

BZA APPLICATION FORM

GENERAL INFORMATION

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

Special Permit: _____ Variance: Appeal: _____

PETITIONER: Maggie Phooz, SMARTARCHITECTURE, FOR DOUGLASS PAYNE & MARY RITA WEGULKE

PETITIONER'S ADDRESS: 625 MOUNT AUBURN ST., CAMBRIDGE, 02138

LOCATION OF PROPERTY: 24 SILVERMAN STREET

TYPE OF OCCUPANCY: SINGLE-FAMILY ZONING DISTRICT: C-1

REASON FOR PETITION:

- Additions
- Change in Use/Occupancy
- Conversion to Addi'l Dwelling Unit's
- Dormer
- Other: _____
- New Structure
- Parking
- Sign
- Subdivision

DESCRIPTION OF PETITIONER'S PROPOSAL:

THE PETITIONER PROPOSES TO DEMOLISH AND RE-BUILD A TWO-CAR GARAGE OF EXACTLY THE SAME DIMENSIONS AND IN EXACTLY THE SAME LOCATION AS THE TWO-CAR GARAGE THAT EXISTS ON THE SITE NOW


SECTIONS OF ZONING ORDINANCE CITED:

Article 4 Section 21.h

Article 4 Section 21.k

Article _____ Section _____

Applicants for a Variance must complete Pages 1-5
 Applicants for a Special Permit must complete Pages 1-4 and 6
 Applicants for an Appeal to the BZA of a Zoning determination by the Inspectional Services Department must attach a statement concerning the reasons for the appeal

Original Signature(s): 
 (Petitioner(s)/Owner)
MAGGIE PHOOZ
 (Print Name)

Address: 625 MOUNT AUBURN ST., SUITE 200
CAMBRIDGE, MA 02138

Tel. No.: 617.576.2720

E-Mail Address: MAGGIE@SMARTARCHITECTURE.NET

Date: 3.6.17

BZA APPLICATION FORM - OWNERSHIP INFORMATION

To be completed by OWNER, signed before a notary and returned to The Secretary of the Board of Zoning Appeals.

I/We DOUGLASS B. PAYNE & MARY RITA WESCHLER
(OWNER)

Address: 24 SHERMAN ST., CAMBRIDGE, MA 02138

State that I/We own the property located at 24 SHERMAN ST. CAMBRIDGE, which is the subject of this zoning application.

The record title of this property is in the name of DOUGLASS B. PAYNE & MARY RITA WESCHLER

*Pursuant to a deed of duly recorded in the date JUNE 2, 1993, Middlesex South County Registry of Deeds at Book 23257, Page 289; or Middlesex Registry District of Land Court, Certificate No. _____ Book _____ Page _____.

Douglas B. Payne
Mary Rita Weschler
SIGNATURE BY LAND OWNER OR AUTHORIZED TRUSTEE, OFFICER OR AGENT*

*Written evidence of Agent's standing to represent petitioner may be requested.

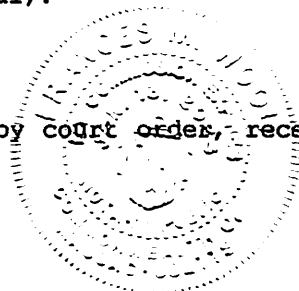
Commonwealth of Massachusetts, County of Suffolk

The above-name Douglas Payne Mary Rita Weschler personally appeared before me, this 17 of Feb., 2017, and made oath that the above statement is true.

Thomas D. Paul Notary

My commission expires 1/23/2023 (Notary Seal).

- If ownership is not shown in recorded deed, e.g. if by court order, recent deed, or inheritance, please include documentation.



REPUBLIC OF THE PHILIPPINES - DEPARTMENT OF EDUCATION

Office Memorandum

TO: [Name]

FROM: [Name]

SUBJECT: [Subject]

Reference is made to [Reference]

It is noted that [Text]

Therefore, [Text]

Very truly yours,
[Signature]

[Text]

[Text]

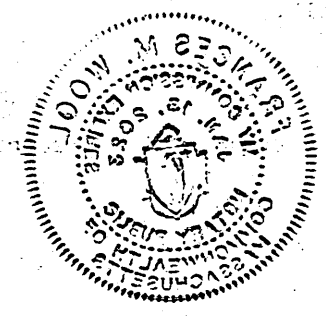
[Text]

[Text]

[Text]

[Text]

[Text]



Supporting Statements for a Variance

Payne-Weschler Residence

24 Sherman Street, Cambridge

- A) A Literal enforcement of the provisions of this Ordinance would involve a substantial hardship, financial or otherwise, to the petitioner for the following reasons: The Petitioner has owned a single family house on the corner of Sherman and Fenno Streets for 24 years. The house was built and owned by James and Nellie Fenno in 1893. Behind the house and opening onto Fenno Street is a two-car wood frame garage built in 1924. The garage was not built on any kind of substantial foundation, nor does it have a proper floor. It is very lightly framed by today's standards (or even 1924 standards) and so it is leaning and pitching and requires stabilization. The Petitioner wishes to retain the garage because parking in the City and on Fenno Street particularly has become more difficult, but repairing it would entail lifting it, excavating for a 4' deep frost-wall, and pouring a foundation below a raised and rickety building. The expense and trouble of doing the repair work this way has prompted the Petitioner to request zoning relief to re-construct the building.
- B) The hardship is owing to the following circumstances relating to the soil conditions, shape or topography of such land or structures and especially affecting such land or structures but not affecting generally the zoning district in which it is located for the following reasons: the garage has been in its present location for 93 years. Thus, re-building it in exactly the same place and with exactly the same dimensions poses no threat to the zoning district. It is non-conforming for an accessory building currently in its height, which is 15'-11" at its highest point, and in its distance from the primary building, which is 8.8', although from the foundation of the primary building it is 13.6'. When the structure was built there was not a limitation that an accessory garage for a single family house could be only for a single car, nor was there a distance requirement between the accessory and primary buildings. The basement of the house has an extremely short ceiling height of just about 6' below the joists and less below the beams, making storage there difficult to use and maneuver easily. Therefore, the Petitioner finds the second half of the garage a vital component of normal, daily house storage such as garden equipment, ladders and house maintenance equipment, bicycles and other items that might normally be kept in a basement.
- C1) Desirable relief may be granted without substantial detriment to the public good for the following reasons: The proposed demolition and reconstruction of the garage is an appeal to the common sense of the City that it is much easier and less expensive than the gymnastic repair process would be. The building is a long-accepted part of the fabric of the neighborhood, and rebuilding it in its present form and size means that no additional shadow will be cast by it, and no density is increased nor traffic intensified due to the proposal.
- C2) Relief may be granted without nullifying or substantially derogating from the intent or purpose of this Ordinance for the following reasons: the proposal does not adversely affect the health or safety of the citizens of Cambridge, nor the value of anyone's property.

BZA APPLICATION FORM

DIMENSIONAL INFORMATION

APPLICANT: DOUG PAYNE & MARY RITA WESCHER PRESENT USE/OCCUPANCY: R.3
 LOCATION: 24 SHERMAN ST. ZONE: C.1
 PHONE: 617-864-2904 REQUESTED USE/OCCUPANCY: R.3

	<u>EXISTING CONDITIONS</u>	<u>REQUESTED CONDITIONS</u>	<u>ORDINANCE REQUIREMENTS¹</u>
<u>TOTAL GROSS FLOOR AREA:</u>	<u>2077 SF</u>	<u>2077 SF</u>	<u>2400 SF</u> (max.)
<u>LOT AREA:</u>	<u>3200 SF</u>		<u>5000 SF</u> (min.)
<u>RATIO OF GROSS FLOOR AREA TO LOT AREA:²</u>	<u>.65</u>	<u>.65</u>	<u>.75</u> (max.)
<u>LOT AREA FOR EACH DWELLING UNIT:</u>	<u>3200 SF</u>	<u>3200 SF</u>	<u>1500 SF</u> (min.)
<u>SIZE OF LOT:</u>			
WIDTH	<u>40 LF</u>		<u>50 LF</u> (min.)
DEPTH			
<u>Setbacks in Feet:</u>			
FRONT	<u>13.5 LF</u>	<u>13.5 LF</u>	<u>10 LF</u> (min.)
REAR	<u>NA</u>	<u>NA</u>	<u>NA</u> (min.)
LEFT SIDE	<u>5.6 LF</u>	<u>5.6 LF</u>	<u>5 LF</u> (min.)
RIGHT SIDE	<u>8.1 LF</u>	<u>8.1 LF</u>	<u>5 LF</u> (min.)
<u>SIZE OF BLDG.:</u>			
HEIGHT	<u>15'-11"</u>	<u>15'-11"</u>	<u>15'</u> (max.)
LENGTH			
WIDTH			
<u>RATIO OF USABLE OPEN SPACE TO LOT AREA:³</u>	<u>56%</u>	<u>56%</u>	<u>30%</u> (min.)
<u>NO. OF DWELLING UNITS:</u>	<u>1</u>	<u>1</u>	<u>2</u> (max.)
<u>NO. OF PARKING SPACES:</u>	<u>2</u>	<u>2</u>	<u>1/2</u> (min./max)
<u>NO. OF LOADING AREAS:</u>	<u>NA</u>	<u>NA</u>	<u>NA</u> (min.)
<u>DISTANCE TO NEAREST BLDG. ON SAME LOT:</u>	<u>8.8 LF</u>	<u>8.8 LF</u>	<u>10 LF</u> (min.)

