



CITY OF CAMBRIDGE

BOARD OF ZONING APPEAL

831 Massachusetts Avenue, Cambridge MA 02139

617-349-6100

2024 FEB 23 AM 10:46
OFFICE OF THE CITY CLERK
CAMBRIDGE, MASSACHUSETTS

BZA Application Form

BZA Number: 259041

General Information

The undersigned hereby petitions the Board of Zoning Appeal for the following:

Special Permit: X Variance: Appeal:

PETITIONER: 163 Allston Street Realty LLC C/O James J. Rafferty

PETITIONER'S ADDRESS: 907 Massachusetts Avenue, Cambridge, MA 02139

LOCATION OF PROPERTY: 163 Allston St., Cambridge, MA

TYPE OF OCCUPANCY: Multi-Family

ZONING DISTRICT: Residence C Zone

REASON FOR PETITION:

/Change in Use/Occupancy/

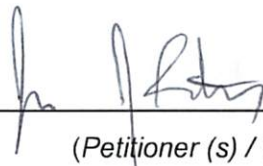
DESCRIPTION OF PETITIONER'S PROPOSAL:

Petitioner seeks to convert portions of existing two story garage and office to an accessory dwelling unit.

SECTIONS OF ZONING ORDINANCE CITED:

Article: 4.000 Section: 4.22 (Accessory Apartment) & Sec. 4.21 (Accessory Use).
Article: 10.000 Section: 10.40 (Special Permit).

Original
Signature(s):



(Petitioner (s) / Owner)

James J. Rafferty, Attorney for Petitioner
(Print Name)

Address: 907 Massachusetts Avenue, Suite 300
Cambridge, MA 02139
Tel. No. 617.492.4100
E-Mail Address: jrafferty@adamsrafferty.com

Date: 2/21/24

OWNERSHIP INFORMATION FOR BOARD OF ZONING APPEAL RECORD

To be completed by OWNER, signed and returned to Secretary of Board of Appeal

163 Allston St Realty LLC
(Owner or Petitioner)

Address: c/o James J. Rafferty 907 Massachusetts Avenue, Cambridge MA 02139

Location of Premises: 2154 Massachusetts Avenue

the record title standing in the name of 163 Allston St Realty LLC

whose address is 163 Allston Street Realty LLC
(Street) (City or Town) (State & Zip Code)

by a deed duly recorded in the Middlesex South County Registry of Deeds in

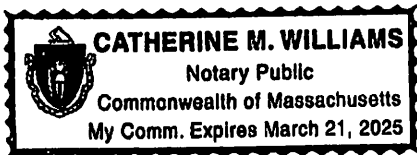
Book 73196 Page 105 or _____ Registry

District of Land Court Certificate No. _____ Book _____ Page _____

Maryellen Carvello
(Owner)

=====

On this 29th day of January, 2024, before me, the undersigned notary public, personally appeared Maryellen Carvello proved to me through satisfactory evidence of identification, which were personally known, to be the person whose name is signed on the preceding or attached document, and acknowledged to me that they signed it voluntarily for its stated purpose.



Catherine Williams
Notary Public

My commission expires: 3/21/25

BZA Application Form

SUPPORTING STATEMENT FOR A SPECIAL PERMIT

Please describe in complete detail how you meet each of the following criteria referring to the property and proposed changes or uses which are requested in your application. Attach sheets with additional information for special permits which have additional criteria, e.g.; fast food permits, comprehensive permits, etc., which must be met.

Granting the Special Permit requested for 163 Allston St., Cambridge, MA (location) would not be a detriment to the public interest because:

A) Requirements of the Ordinance can or will be met for the following reasons:

Article 4.22 allows for the creation of accessory dwelling units where, as in this case, the existing building has been in existence as of February, 2019, and the proposed accessory unit does not exceed 900 sf.

B) Traffic generated or patterns of access or egress would not cause congestion hazard, or substantial change in established neighborhood character for the following reasons:

The established neighborhood character contains numerous residential uses which do not contain off street parking.

