

ZONING ANALYSIS

1030 COMMONWEALTH AVENUE, SECOND FLOOR, BROOKLINE, MA

Zoning Section	Bylaw	Category/Requirements	Proposal	Relief
4.07, Use #29A	Table of Use Regulations	Storefront Marijuana Retailers, stores of less than 5,000 square feet of gross floor area per establishment	Applicant Seeks to operate a Storefront Marijuana Retailer in the G-2.0 (CA) Business District	Permitted by Special Permit pursuant to Section 4.13 of the Zoning Bylaws.
4.13	Marijuana Establishments	General Requirements of Marijuana Establishments, including Storefront Marijuana Retailers	Applicant Seeks to operate a Storefront Marijuana Retailer in the G-2.0 (CA) Business District	Permitted by Special Permit pursuant to Section 4.13; Section 9.05 of the Zoning Bylaws
5.43	Exceptions to Yard and Setback Regulations	Under a special permit after a hearing the Board of Appeals may permit, in lieu of the requirements for yards or setbacks specified in this By-law, the substitution of such other dimensional requirements as shall assure the same standard of amenity to nearby properties as would have been provided by compliance with the regulations of the By-law, as measured by off-setting a reduction in the depth or area of a required yard or setback by an increase in the depth or area of another yard or setback or by the provision or preservation of a condition or a facility not otherwise required that will counterbalance such a reduction; provided, however,	The Applicant has an existing rear yard setback of 17.41' – 17.51'. The elevator vestibule will reduce the rear yard setback by 10' to 7.41' – 7.51'.	Permitted by Special Permit pursuant to Section 9.05 of the Zoning Bylaws

		that under this section the Board of Appeals shall not reduce the depth of a required front yard below 15 feet in M Districts.		
5.70	Rear Yard Requirements	<p>No building or structure shall be built within the minimum depth from the rear lot line specified in Table 5.01.</p> <p>Per sections 5.01 and 5.73, the rear yard must be at least 20 feet.</p>	<p>The Applicant has an existing rear yard setback of 17.41' – 17.51'.</p> <p>The elevator vestibule will reduce the rear yard setback by 10' to 7.41' – 7.51'.</p>	Permitted by Special Permit pursuant to Section 9.05 of the Zoning Bylaws