

ARTICLE 21

SETBACKS

;SECTION 21-1. **Setback Requirements.** Except as otherwise provided in this Article, where a minimum setback of parapet from lot line is specified in this code, neither the top line of the face of any wall of a structure within the district, and devoted to the use, specified, nor any cornice, eaves, parapet or other feature topping or overhanging such wall shall be closer to any lot line to which it is parallel or most nearly parallel than the distance specified in said Table B or, if such lot line abuts on a public open space or on one of two or more contiguous public open spaces, such distance minus whichever of the following is the lesser: (1) one half of the width of such open space or spaces, or (2) fifty feet.

(;As amended on April 27, 1990)

SECTION 21-2. **Exceptions.**

- ;(a) No setback is required in any event below whichever of the following is the lower: (1) the combined height of the first and any second story above the grade from which the height of the building is measured, or (2) twenty-five feet.

(;As amended on September 23, 1987)

- ;(b) Subject to the provisions of Section 19-6, no setback from side lot lines or from side street lines of corner lots is required:

Below a Height of	Where Maximum Floor Area Ratio Specified in Table B is:
40 ft.	1.0
60 ft.	2.0
70 ft.	3.0
80 ft.	4.0
90 ft.	5.0
90 ft.+	6.0
110 ft.+	8.0
120 ft.	10.0

;Except that in B-6-90a, B-6-90b, B-8-120a, and B-8-120c districts, no set back from a side lot line is required.

(;As amended on September 27, 1973, and April 2, 1987)

(c) In the case of a lot in a district where no side yard is required by this code, if there is on either or both sides of such lot a lot with a building not conforming to the setback from side lot lines required by this code, no setback from side lot lines is required below a height midway between the height specified in paragraph (b) of this section and the height of the nonconforming building or, if there is a nonconforming building on each side, the average height of the nonconforming buildings.

;(d) In certain blocks in the Back Bay, there are exceptional setback requirements as follows:

South side of Boylston Street

Arlington Street to Berkeley Street	A minimum of fifteen feet from the front <u>building</u> line, except applicable only above a height of ninety feet.
Block bounded by Blagden Street, Exeter Street, and Huntington Avenue	As required in this Article and Table B of Section 13-1, except applicable only above a height of ninety feet.

Both sides of Boylston Street

Copley Square, between Clarendon Street and Exeter Street	A minimum of fifteen feet from the front <u>building</u> line, except applicable only above a height of sixty-five feet.
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North side of Boylston Street

Fairfield Street to Massachusetts Avenue	A minimum of fifteen feet from the rear <u>building</u> line, except applicable only above a height of ninety feet.
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Except as specifically set forth above, all setbacks in the blocks listed above shall be as otherwise required in this Article and in Table B of Section 13-1. All setback requirements in a B-6-90a, B-6-90b, B-8-120a, or B-8-120c district are subject to the provisions of Article 6A.

(;As inserted on April 2, 1987)

SECTION 21-3. Setback Where Parapet Not Parallel to Lot Line.

- (a) If the lot line to which a parapet is most nearly parallel is a front lot line, and if the average distance between such parapet and such lot line is no less than the setback otherwise required by this Article, and if the distance between such parapet and such lot line is at no point less than three fourths of the setback so otherwise required, the requirements of this Article shall be deemed to be met.
- (b) If the lot line to which a parapet is most nearly parallel is a side lot line, and if the average distance between such parapet and such lot line is no less than the setback otherwise required by this Article, and if the distance between such parapet and such lot line is at no point less, in the case of a side lot line which is not also a street line, than three fourths of the setback otherwise required by this Article and, in the case of a side lot line which is also a street line, than one half of the setback so required, the requirements of this Article shall be deemed to be met.
- (c) If the lot line to which a parapet is more nearly parallel is a rear lot line, and if the average distance between such parapet and such lot line is no less than the setback otherwise required by this Article, and if the distance between such parapet and such lot line is at no point less, in the case of a rear lot line which is not also a street line, than three fourths of the setback otherwise required by this Article and, in the case of a rear lot line which is also a street line, than one-half of the setback so required, the requirements of this Article shall be deemed to be met.
- (d) The word "parapet," as used in this section, shall be construed as though followed by the words "cornice, eaves or other feature topping or overhanging a wall or the face of a wall without such a feature."

SECTION 21-4. Two or More Main Buildings on One Lot. In the case of a lot with two or more main buildings, every lot line which is also a street line shall be deemed a front lot line for the purposes of this Article.

SECTION 21-5. Special Setback Provisions for Regulated Projects.

The provisions of this Article shall not apply to so much of a project under Chapter 121, or Chapter 121A, of the General Laws for the development or redevelopment of five or more acres of land as lies within a B-8 district or a B-10 district.