C) The continued operation of or the development of adjacent uses as permitted in the Zoning Ordinance would not be adversely affected by the nature of the proposed use for the following reasons:

The addition of an accessory dwelling unit will not adversely affect adjacent uses in the neighborhood.

D) Nuisance or hazard would not be created to the detriment of the health, safety, and/or welfare of the occupant of the proposed use or the citizens of the City for the following reasons:

The addition of an accessory dwelling unit will not adversely affect the health, safety and/or welfare of the people living or working in the building nor the citizens of Cambridge.

E) For other reasons, the proposed use would not impair the integrity of the district or adjoining district or otherwise derogate from the intent or purpose of this ordinance for the following reasons:

The addition of an accessory dwelling unit to this single family structure is not out of character with the neighborhood.

***If you have any questions as to whether you can establish all of the applicable legal requirements, you should consult with an attorney.**

DIMENSIONAL INFORMATION

Applicant: 163 Allston Street Realty LLC
Location: 163 Allston St., Cambridge, MA
Phone: 617.492.4100

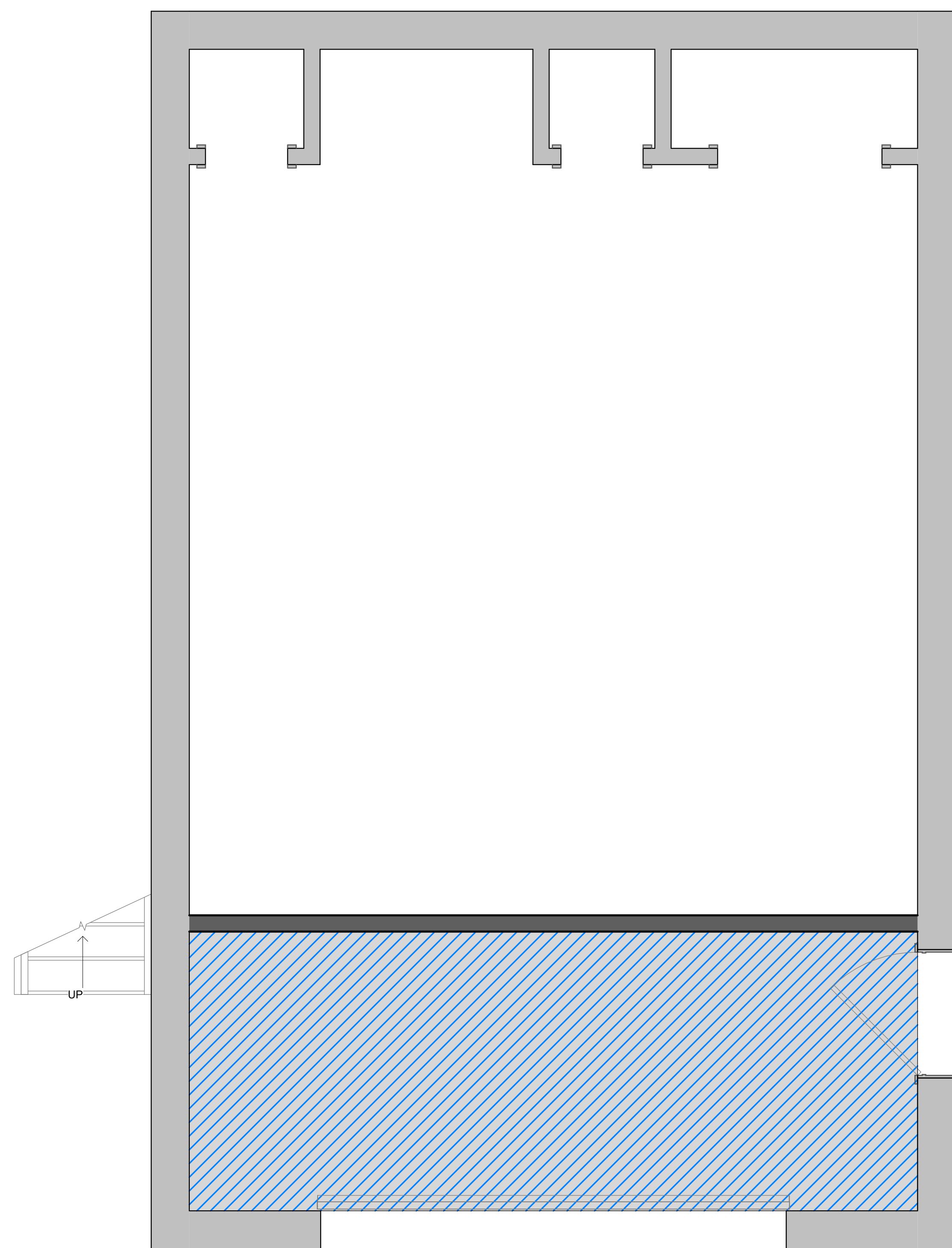
Present Use/Occupancy: Multi-Family
Zone: Residence C Zone
Requested Use/Occupancy: Multi-Family w/ Accessory Apartment