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

PROPERTY CONSISTS OF ONE WOOD FRAME, 2 1/2-STORY SINGLE FAMILY HOUSE AND ONE WOOD FRAME 1-STORY 2-CAR GARAGE.

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'.



City of Cambridge

MASSACHUSETTS

BOARD OF ZONING APPEAL

831 Mass Avenue, Cambridge, MA.
(617) 349-6100

BZA

POSTING NOTICE – PICK UP SHEET

The undersigned picked up the notice board for the Board of Zoning Appeals Hearing.

Name: DOUGLASS PAYNE Date: 4/7/2017
(Print)

Address: 24 Sherman St. Case No. BZA-012596-2017

Hearing Date: 4/27/17

Thank you,
Bza Members

BZA APPLICATION FORM

GENERAL INFORMATION

BZA-012596-2017

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PETITIONER'S ADDRESS: 625 MOUNT AUBURN ST., CAMBRIDGE, 02138

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Original Signature(s): 
(Petitioner(s)/Owner)
Maggie Hoob
(Print Name)

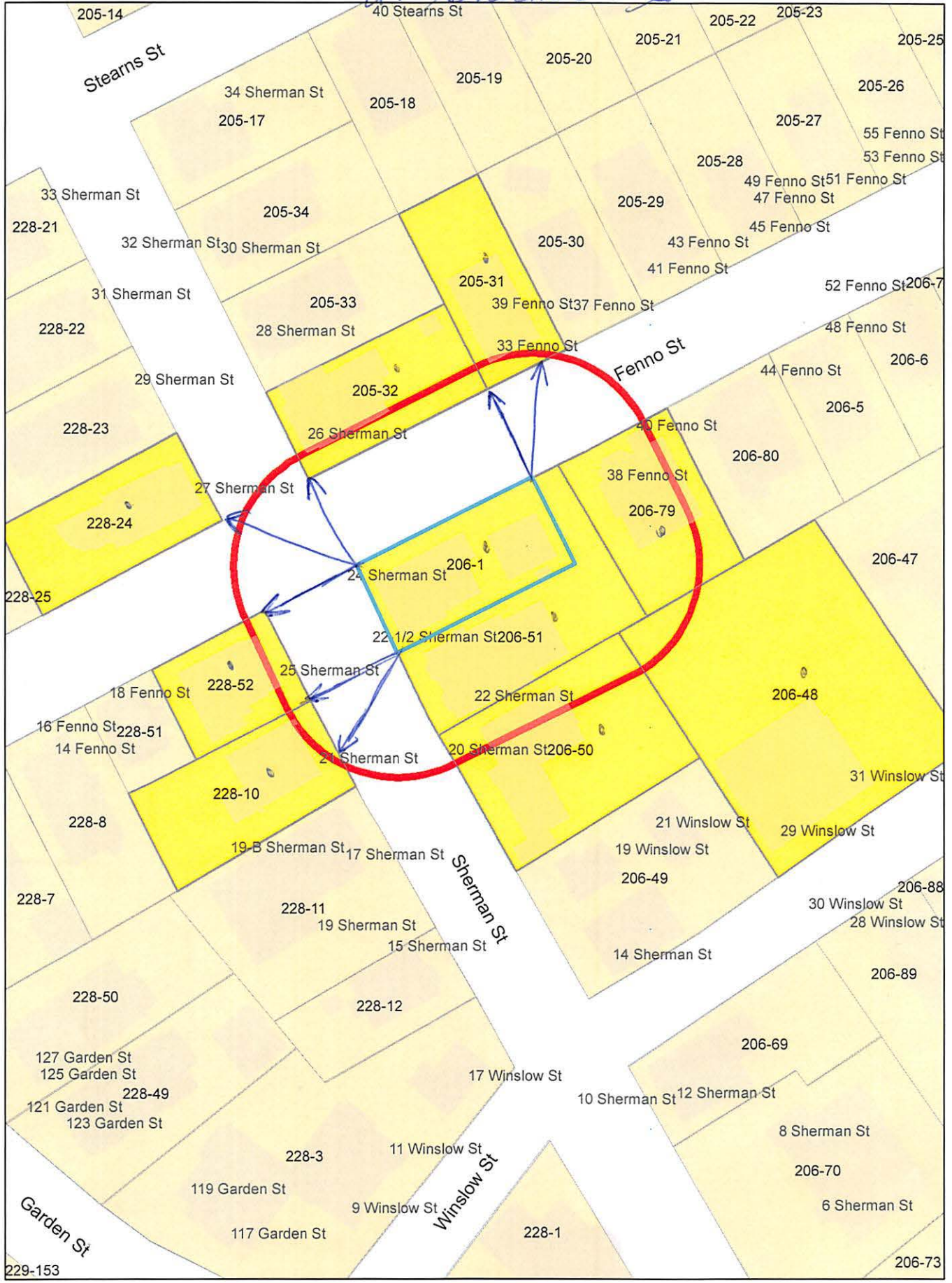
Address: 625 MOUNT AUBURN ST., SUITE 200
CAMBRIDGE, MA 02138

