Zoning District &amp; Subdistrict</b>	Charlestown Neighborhood 3F-2000
<b>Zoning Article</b>	62
<b>Project Description</b>	Expand the existing rear dormer and extend living space into the existing basement space.
<b>Relief Type</b>	Variance
<b>Violations</b>	FAR Excessive Height Excessive (stories) Rear Yard Insufficient

#### Planning Context:

The proposed project sits in an established residential area of the Charlestown neighborhood. Its surrounding context consists of a mix of 3.5- to 4-story structures, housing a range of single-dwelling to multi-dwelling (4+ units) residential land uses. In addition, the project sits directly across the the street from Charlestown's Harvard Mall park.

The project site is currently occupied by an existing 3.5-story, two-unit residential rowhouse structure. The proposed project seeks to expand the structure's existing rear window dormer into a shed dormer and convert its existing basement storage space into livable area. These alterations, together, add 637 square feet of living space to the structure. Aside from the dormer alteration, no exterior changes are proposed through the project. The site's existing two-unit land use is also proposed to remain.

This project scope is supported by the planning goals of PLAN: Charlestown (September 28, 2023), which prioritize the creation or expansion of larger housing units to accommodate growing living arrangements and families and encourage projects that maintain and improve the existing built fabric to protect the neighborhood's existing design character and historic structures.



While the proposed project sits within both the Charlestown Neighborhood Design Overlay District (NDOD) as well as an area subject to Ordinance 7.4-11 (Parks Design Review), the Planning Department does not recommend the project receive a proviso for additional design review. This is because the project: (1) reached out for pre-emptive design feedback from both Landmarks Commission and Planning Department, of which the proponent adhered to; and (2) proposes a small rear alteration not visible from either the public right of way or the nearby public park.

### **Zoning Analysis:**

The proposed project's rear yard violation is an existing nonconforming condition on the lot, not proposed to be worsened by the project. Zoning requires fifteen feet, and twelve feet is existing and will continue. Accordingly, its impacts are null.

The project's excessive building height is triggered by the expansion of the structure's existing rear roof dormer. This expansion, which adds 62 square feet of gross floor area to the structure, changes the categorization of the structure's top floor from a half-story to a full-story. While this represents a net increase to the structure's existing nonconforming height from three stories allowed, three and a half stories existing, and four stories proposed, the alteration does not actually increase the total height of the existing structure's roofline of 35 feet allowed and 50 feet existing/proposed. Additionally, the proposed project abuts several other existing four-story structures. Because of these factors, the dormer addition is contextual to the surrounding area.

Similarly, the project's FAR violation is an existing nonconforming dimension that is proposed to be increased from 2.0 allowed and 2.5 existing to 3.1 proposed). This increase is triggered almost entirely (575 / 637 square feet added) by the project's proposed extension of living space into the structure's existing basement, which is currently used as storage space. This violation is considered noninvasive to the surrounding neighborhood because it involves little to no changes to the building's massing and results in a FAR figure similar to the project's context, which have an average range of 2.6 - 3.3 FAR.

### **Recommendation:**

In reference to BOA1715590, The Planning Department recommends APPROVAL.



Planning Department

**CITY of BOSTON**

Reviewed,

*Kathleen O'Neil*

Deputy Director of Zoning





<b>Case</b>	BOA172933
<b>ZBA Submitted Date</b>	2025-06-02
<b>ZBA Hearing Date</b>	2025-07-24
<b>Address</b>	78 to 80A Salem ST Boston 02113
<b>Parcel ID</b>	0302478000
<b>Zoning District &amp; Subdistrict</b>	North End Neighborhood SALEM ST NS
<b>Zoning Article</b>	54
<b>Project Description</b>	This Appeal seeks a change of use and occupancy of the existing restaurant at the property to remove a “for this petitioner only” proviso regarding takeout use at the property (no work to be done).
<b>Relief Type</b>	Conditional Use
<b>Violations</b>	Other Protectional Conditions

**Planning Context:**

The project is asking to remove a proviso that limits the approved use at 78-80A Salem Street to a specific petitioner. The use was approved before, but with conditions, including this proviso that ties it to a certain petitioner. Now, the applicant is asking to remove the proviso so the takeout use can continue under new ownership or management without needing a new conditional use permit. There is no new construction in this proposal—just a request to change the proviso of the prior zoning relief.

