



City of Boston  
Mayor Martin J. Walsh  
Board of Appeal

NOTICE OF DECISION  
CASE NO. BOA 896851  
PERMIT # ERT786744

APPEAL DISMISSED

In reference to appeal of

Derric Small

concerning premises

17 to 19 Myrick Street, Ward 22

to vary the application of the Zoning Act, Ch. 665, Acts of 1956, as amended, in this specific case, I beg to advise that the petition has been denied.

Decision has been filed in the office of the Commissioner of the Inspectional Services Department, 1010 Massachusetts Avenue, fifth floor, Boston, MA 02118, and is open for public inspection. Date of entry of this decision in the Inspectional Services Department was 6/14/2019.

FOR THE BOARD OF APPEAL

  
Kevin P. O'Connor, Jr.

Principal Administrative Assistant



DECISION OF THE BOARD ON THE APPEAL OF

17-19 Myrick St., Ward 22  
BOA-896851  
Date of Hearing: April 9, 2019  
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The Applicant requested, with respect to the property located at 10 National Street, Ward 7, to vary the terms of the Massachusetts State Building Code in accordance with Chapter 802, Acts of 1984, Section 122 and Chapter 665, Acts of 1956, Section 8, in the following respect: Erect two new townhouses with garage and roof deck on Lot 2: 1,472 square feet on a subdivided parcel at 55 Easton Street. Demolish existing one story garage.

At this property, the following building code provisions are or would be in violation:

SECTION: 8<sup>th</sup> 780 CMR R311.1: Means of Egress: All dwellings shall be provided with two means of egress as provided in this section.

In his formal appeal, the appellant states briefly in writing the grounds of the reasons for his appeal from the refusal of the Building Commissioner, as set forth in papers on file for BOA896851 and made part of this record.

In conformity with the law, the Board mailed reasonable notice of the public hearing to the petitioner and/or his attorney or agent, the Commonwealth of Massachusetts Executive Office of Public Safety and the Boston Fire Department, which notice of public hearing was duly advertised in a daily newspaper published in the City of Boston, namely: THE BOSTON HERALD on December 31, 2018.

After hearing all the facts and evidence presented at the public hearing on April 9, 2019, the Board is of the opinion that the appellant did not advance sufficient reasons to satisfy the Board that all conditions under which the Board may grant relief have been met, not to come to a conclusion that this is a specific case where literal enforcement of the Code involves a substantial hardship upon the appellant as well as the upon the premises, nor where desirable relief may be granted without substantial detriment to the public good and without substantial derogating from the intent and purpose of the code.



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Therefore, the Board (the members and substitute member/members sitting in this appeal) is of the opinion that the Building Commissioner was justified in his refusal and affirms the same.

APPEAL DISMISSED

Signed, June 11, 2019

  
Christine Araujo - Chair

  
Mark Erlich

  
Bruce Bickerstaff

  
Craig Galvin - Acting Secretary

  
Kerry Walsh Logue

  
Tyrone Kindell, Jr.