Tel. No.: 617-576-2720

E-Mail Address: MAGGIE@SMARTARCHITECTURE.NET

Date: 3.6.17

24 Sherman St.



24 Sherman St.

Petitions

205-31
HENRY, RICHARD A. & DEBORAH A. HENRY
33 FENNO ST
CAMBRIDGE, MA 02138

205-32
LYNCH, JOSEPHINE A.
26 SHERMAN ST
CAMBRIDGE, MA 02138

MAGGIE BOOZ
625 MT. AUBURN STREET – SUITE 200
CAMBRIDGE, MA 02138

206-48
SERIES A OF LEGACIES PROPERTY, LLC.
P.O. BOX# 400998
CAMBRIDGE, MA 02140

206-50
ZITTRAIN, JONATHAN L.
20 SHERMAN ST.
CAMBRIDGE, MA 02138

206-79
SOBEY, KATHRYN M.
38 FENNO ST., UNIT#38
CAMBRIDGE, MA 02138

206-79
BERARD, RICHELLE J. & JUN-SHIK WHANG
40 FENNO ST
CAMBRIDGE, MA 02138

206-51
KRUEGER, CHARLES & SONIA TAKTAK
22 SHERMAN ST.
CAMBRIDGE, MA 02138

206-51
LEE, KAELA S.
22 1/2 SHERMAN ST
CAMBRIDGE, MA 02138

228-10
HOLLANDER, LISA M.
21 SHERMAN ST.
CAMBRIDGE, MA 02138

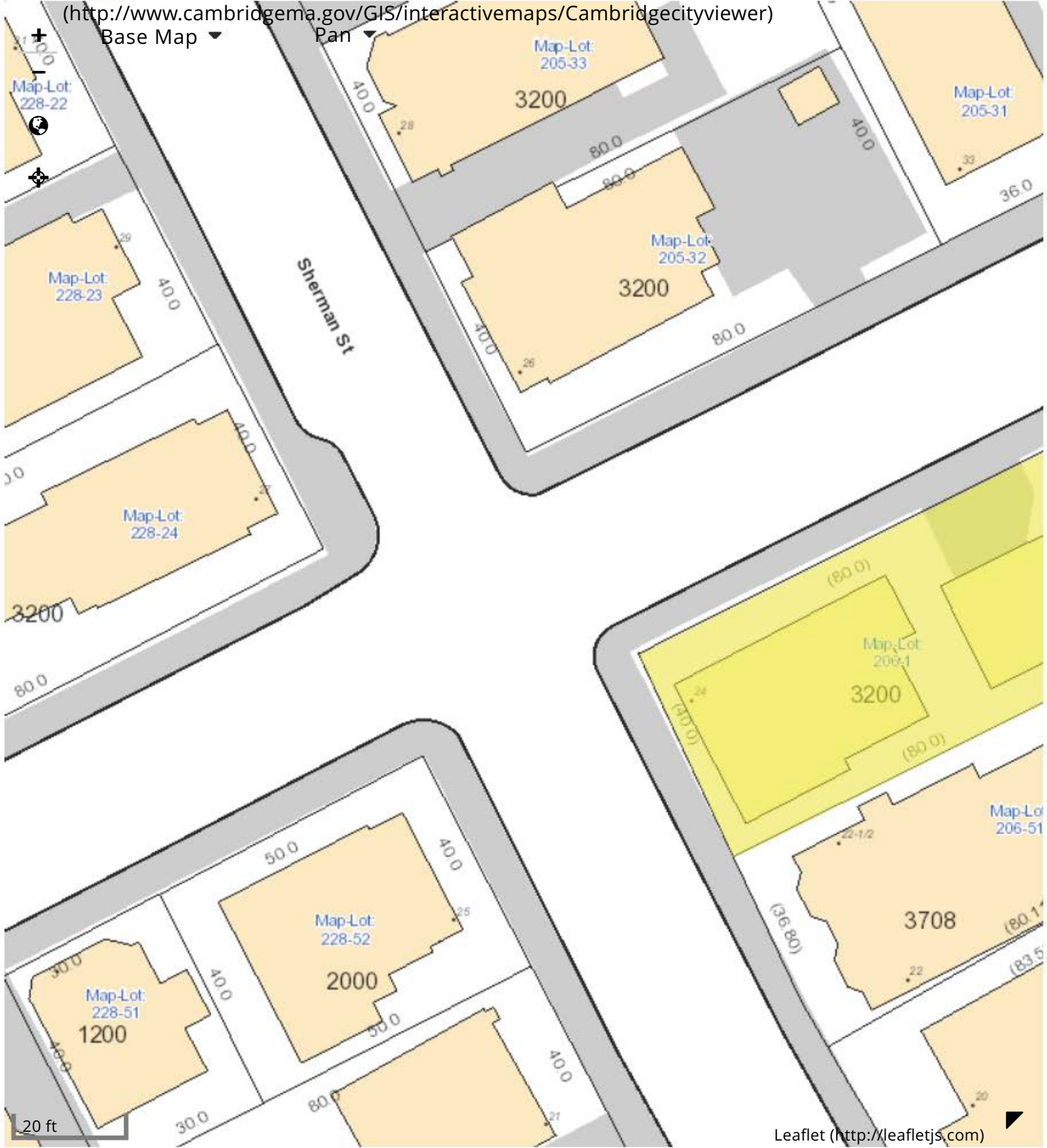
228-24
SERPE, EDWARD R. & GLORIA LYNN SERPE
27 SHERMAN ST
CAMBRIDGE, MA 02138

228-52
WEINSTEIN, LAWRENCE A.
25 SHERMAN ST
CAMBRIDGE, MA 02138

206-1
PAYNE, DOUGLASS B. & MARY RITA WESCHLER
24 SHERMAN ST
CAMBRIDGE, MA 02138

(Help.aspx:application=Base&functiontabs=search,selection,legend,location,share)

(<http://www.cambridgema.gov/GIS/interactivemaps/Cambridgecityviewer>)



Leaflet (<http://leafletjs.com>)

GIS Homepage (<http://www.cambridgema.gov/GIS>) | About GIS

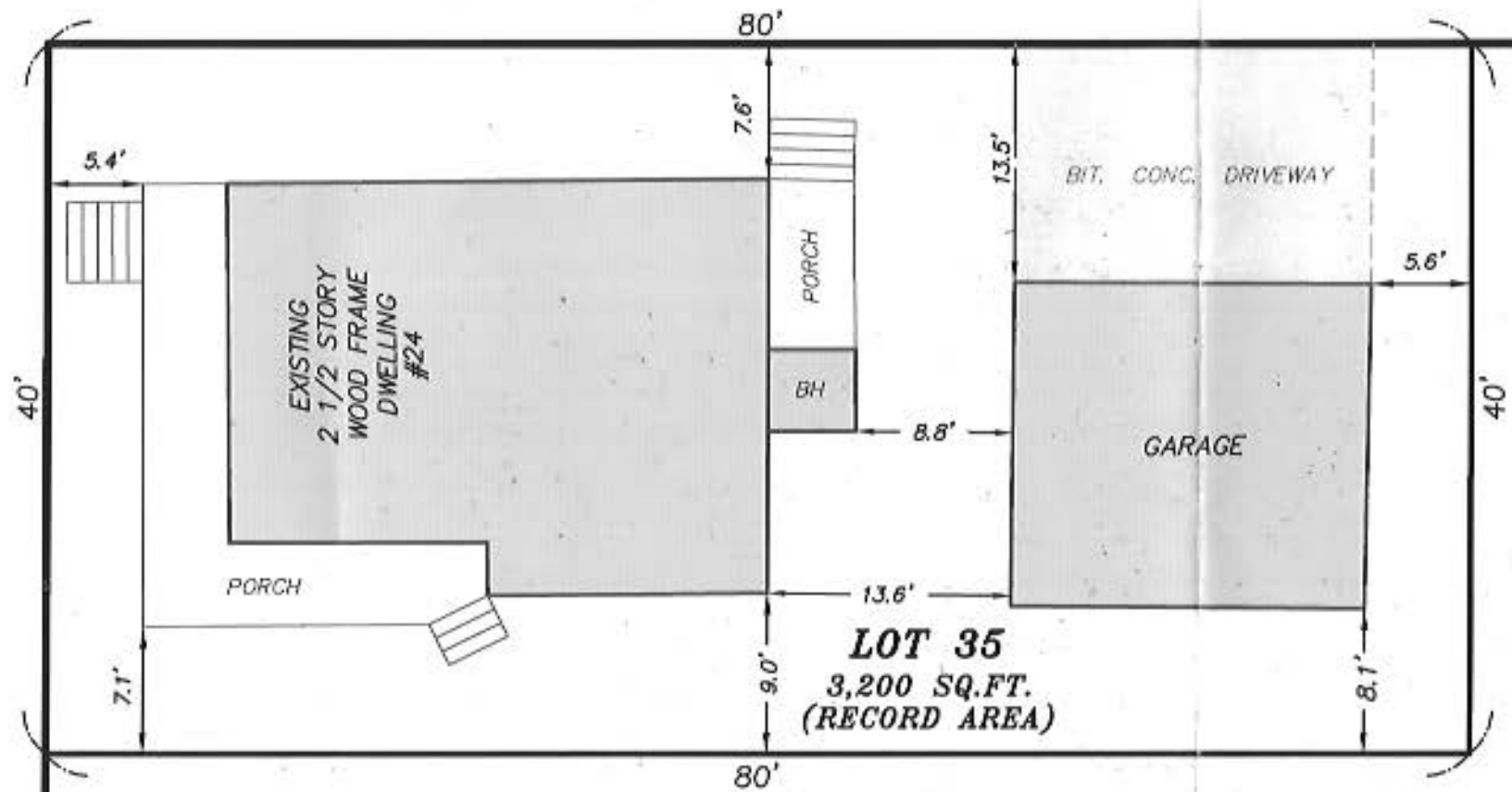
(<http://www.cambridgema.gov/GIS/aboutgis.aspx>) | Contact Us
(<http://www.cambridgema.gov/GIS/contactforms/GIS.aspx>) | Disclaimer
(<http://www.cambridgema.gov/GIS/Disclaimer.aspx>) | Privacy Policy
(<http://www.cambridgema.gov/GIS/privacypolicy.aspx>) | © 2017 City of Cambridge, MA

STREET

SHERMAN

FENNO

STREET



NOW OR FORMERLY
TIMOTHY A. WISE

NOW OR FORMERLY
TIMOTHY A. WISE

REFERENCES:

1. DEED IN BOOK 23257 AT PAGE 289
2. PLAN BOOK 68, PLAN 4.
3. LAND COURT CASE No. 9357

NOTES:

1. PHOTO REPRODUCTION OF THE SEAL AND SIGNATURE HEREON IS INDICATIVE OF UNAUTHORIZED REPRODUCTION AND USE OF THIS PLAN. IF THIS PLAN DOES NOT CONTAIN AN ORIGINAL SIGNATURE IN RED TOGETHER WITH AN EMBOSSED SEAL, IT IS NOT AN AUTHORIZED PLAN FROM GRE SURVEYING AND CANNOT BE USED FOR ANY PURPOSE WHATSOEVER. ANY UNAUTHORIZED USE OR MODIFICATION OF THIS PLAN MAY CONSTITUTE FRAUD AND WILL RENDER THIS PLAN NULL AND VOID.
2. THIS PLAN IS NOT TO BE USED FOR THE RECONSTRUCTION OF BOUNDARY LINES NOR FOR TITLE INSURANCE PURPOSES.
3. THIS PLAN DOES NOT REPRESENT A CONFIRMATION OF BOUNDARY LINES NOR A DETERMINATION OF TITLE BUT IS SOLELY INTENDED TO DEPICT THE OFFSET DIMENSIONS OF THE EXISTING STRUCTURE TO THE LOT LINES AS DEPICTED ON A PLAN RECORDED IN PLAN BOOK 68, PLAN 4.
4. THE SUBJECT PROPERTY IS DEPICTED AS LOT 1 ON CAMBRIDGE ASSESSOR'S MAP 206.
5. OWNERS OF RECORD ARE DOUGLASS B. PAYNE AND MARY RITA WESCHLER, 24 SHERMAN STREET CAMBRIDGE, MASSACHUSETTS
6. ALL OFFSETS SHOWN HEREON ARE TO THE NEAREST ONE TENTH (1/10) OF A FOOT.
7. ZONING DISTRICT IS C-1.

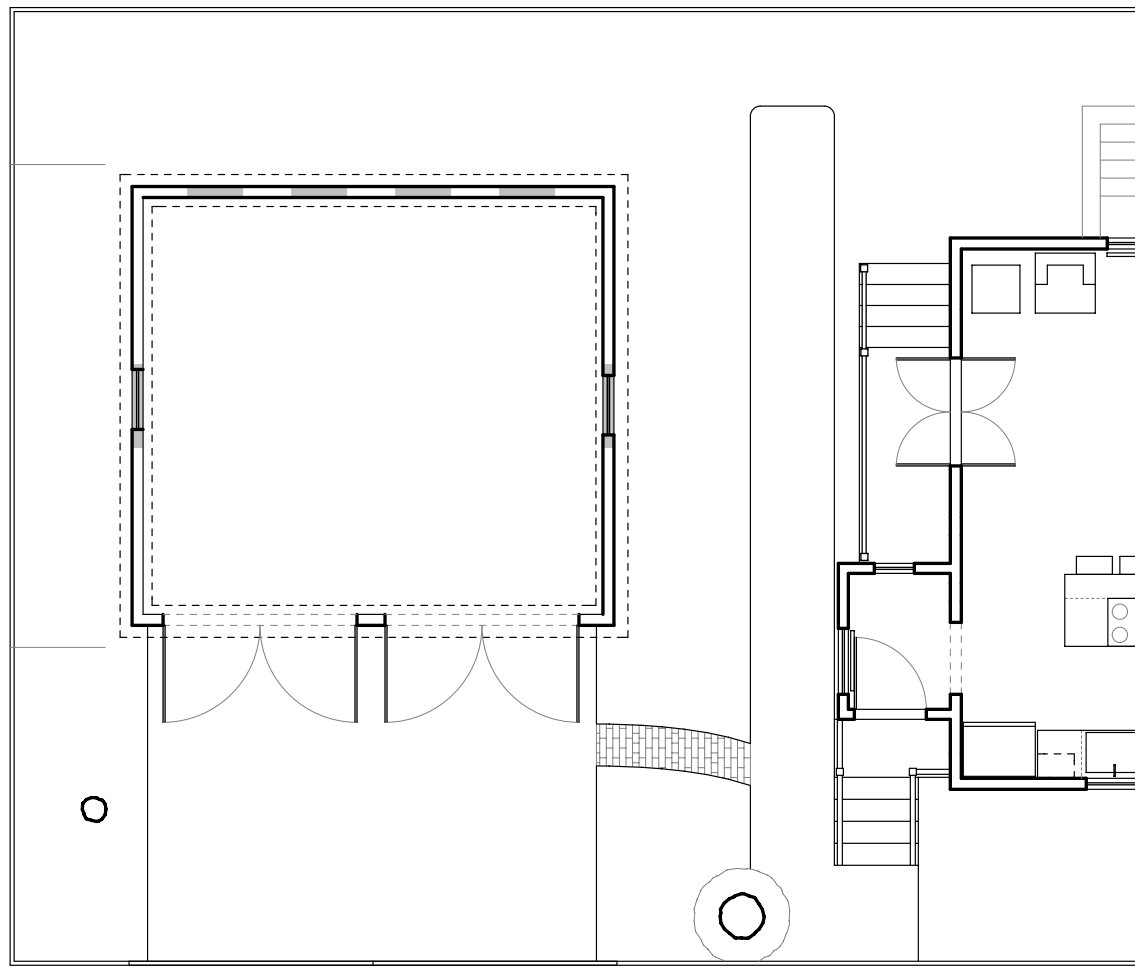
PLOT PLAN of LAND
 LOCATED IN
CAMBRIDGE, MASSACHUSETTS
 (MIDDLESEX COUNTY)

PREPARED FOR
MARY RITA WESCHLER
 SCALE: 1" = 10' DATE: JAN. 2, 2008



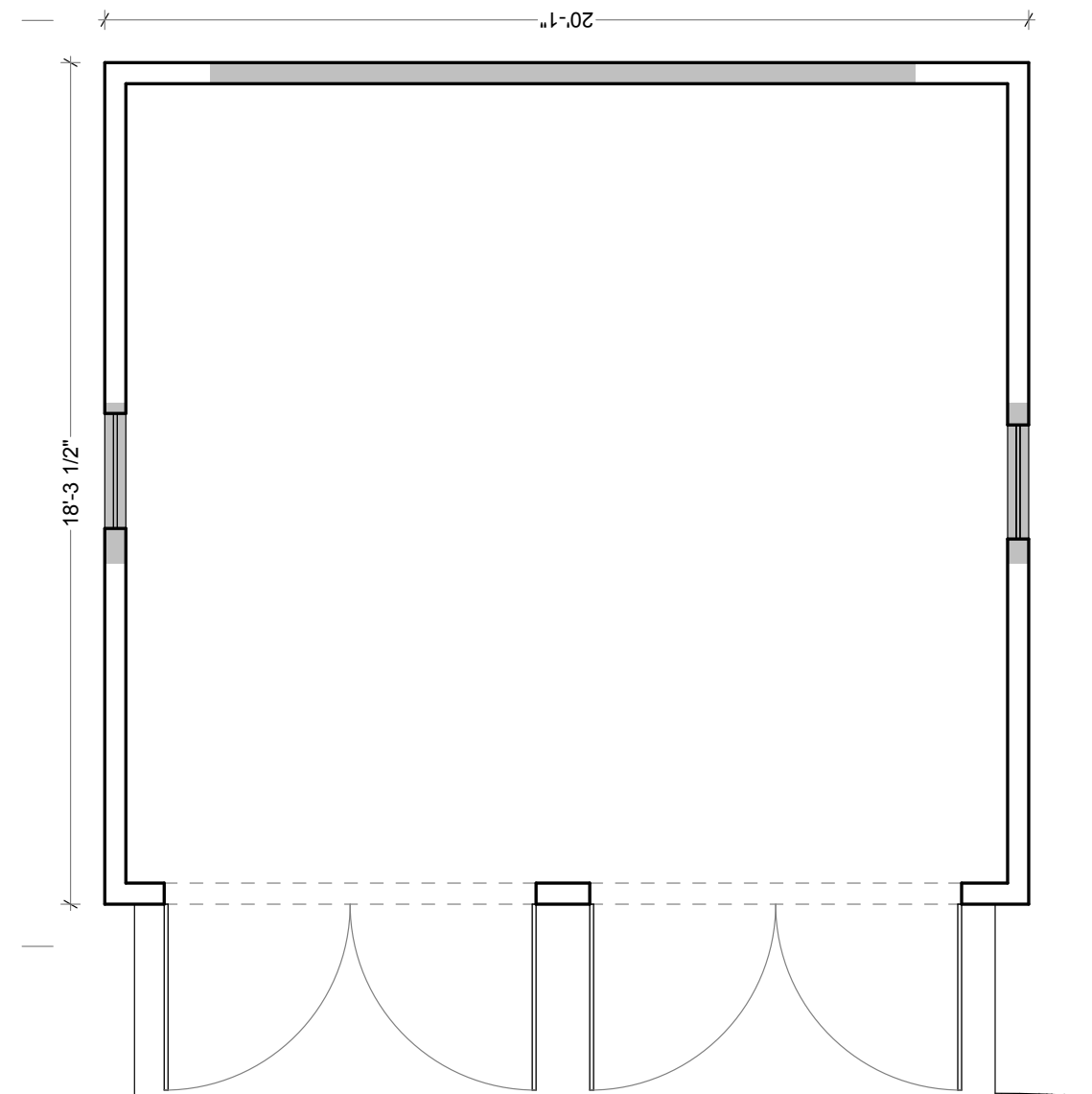
24 Raymond Place, Winchester, MA 01890
 Telephone 781-721-1944