**Zoning Analysis:**

The request to remove the proviso that limits the use to the previous owner is reasonable. The proposal does not ask for a new use, any expansion, or any construction that would change the building or site. This zoning relief would let the same approved use continue with a new owner or manager, just as the Board allowed before. Since this change would not create new impacts on the neighborhood and matches the zoning relief already given, staff recommend approval.

**Recommendation:**

In reference to BOA1729339, The Planning Department recommends APPROVAL.



Planning Department

**CITY of BOSTON**

Reviewed,

*Kathleen O'Neil*

Deputy Director of Zoning



<b>Case</b>	BOA1709052
<b>ZBA Submitted Date</b>	2025-04-14
<b>ZBA Hearing Date</b>	2025-07-24
<b>Address</b>	32 Saint Stephen ST Boston 02115
<b>Parcel ID</b>	0401498000
<b>Zoning District &amp; Subdistrict</b>	Fenway Neighborhood MFR-1
<b>Zoning Article</b>	66
<b>Project Description</b>	Install a greenhouse on the rooftop.
<b>Relief Type</b>	Conditional Use
<b>Violations</b>	Roof Structure Restrictions

**Planning Context:**

The proposed project is to install a glass bulkhead on the rooftop of an existing three-story single family building that will act as a rooftop greenhouse. The proposed greenhouse will be set back from the rear and front of the building to minimize visibility from street level. The greenhouse is also proposed as full glass also minimizing its visibility and impact. The proposed project will not trigger any dimensional violations. The surrounding context is dense and is made up of homes with the same mass, height and typology.

**Zoning Analysis:**

Section 66-38 expresses that any new addition to an existing roof occupiable or unoccupiable that will make alterations to the existing roof profile must receive a conditional use permit. The proposal will increase the height of the building to 51'-3" but this will not exceed the zoning maximum height of 60'. The proposal also follows the other conditions in Section 66-38 such as not exceeding 330 square feet with an area of 231 square feet. Staff recommends approval for conditional permit due the project following zoning with minimum impact to the surrounding context.

**Recommendation:**

In reference to BOA1709052, The Planning Department recommends APPROVAL WITH DESIGN REVIEW with attention to ensuring no negative impact on surrounding structures.



Planning Department

**CITY of BOSTON**

Reviewed,

*Kathleen O'Neil*

Deputy Director of Zoning



<b>Case</b>	BOA1697496
<b>ZBA Submitted Date</b>	2025-03-07
<b>ZBA Hearing Date</b>	2025-07-24
<b>Address</b>	12R Union AV Jamaica Plain 02130
<b>Parcel ID</b>	1102574000
<b>Zoning District &amp; Subdistrict</b>	Jamaica Plain Neighborhood 2F-4000
<b>Zoning Article</b>	55
<b>Project Description</b>	Construct a building in the rear lot, including a pool house and second-story dwelling unit.
<b>Relief Type</b>	Variance
<b>Violations</b>	Rear Yard Insufficient Side Yard Insufficient Height Excessive (ft) Parking or Loading Insufficient Lot Area Insufficient Two or More Dwellings on Same Lot

**Planning Context:**

This site sits within a residential neighborhood of Jamaica Plain, approximately 750 feet from the Green Street Orange Line MBTA station. This particular midblock location on Union Ave includes approximately 25 residential properties of varying size and scale; there is a mix of one- and two-unit buildings and multi-unit buildings (including several townhouse-style properties). The surrounding blocks along Washington Street, Green Street, and Amory Street include larger multi-unit apartment buildings, some light industrial uses, and commercial uses.

The proposed project includes constructing a new pool house in the rear of a property with an existing two-unit building. The plans indicate a pool on the property, although there is not one built today. The pool house includes a bathroom and storage room on the first floor, and an approximately 450 sf dwelling unit on the second floor with a bathroom, kitchen, living space, and a dedicated separate entrance. Although the stated project description from the applicant states this is a pool house project, it would also be considered as another dwelling unit on the property.