		<u>Existing Conditions</u>	<u>Requested Conditions</u>	<u>Ordinance Requirements</u>	
<u>TOTAL GROSS FLOOR AREA:</u>		5,900 sf	no change	3,403 sf	(max.)
<u>LOT AREA:</u>		5,672 sf	no change	5,000 sf	(min.)
<u>RATIO OF GROSS FLOOR AREA TO LOT AREA: ²</u>		0.96	no change	0.60	
<u>LOT AREA OF EACH DWELLING UNIT</u>		1,890 sf	1,890 sf	1,800 sf	
<u>SIZE OF LOT:</u>	WIDTH	varies	no change	50'	
	DEPTH	varies	no change	N/A	
<u>SETBACKS IN FEET:</u>	FRONT	95.5'	no change	18.4'	
	REAR	varies	no change	20'	
	LEFT SIDE	+/- 1'	no change	7' 6" (sum of 20')	
	RIGHT SIDE	5.2'	no change	7' 6" (sum of 20')	
<u>SIZE OF BUILDING:</u>	HEIGHT	37.5'	no change	35'	
	WIDTH	varies	no change	N/A	
	LENGTH	varies	no change	N/A	
<u>RATIO OF USABLE OPEN SPACE TO LOT AREA:</u>		57.6	no change	36	
<u>NO. OF DWELLING UNITS:</u>		3	4	3	
<u>NO. OF PARKING SPACES:</u>		3	no change	0	
<u>NO. OF LOADING AREAS:</u>		0	no change	N/A	
<u>DISTANCE TO NEAREST BLDG. ON SAME LOT</u>		9'	no change	10'	