GRE
 MERIDIAN IS BASED ON
 LAND COURT CASE No. 9357



Existing Site Plan

1/8" = 1'-0" ①



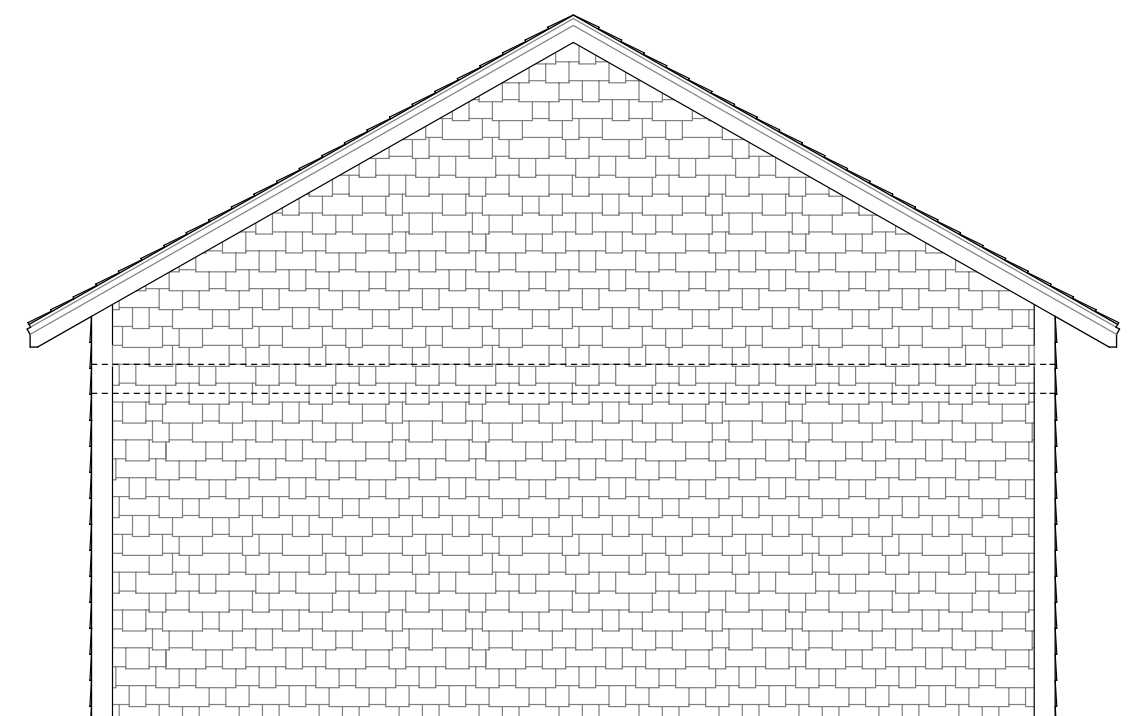
Existing Garage Plan

1/4" = 1'-0" ②



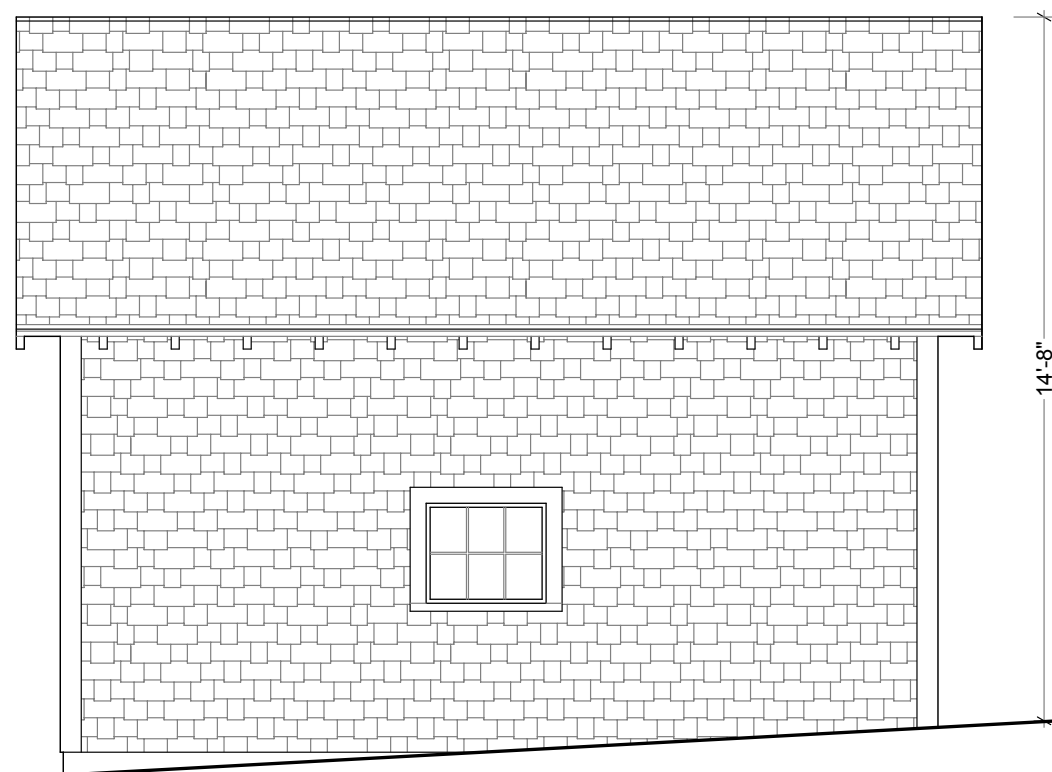
Existing Front Elevation

1/4" = 1'-0" ③



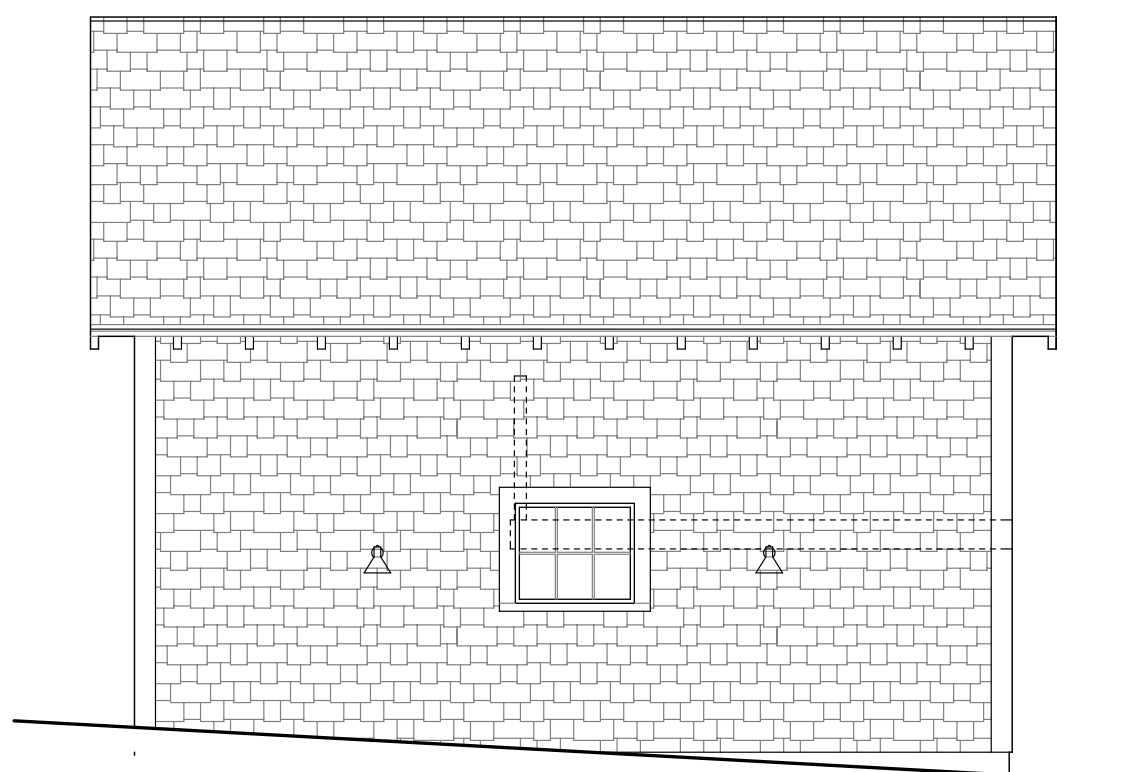
Existing Back Elevation

1/4" = 1'-0" ④



Existing Side Elevation

1/4" = 1'-0" ⑤