The two-story building could be considered an accessory dwelling unit (ADU), however there is no indication by the proponent that this is the case and there are no provisions for the Jamaica



Plain neighborhood to allow ADUs that are not internal to the main structure. The ADU Guidebook (2024) states specific fire access requirements for a building like this, including that it must be sprinklered, have a 10'-wide access point from the street that is unobstructed from objects like trees or vehicles, and a lighted path to provide wayfinding to the unit. Additionally, a new dwelling unit like this must have appropriate means of egress, which should be confirmed through building code review.

The Jamaica Plain Neighborhood Article does allow for three dwelling units in this 2F-4000 subdistrict as a conditional use, provided that the third dwelling unit is within the same structure as the other two dwelling units. There are, however, several other properties in this same zoning subdistrict and block that have a similar pattern to an ADU or a second dwelling on a lot. For example, 26-28R Union Ave has a primary building at the front of the property and a smaller accessory building at the rear. 32 Union Ave is a one-unit building, and immediately to the rear is 30R Union Ave, with a one-unit building. This area is appropriate for more housing units, given the existing context of multi-unit properties on the immediate block and proximity to high-frequency transit service.

### **Zoning Analysis:**

Given that this second structure contains another dwelling unit, it is subject to the provisions of Section 55-41.12 Two or More Dwellings on Same Lot, which states that the lot area, rear yard, and side yard requirements shall apply as if such Dwelling were on a separate lot. The minimum side yard required would be 10' and the proposed side yard is 5'.

The maximum height for dwelling units in this subdistrict is 35', and the proposed building height is 20'. Section 55-41.12 also states that a second dwelling on the same lot must also be treated to have the same minimum lot area; this means that the existing two-unit dwelling must have at least 4,000 sf of lot area and the additional proposed dwelling must have 3,000 sf of lot area, for a total of 7,000 sf; the existing lot area is 5,600 sf.

Section 55-41.12 also states that a dwelling may not be built to the rear of another Dwelling, Accessory Building, or Main Building, although as previously mentioned, this condition exists on several other properties in the surrounding area.

This is a case for zoning reform, where the regulations regarding multiple buildings on a property and what dimensional regulations they are subject to are unclear in the zoning. Section



55-41.12 Two or More Dwellings on the Same Lot also states that the Board of Appeal may grant permission for a variation in requirements for the aforementioned Section 55-41.12 if it finds that open space for all occupants, and light and air for all rooms designed for human occupancy will not be less than it would be provided if the requirements of that section were met.

Finally, the minimum required number of parking spaces for three dwelling units is three, and the proposed project does not include additional parking beyond the existing two spaces in the side yard driveway. Given the location of this site in proximity to transit, a lower-than-required parking is recommended and represents a case for zoning reform.

Plans reviewed are titled "O'Brien Residence", prepared by Shane O'Brien, and dated January 2, 2025.

**Recommendation:**

In reference to BOA1697496, The Planning Department recommends APPROVAL WITH PROVISIO/S: that no building code relief be granted.

Reviewed,

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Deputy Director of Zoning



<b>Case</b>	BOA1686770
<b>ZBA Submitted Date</b>	2025-01-30
<b>ZBA Hearing Date</b>	2025-07-24
<b>Address</b>	294 West ST Hyde Park 02136
<b>Parcel ID</b>	1811349000
<b>Zoning District &amp; Subdistrict</b>	Hyde Park Neighborhood 1F-6000
<b>Zoning Article</b>	69
<b>Project Description</b>	Remove existing shed and replace with a new 1.5-story shed with electric utility connections.
<b>Relief Type</b>	Variance
<b>Violations</b>	Application of Dimensional Requirements: Accessory Buildings in Side or Rear Yard

#### **Planning Context:**

The proposed project is a trapezoid-shaped approximately 6000 square foot, 1-unit dwelling lot in Hyde Park on West St, directly abutting the George Wright golf course on its northeastern edge. The rear of the lot has an approximately 200 square foot shed with a concrete pad at its entrance. The proponent seeks to demolish the existing shed, and replace it with a new shed with the exact same floorplate and location, but increasing the height from one story to one and a half stories.