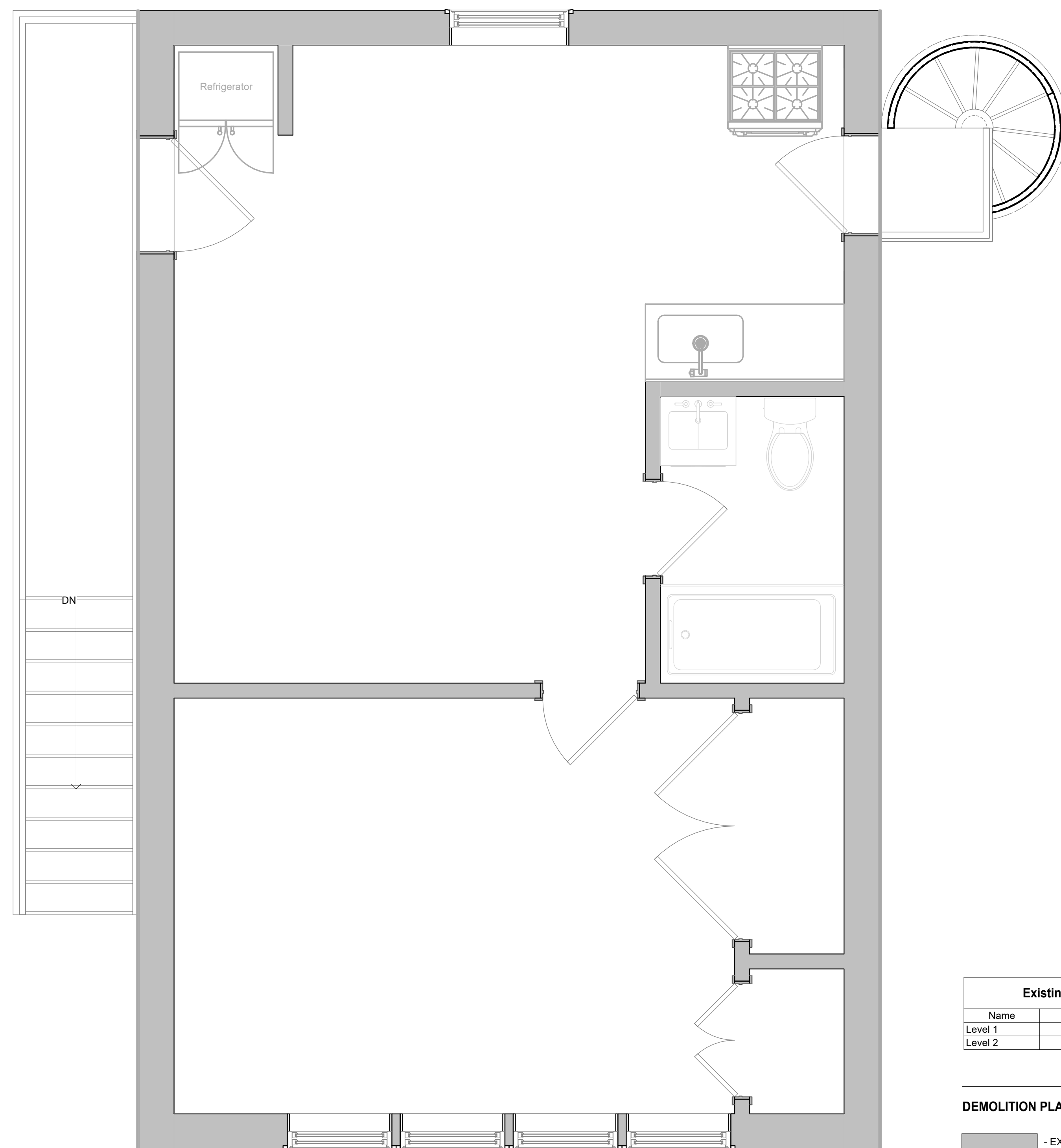
Describe where applicable, other occupancies on the same lot, the size of adjacent buildings on same lot, and type of construction proposed, e.g; wood frame, concrete, brick, steel, etc.:

N/A

1. SEE CAMBRIDGE ZONING ORDINANCE ARTICLE 5.000, SECTION 5.30 (DISTRICT OF DIMENSIONAL REGULATIONS).
2. TOTAL GROSS FLOOR AREA (INCLUDING BASEMENT 7'-0" IN HEIGHT AND ATTIC AREAS GREATER THAN 5') DIVIDED BY LOT AREA.
3. OPEN SPACE SHALL NOT INCLUDE PARKING AREAS, WALKWAYS OR DRIVEWAYS AND SHALL HAVE A MINIMUM DIMENSION OF 15'.