Existing Side Elevation

1/4" = 1'-0" ⑥

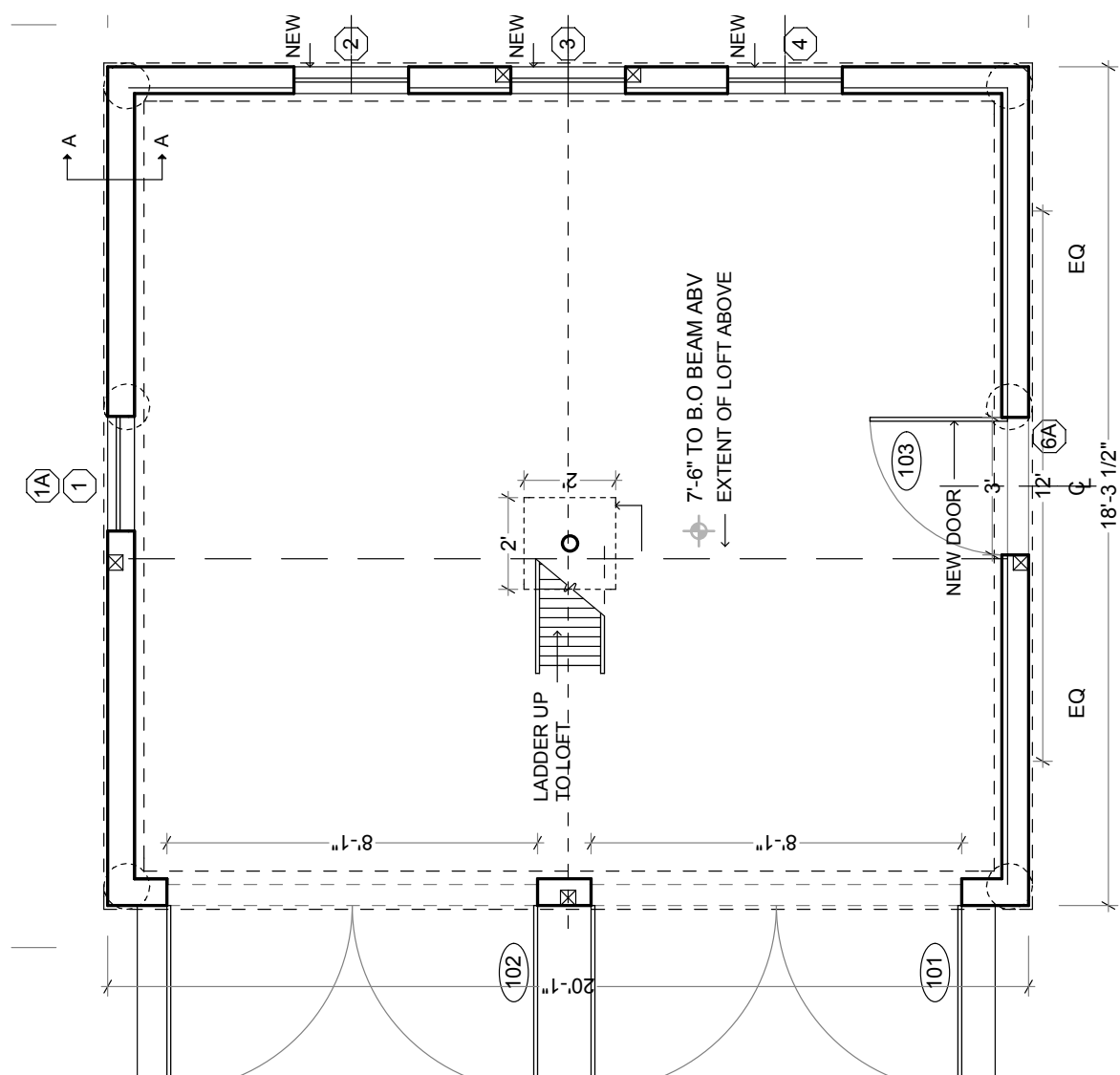
BZA Application

Payne - Weschler Residence
24 Sherman Street
Cambridge, MA

0715 Payne Weschler
Job number
Scale as noted
Date 02.10.17
Drawn by AJG/NA
Checked by

Garage Existing Site Plan, Floor Plan, and Exterior Elevations

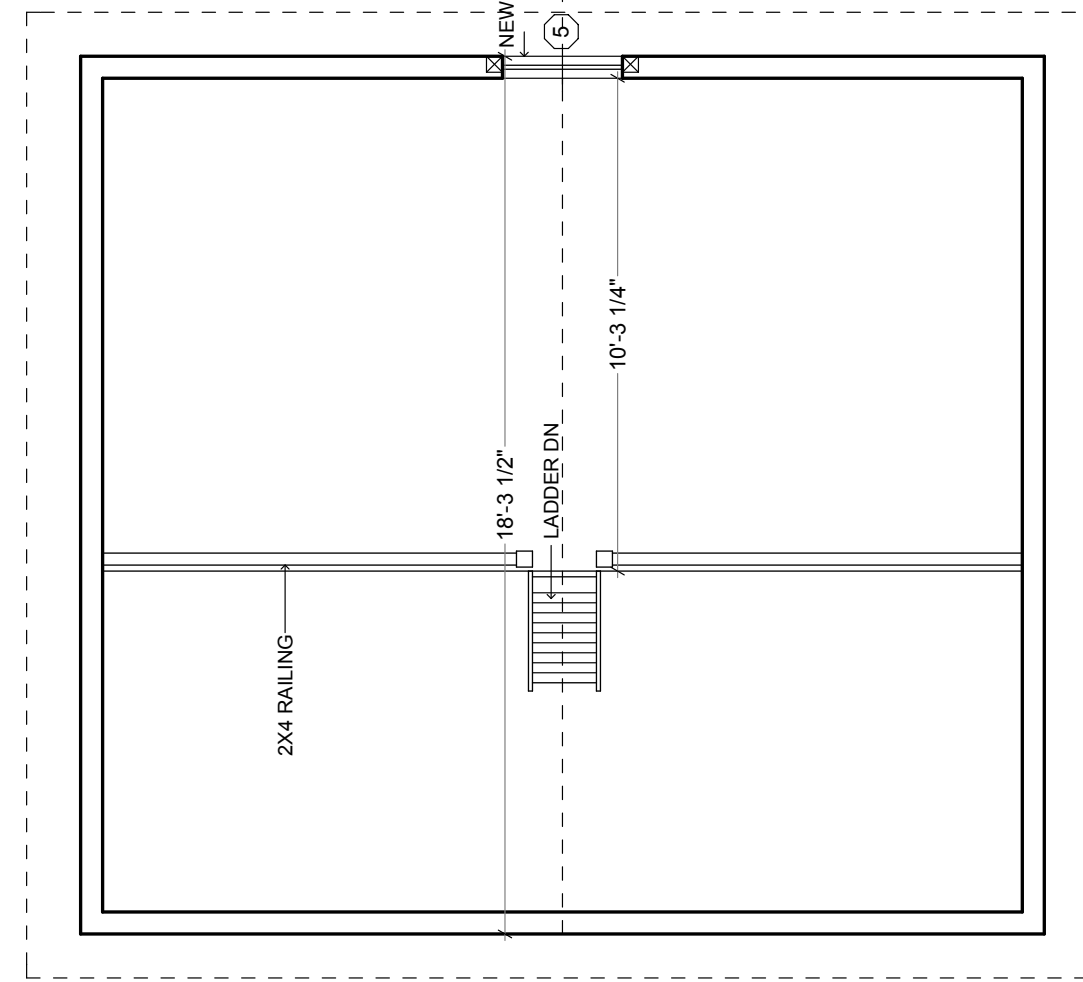
A-1.0



Proposed Garage First Floor

1/4" = 1'-0"