This is an example of the kind of change the Neighborhood Housing zoning initiative, launched in November 2024, seeks to enable by-right. Zoning reform should consider enabling modifications to existing accessory structures without the need for zoning relief.

#### **Zoning Analysis:**

Article 69, Section 30.7 states that "Accessory Buildings may be erected in a Side or Rear Yard; provided that no such Accessory Building is more than fifteen (15) feet in height, or nearer than four (4) feet to any side or rear Lot line, or closer than sixty-five (65) feet to the front Lot line."

The proposed new structure would violate the first two dimensional requirements of this provision. The existing structure's site has a setback of 1.5' from a side lot line, which violates the 4' minimum side yard, and the new structure on the same footprint would maintain that violation. Given that this is effectively a continuation of existing conditions, relief is appropriate. The new structure would be 17'-7" in height, which would violate the 15' maximum. Given the





pitched roof with small dormers, this allows for two usable storage floors on this accessory structure: a ground floor of 8'-3" and 9'-3" (to the top of the roofline.) This violation over 15' is minimal and provides substantial additional benefit to the property owner. As the abutter is a golf course, this small additional height should have no adverse effect.

Lastly, the refusal letter notes a third violation of the same provision, saying that the 8' required distance between structures in the rear yard and accessory buildings is not met. This distance, from the accessory structure to the back of the main structure's rear yard, is 6', and is not being worsened by the proposal. While this provision does not in fact exist in Article 69, Section 30.7, nor do required distances between main structures and accessory buildings appear to be present in Article 69, to the degree such a violation does exist, relief is appropriate.

**Recommendation:**

In reference to BOA1686770, The Planning Department recommends APPROVAL.

Reviewed,

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Deputy Director of Zoning



<b>Case</b>	BOA1700082
<b>ZBA Submitted Date</b>	2025-03-18
<b>ZBA Hearing Date</b>	2025-07-24
<b>Address</b>	34 Bradeen ST Roslindale 02131
<b>Parcel ID</b>	1903370000
<b>Zoning District &amp; Subdistrict</b>	Roslindale Neighborhood 3F-4000
<b>Zoning Article</b>	67
<b>Project Description</b>	The proposed project would add a shed dormer to an existing roof, install windows, and relocate the stairs.
<b>Relief Type</b>	Variance
<b>Violations</b>	Side Yard Insufficient Front Yard Insufficient

**Planning Context:**

The proposed project would add a shed dormer to an existing roof, install windows, and relocate the stairs in a 1.5 story, single-family house on a residential block in Roslindale. The existing house is smaller than most of the other properties on the block, which are mostly 2 to 2.5 stories.

**Zoning Analysis:**

None of the proposed changes would worsen the existing yard nonconformities that trigger two violations: an insufficient side yard and an insufficient front yard.

Based on submitted plans of the existing property, the current front yard is roughly 11', and the smallest side yard is about 6', with adequate space to surrounding properties. In this subdistrict a minimum front yard of 20' and a minimum side yard of 10' are required. Front and side yards are smaller than what zoning allows are a normal condition on this block, so this represents an opportunity to reform the Code to better match existing yards.

As a smaller house than most other houses on the block, the addition of the dormer would grant the owner more space while still staying within the height and story confines of the Code. As such, it is in harmony with the general intent and purpose of the Code.



The plans are titled "34 Bradeen Street", are undated, and were prepared by Oak Hill Construction.

**Recommendation:**

In reference to BOA1700082, The Planning Department recommends APPROVAL.

Reviewed,

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

Deputy Director of Zoning



<b>Case</b>	BOA1703635
<b>ZBA Submitted Date</b>	2025-03-26
<b>ZBA Hearing Date</b>	2025-07-24
<b>Address</b>	9 Cutter RD West Roxbury 02132
<b>Parcel ID</b>	2008770001
<b>Zoning District &amp; Subdistrict</b>	West Roxbury Neighborhood 1F-6000
<b>Zoning Article</b>	56
<b>Project Description</b>	The proposed project includes the construction of an approximately 800 sq ft second-story addition to an existing single-family dwelling. The scope also includes reconfiguring the interior staircase from the first floor to the new second floor and relocating the basement stairs.
<b>Relief Type</b>	Variance
<b>Violations</b>	Rear Yard Insufficient

#### **Planning Context:**

The project is located in West Roxbury, the immediate area is predominantly single-family homes on medium-sized lots, with traditional New England architectural styles including capes, colonials, and ranches.

