



City of Boston
Mayor Martin J. Walsh
Board of Appeal

NOTICE OF DECISION
CASE NO. BOA 890958
PERMIT # ERT869922

APPEAL DISMISSED
WITHOUT PREJUDICE

In reference to appeal of

John Lydon

concerning premises

7 to 15 Catherine Street, Ward 19

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.

Kevin P. O'Connor, Jr.

Principal Administrative Assistant



City of Boston
Mayor Martin J. Walsh
Board of Appeal

DECISION OF THE BOARD ON THE APPEAL OF

April 9, 2019
DATE

John Lydon

to vary the terms of the Boston Zoning Code, under Statute 1956, Chapter 665, as amended, Section 8, at premises:

7-15 Catherine Street, Ward 19

For the terms of the Boston Zoning Code (see Acts of 1956, c. 665) in the following respect: Variance
Article(s): 55(55-8) 55(55-9: Excessive F.A.R., Excessive number of stories, Insufficient front yard setback & Insufficient side yard setback)

Construction of five (5) adjacent, shared-wall, townhomes. Each home to have four (4) bedrooms, three and one half baths (3.5), kitchen, living room area, front balcony, and a two-car heated and enclosed garage. Units to share access to a 2000 sq. ft. green space located to the rear of proposed structures. (Existing buildings to be razed under a separate permit).

In his formal appeal, the Appellant states briefly in writing the grounds of and the reasons for his appeal from the refusal of the Building Commissioner, as set forth in papers on file numbered BOA890958 and made a part of this record.

In conformity with the law, the Board mailed reasonable notice of the public hearing to the petitioner and to the owners of all property deemed by the Board to be affected thereby, as they appeared on the then most recent local tax lists, which notice of public hearing was duly advertised in a daily newspaper published in the City of Boston, namely:

THE BOSTON HERALD on Tuesday, January 15, 2019

The Board took a view of the petitioner's land, examined its location, layout and other characteristics.

The Boston Redevelopment Authority was sent notice of the appeal by the Building Department and the legal required period of time was allotted to enable the BRA to render a recommendation to the Board, as prescribed in the Code.

After hearing all the facts and evidence presented at the public hearing held on Tuesday, February 5, 2019 and discussed on Tuesday, April 9, 2019 in accordance with notice and advertisement aforementioned, the Board finds as follows:

The Appellant appeals to be relieved of complying with the aforementioned section of the Boston Zoning Code, all as per Application for Permit# ERT869922 and August 20, 2018 plans submitted to the Board at its hearing and now on file in the Building Department.



City of Boston
Mayor Martin J. Walsh
Board of Appeal

DECISION OF THE BOARD ON THE APPEAL OF

7-15 Catherine St., Ward 19
BOA-890958
Date of Hearing: April 9, 2019
Permit: #ERT869922
Page: # 2

The premises in question are located in the Jamaica Plain Neighborhood zoning district of the City of Boston. Appellant's appeal concerned a refusal by the Building Commissioner to issue permit ERT869922 for violations of Statute 1956, Chapter 665, Article 55, Section 8 (townhouse is a forbidden use) and Article 55, Section 9 (excessive floor area ratio, excessive number of stories, insufficient front yard setback, insufficient side yard setback).

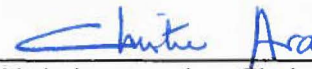
The Appellant presented to the Board the desire to withdraw the request for relief. The Board took this request under consideration and voted accordingly.

This appeal is hereby dismissed without prejudice. In the event a new or altered application for this site is filed, the provisions of Article 5, Section 5-3 are hereby waived. However, the Board is of the opinion that if another hearing on these premises must be held before the Board of Appeal, it will not be necessary for the Appellant to wait the required year, but may file a petition at the convenience of the Appellant.

Therefore, the Board (the members and the substitute member/members sitting on this appeal) voted to dismiss the appeal without prejudice.


APPEAL DISMISSED WITHOUT PREJUDICE

Signed, June 11, 2019


Christine Araujo - Chair

Mark Erlich


Bruce Bickerstaff


Craig Galvin - Acting Secretary


Kerry Walsh Logue


Tyrone Kindell, Jr.