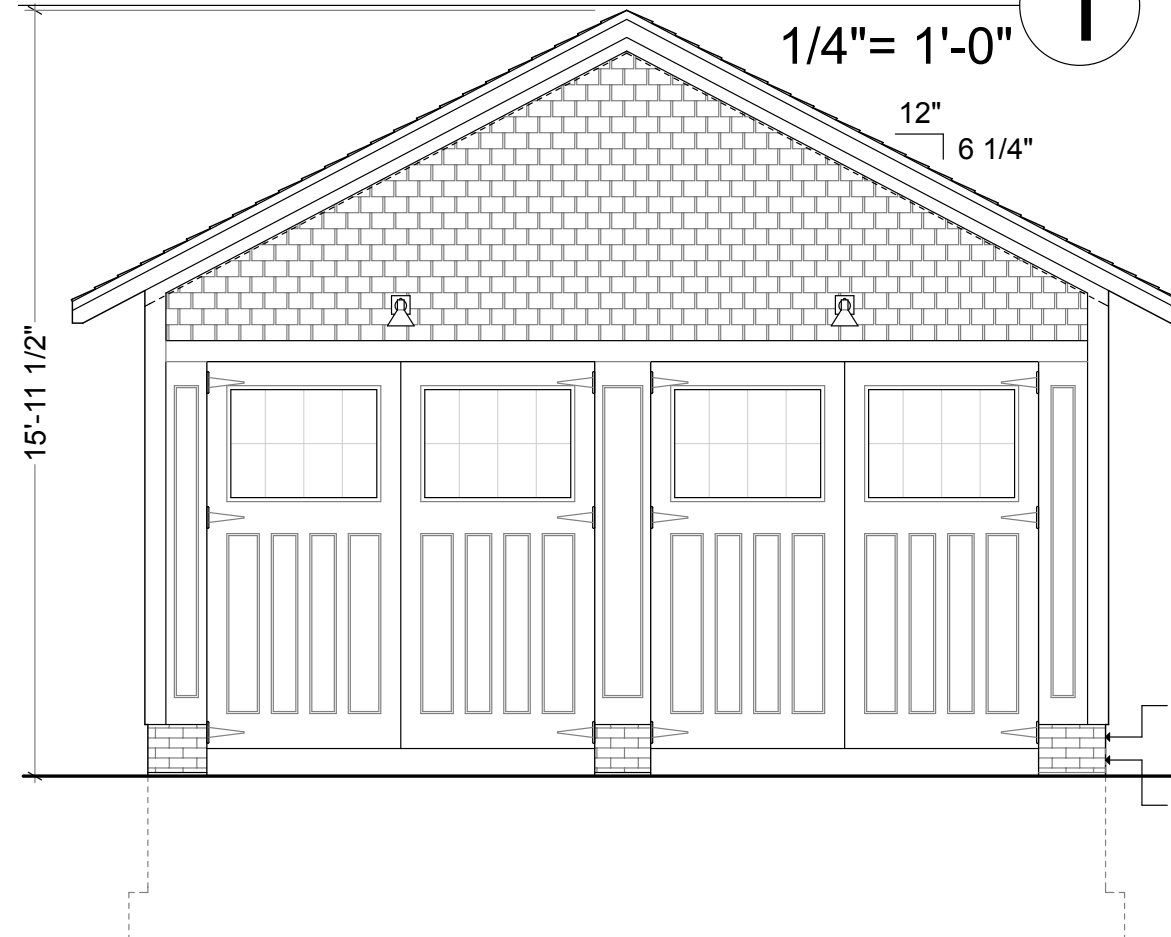
1



Proposed Garage Second Floor

1/4" = 1'-0"

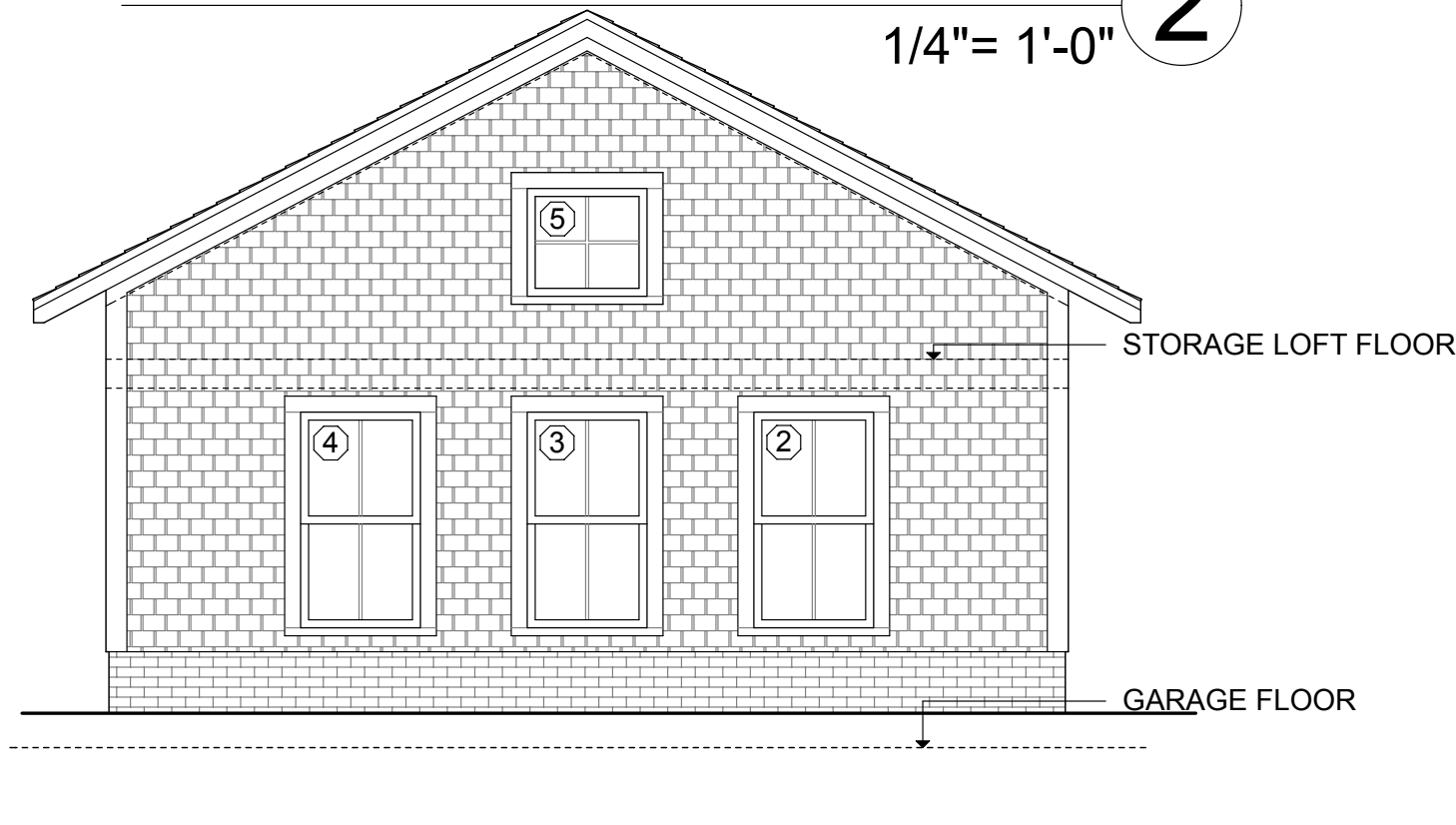
2



Existing Front Elevation

1/4" = 1'-0"