The proposal to add a second story to the existing single-family home is consistent with the surrounding built environment. Several homes on Cutter Road and nearby streets have been modified with similar additions, maintaining the residential scale while increasing usable living space. The project preserves the existing footprint, aligning with neighborhood development patterns that prioritize vertical over horizontal expansion to retain yard space and neighborhood character.

#### **Zoning Analysis:**

The proposal to add a second story onto an existing single-family home at 9 Cutter Road has been reviewed against the dimensional requirements of Article 56 for the West Roxbury Neighborhood District (1F-6000 Subdistrict). The review has identified the following zoning issue:



Rear Yard Requirements: Under Article 56, Table D, the minimum required rear yard depth for properties in the 1F-6000 subdistrict is 30 feet. The existing rear yard is 10 feet, and the proposal involves constructing a second-story addition while retaining the existing 10 foot non-conforming rear yard. The addition maintains the existing footprint of the structure, with vertical expansion reflecting a common pattern of modest home enlargement observed throughout West Roxbury's one-family residential areas. Zoning relief is warranted, and the project further reflects the need to modernize dimensional regulations to better reflect the existing built fabric in West Roxbury.

The plans, entitled "Proposed Renovation and Addition at Residence at 9 Cutter Rd," prepared by Scot William Grady, Architect, dated February 22, 2025.

**Recommendation:**

In reference to BOA1703635, The Planning Department recommends APPROVAL.

Reviewed,

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

Deputy Director of Zoning



<b>Case</b>	BOA1699328
<b>ZBA Submitted Date</b>	2025-03-14
<b>ZBA Hearing Date</b>	2025-07-24
<b>Address</b>	11 Durland ST Brighton 02135
<b>Parcel ID</b>	2203960000
<b>Zoning District &amp; Subdistrict</b>	Allston/Brighton Neighborhood 1F-5000
<b>Zoning Article</b>	51
<b>Project Description</b>	Expand the second story and create a new deck in the side yard of an existing building.
<b>Relief Type</b>	Variance
<b>Violations</b>	Front Yard Insufficient Side Yard Insufficient

#### **Planning Context:**

The existing structure is one and a half stories tall, whereas most structures in the area are two and a half stories tall. The proposed second-story addition would thus bring the overall building more closely in line with the surrounding context. The subject lot is similar in size to other parcels in the area, but its orientation means that the existing structure fills the depth of the lot while maintaining a large side yard on one side. Many of the surrounding structures have patios and decks in their rear and side yards.

#### **Zoning Analysis:**

The proposed project has been cited for insufficient front and side yards. The requirement for front yards in the subject district is twenty feet. The existing front yard is 10.1 feet and the increase in structure height will extend this nonconformity. The project also proposes a 14-foot-wide deck in the east side yard that will be 11.4 feet from the front lot line, similarly extending the existing non-conformity.

The requirement for side yards in the subject district is 10 feet and the existing structure is 8.7 feet from the west lot line at its nearest point. The proposal does not encroach any closer to the west lot line, however because the structure is increasing in height the existing nonconformity will be extended.



The cited violations are largely due to the abnormal, trapezoid shape of the subject parcel. The proposed deck is located in the least impactful location with respect to surrounding properties in the east side yard. The increase in height of the primary structure is consistent with the surrounding area. Both the increase in height and the proposed deck allows the owner to improve their property while maintaining adequate light and air between the subject property and surrounding properties. This is a case for zoning reform given the degree of existing non-conformity with respect to front and side yards.

**Recommendation:**

In reference to BOA1699328, The Planning Department recommends APPROVAL.

Reviewed,

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

Deputy Director of Zoning