① Level 1 - Proposed
1/2" = 1'-0"



② Level 2 - Proposed
1/2" = 1'-0"

Existing Gross Building	
Name	Area
Level 1	374 SF
Level 2	501 SF 875 SF

DEMOLITION PLAN LEGEND

- EXISTING WALL TO REMAIN
- NEW WALL/INFILL
- AREA NOT IN CONTRACT
- DEMOLISHED BUILDING ELEMENT
- DEMOLISHED FLOOR FINISH/CEILING

TRIPLE DASHED RED LINE INDICATES REQUIRED (2) HOUR FIRE RESISTANCE RATED SEPARATION.
UL NO. U314 AT WALLS AND UL NO. L501 AT CEILING

No.	Description	Date

MARYELLEN CARVELLO
163 ALLSTON ST
EXISTING/PROPOSED FLOOR PLANS

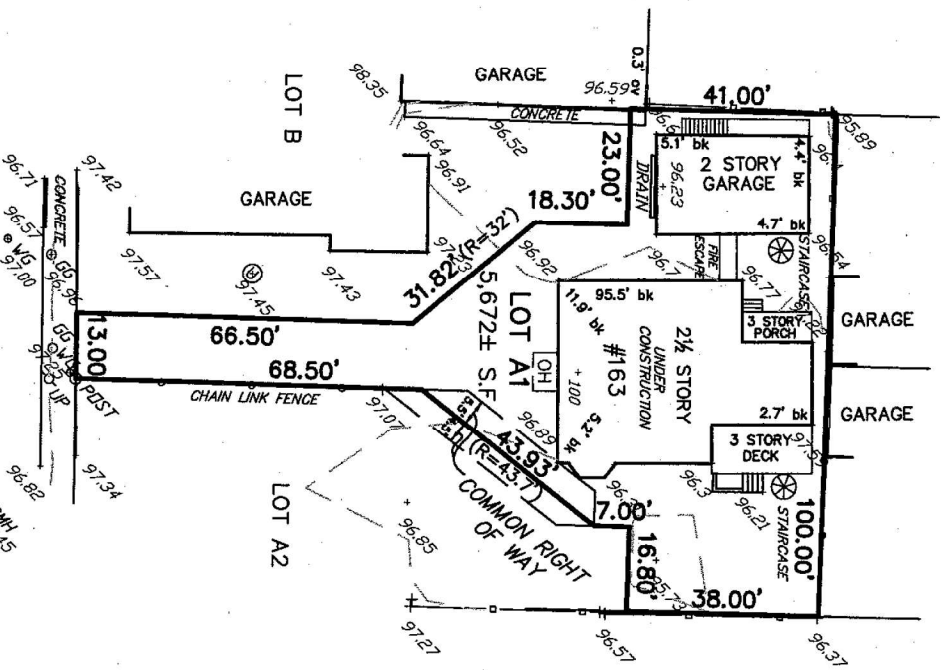
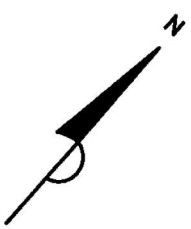
Project number _____
Date **02/14/2024**
Drawn by _____
Checked by _____

A102

Scale **1/2" = 1'-0"**

ZONING LEGEND			
ZONING DISTRICT - RESIDENCE C	REQUIRED	EXISTING	PROPOSED
MIN. LOT AREA/DWELLING UNIT	1,800 S.F.	1,890 S.F.	-
MIN. YARD FRONT	* 18.4'	95.5'	-
MIN. YARD SIDE	** 14.7'	5.2'	-
MIN. YARD REAR	*** 20'	2.7'	-
MIN. OPEN SPACE	36%	57.6%	-
MAX. BLDG. HEIGHT	35'	37.5'	-
MAX. FAR	0.6	-	-
		COMPLIANCE	
		YES	YES
		NO	NO
		EXISTING NON-COMFORMING	EXISTING NON-COMFORMING
		YES	YES
		NO	NO
		EXISTING NON-COMFORMING	EXISTING NON-COMFORMING
		YES	YES
		NO	NO

* (H+L)/4 AT LEAST 10'
 (37.5+36.3)/4 = 18.4'
 ** (H+L)/5 ≥ 27.5, SUM 20
 (37.5+36.3)/5 = 14.7'
 *** (H+L)/4 AT LEAST 20
 (37.5+36.3)/4 = 18.4'



ALLSTON STREET

PREPARED FOR: KARL PETERSON
 I HEREBY CERTIFY THAT THE BUILDING IS
 LOCATED AS SHOWN.

PROPOSED PLOT PLAN
#163 ALLSTON STREET
 IN
CAMBRIDGE, MA
 (MIDDLESEX COUNTY)

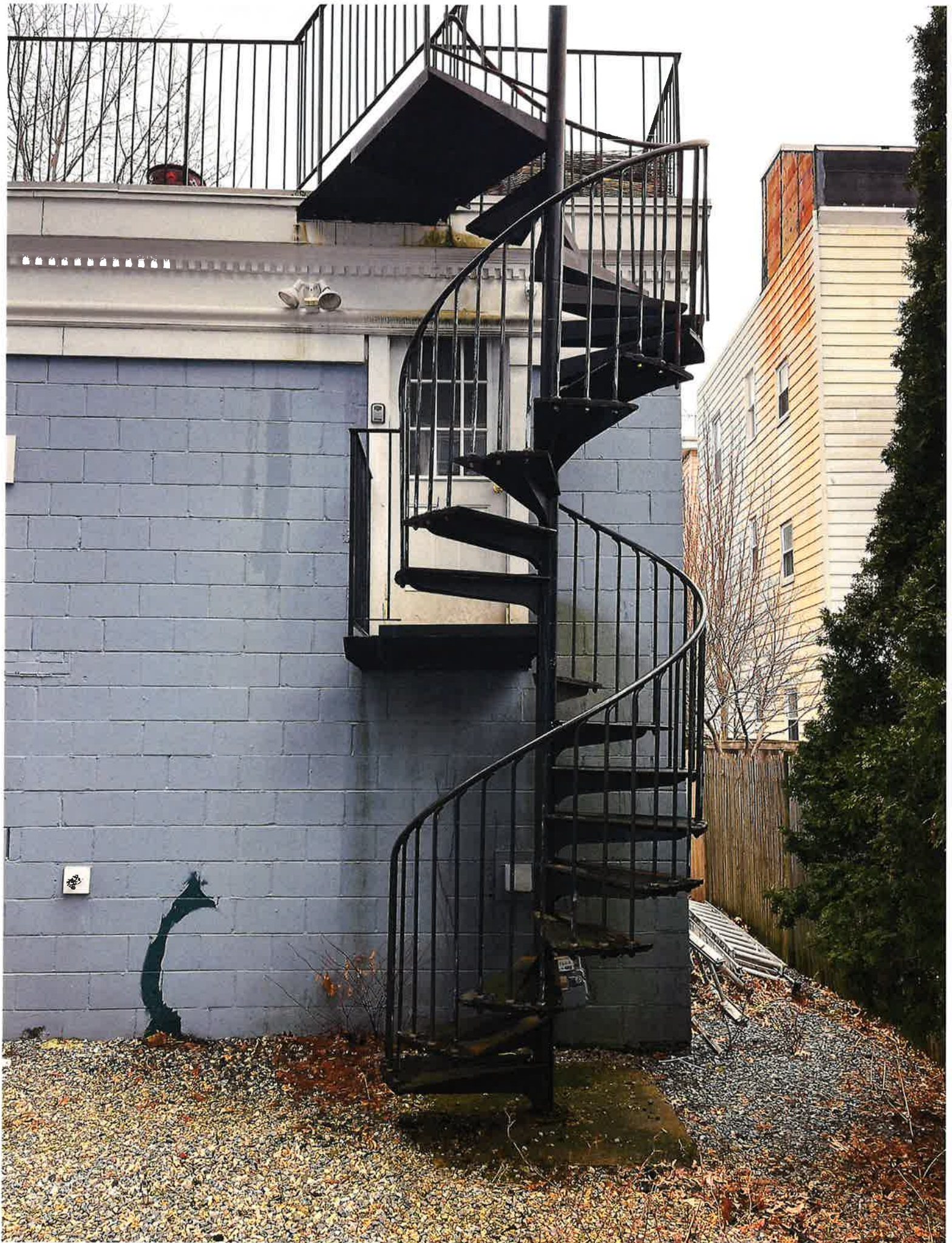
SCALE: 1" = 30' DATE: 7/25/2016



CLIFFORD E. ROBER, PLS DATE
 THIS PLAN MAY HAVE BEEN ALTERED IF
 THE SIGNATURE IS NOT SIGNED IN BLUE.

ROBER SURVEY
 1072A MASSACHUSETTS AVENUE
 ARLINGTON, MA 02476
 (781) 648-5533
 4919pp1.DWG

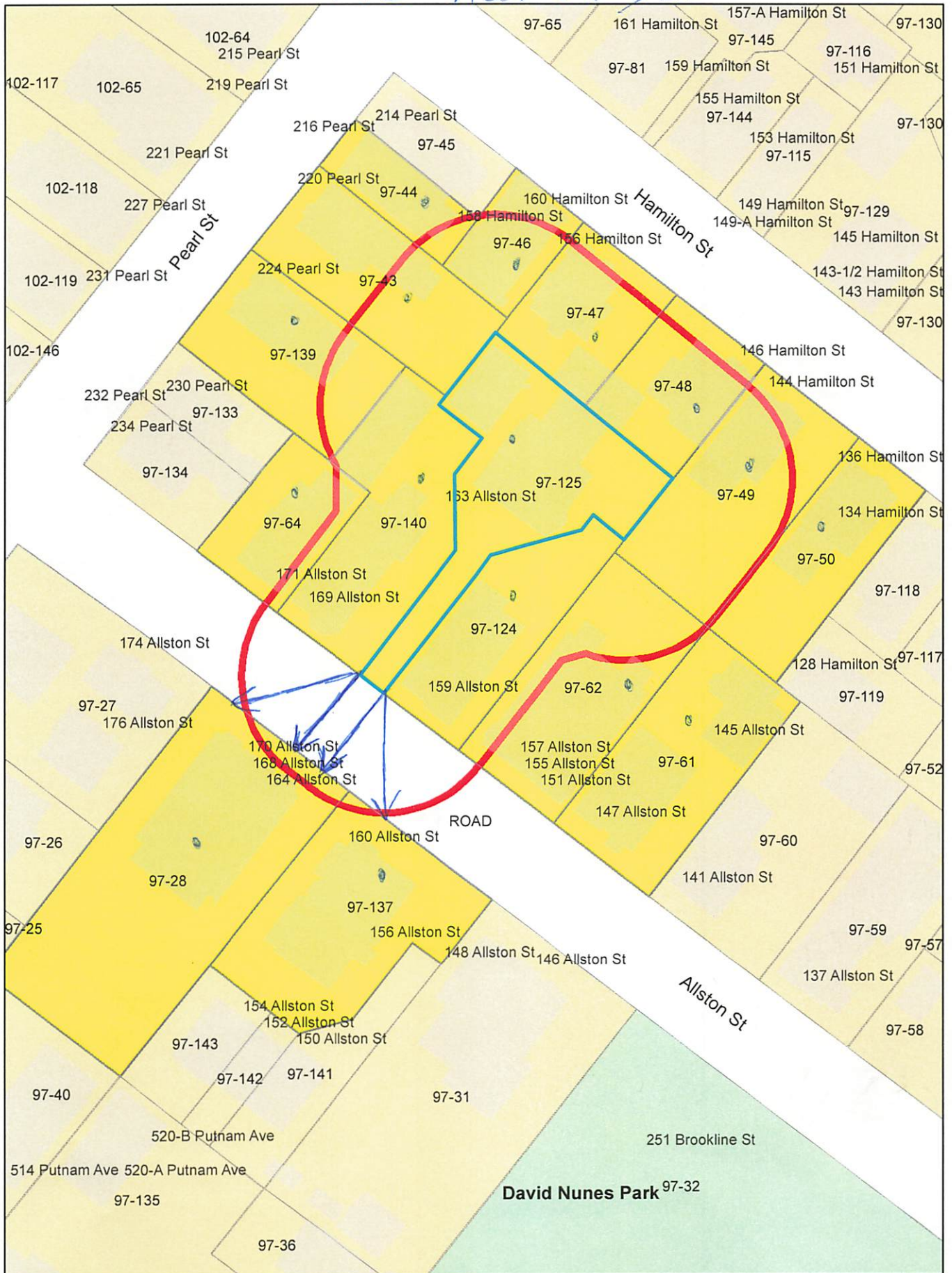








163 Allston St.



163 Allston St.

Petitioner
JAMES J. RAFFERTY, ESQ.
907 MASS AVENUE - SUITE 300
CAMBRIDGE, MA 02139

97-49
ABADIE, ALBERTO
144 HAMILTON ST
CAMBRIDGE, MA 02139

97-61
MANDARANO, JOSEPH M., III &
ANN MARIE MANDARANO, TRUSTEES
145 ALLSTON ST
CAMBRIDGE, MA 02139

97-64
REGAL, KATHERINE PATTON &
JAMES M. REGAL
171 ALLSTON ST
CAMBRIDGE, MA 02139

97-43
CHILD, LUTHER M., III & CAROL L. FAULKNER
220 PEARL ST
CAMBRIDGE, MA 02139-4511

97-44
AUGUST, ALLISON M. & BARUCH S. TICHO
48 GRALYNN RD.
NEWTON, MA 02459

97-44
RANE, RAJESH S. & VARSHA RANE
216 PEARL ST., UNIT 3
CAMBRIDGE, MA 02139

97-46
FIGUEROA, CARLOS R. &
MARGARITA FIGUEROA
162 HAMILTON ST
CAMBRIDGE, MA 02139

97-47
D' ALMEIDA, JAIME C. & LISA K. MURRAY
156 HAMILTON ST
CAMBRIDGE, MA 02139-4527

97-48
TEKEIAN, EDWARD K. & KATHERINE B. GINNIS
146 HAMILTON STREET
CAMBRIDGE, MA 02139

97-50
BIRD, CATHERINE & JONATHAN M. DELGADO
136 HAMILTON ST
CAMBRIDGE, MA 02139

97-124
SMALL, GERALDINE EDWARD I. SMALL, JR
177 WILLOW AVE
SOMERVILLE, MA 02144

97-137
SEBASTIAN, SEUNG H.
156-160 ALLSTON ST., UNIT 156
CAMBRIDGE, MA 02139

97-28
TSECHRENTZIS, VIOLA &
VIRGINIA WILSON, A LIFE ESTATE
166 ALLSTON STREET
CAMBRIDGE, MA 02139-4538

97-125-140
169 ALLSTON ST REALTY LLC
16 JAMES ST
ARLINGTON, MA 02474

97-62
CAMBRIDGE COMMUNITY HOUSING, INC.
C/O WINN MANAGEMENT
810 MEMORIAL DR., SUITE 102
CAMBRIDGE, MA 02139

97-139
NICOLETTE, TIMOTHY A. &
GRACE CHIANG NICOLETTE, TRS
224 PEARL ST. APT 1
CAMBRIDGE, MA 02139

97-44
JANSEN MICHAEL
216 PEARL ST - UNIT 2
CAMBRIDGE, MA 02139

97-137
GAUGER, DANIEL M JR
TRS THE D GAUGER & S JONES REV. TR.
156-160 ALLSTON ST - UNIT 160
CAMBRIDGE, MA 02139