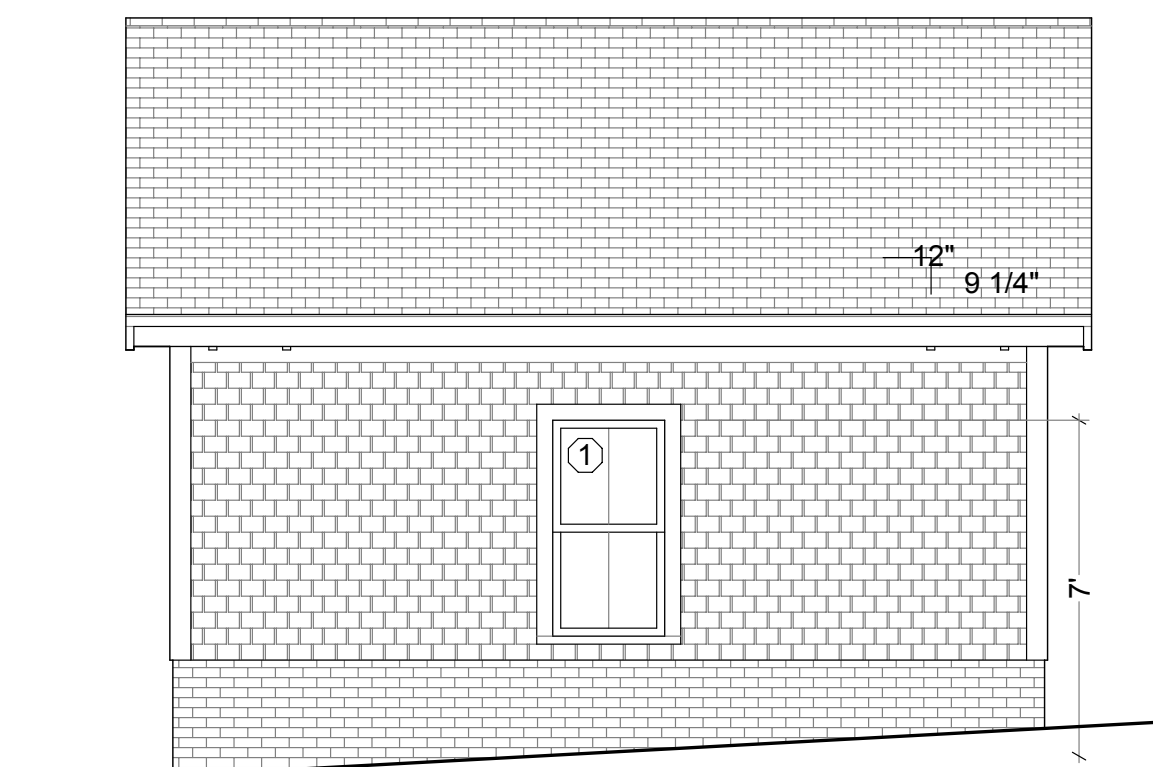
3



Existing Back Elevation

1/4" = 1'-0"

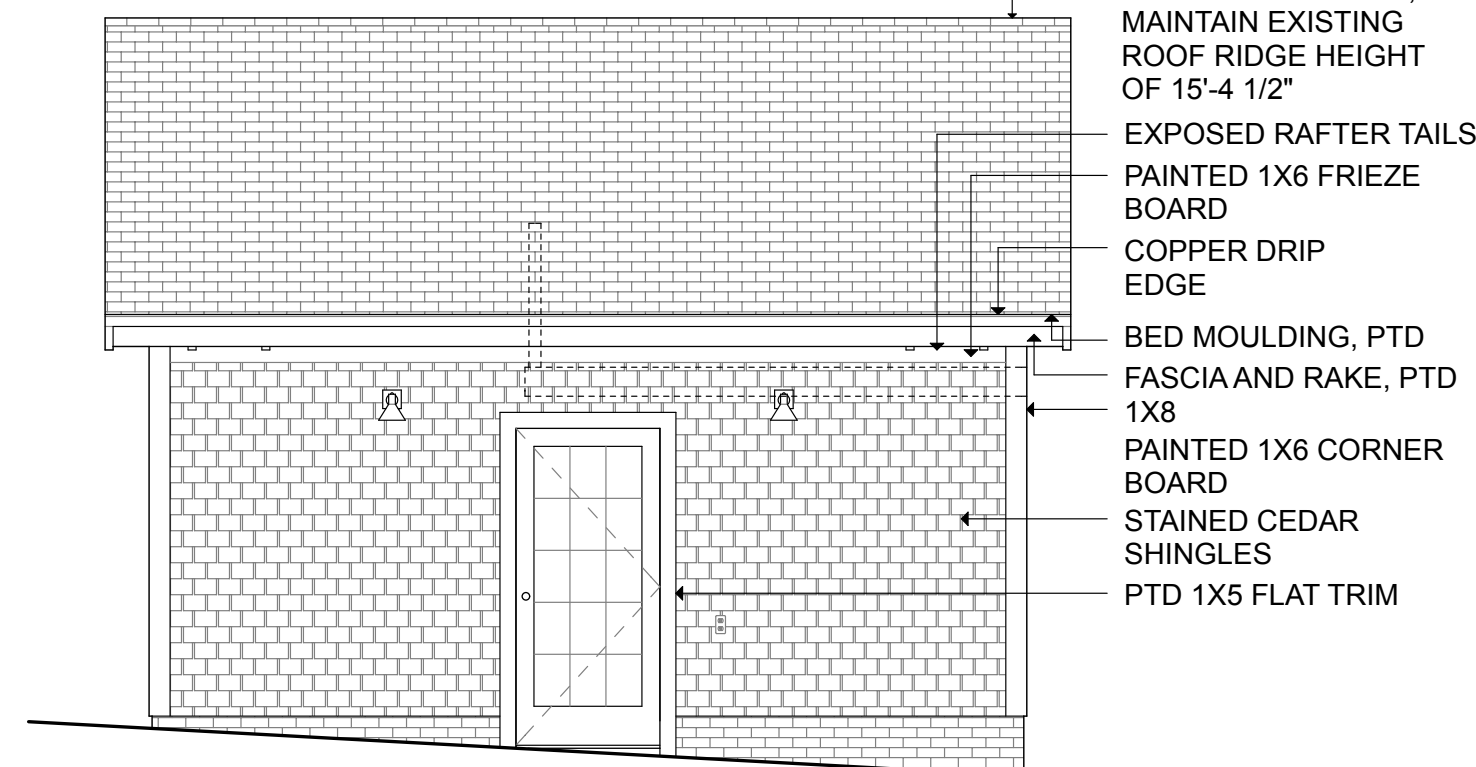
4



Existing Side Elevation

1/4" = 1'-0"

5



Existing Side Elevation

1/4" = 1'-0"

6

- ASPHALT SHINGLES, MAINTAIN EXISTING ROOF RIDGE HEIGHT OF 15'-4 1/2"
- EXPOSED RAFTER TAILS
- PAINTED 1X6 FRIEZE BOARD
- COPPER DRIP EDGE
- BED MOULDING, PTD
- FASCIA AND RAKE, PTD
- 1X8
- PAINTED 1X6 CORNER BOARD
- STAINED CEDAR SHINGLES
- PTD 1X5 FLAT TRIM

Payne - Weschler Residence
24 Sherman Street
Cambridge, MA

0715 Payne Weschler	
Job number	as noted
Scale	02.10.17
Date	AJG/NA
Drawn by	
Checked by	

Proposed Garage Floor Plans and Elevations



CAMBRIDGE HISTORICAL COMMISSION

831 Massachusetts Avenue, 2nd Floor, Cambridge, Massachusetts 02139

Telephone: 617 349 4683 TTY: 617 349 6112

E-mail: histcomm@cambridgema.gov URL: http://www.cambridgema.gov/Historic

William B. King, *Chair*, Bruce A. Irving, *Vice Chair*, Charles M. Sullivan, *Executive Director*

William G. Barry, Jr., Robert G. Crocker, Chandra Harrington, Jo M. Solet, *Members*;

Joseph V. Ferrara, Kyle Sheffield, Susannah Barton Tobin, *Alternates*

Jurisdiction Advice

To the Owner of Property at 24 Sherman Street (garage)

The above-referenced property is subject to the jurisdiction of the Cambridge Historical Commission (CHC) by reason of the status referenced below:

- Old Cambridge Historic District
- Fort Washington Historic District
(M.G.L. Ch. 40C, City Code §2.78.050)
- Avon Hill Neighborhood Conservation District
- Half Crown – Marsh Neighborhood Conservation District
- Harvard Square Conservation District
- Mid Cambridge Neighborhood Conservation District
- Designated Landmark
- Property is being studied for designation: _____
(City Code, Ch. 2.78., Article III, and various City Council Orders)
- Preservation Restriction or Easement (as recorded)
- Structure is fifty years or more old and therefore subject to CHC review of any application for a demolition permit, if one is required by ISD. (City Code, Ch. 2.78, Article II). **See the back of this page for definition of demolition.**
No hearing required for garage demolition.
- No jurisdiction: not a designated historic property and the structure is less than fifty years old.
- No local jurisdiction, but the property is listed on the National Register of Historic Places; CHC staff is available for consultation, upon request.
Staff comments: _____

The Board of Zoning Appeal advises applicants to complete Historical Commission or Neighborhood Conservation District Commission reviews before appearing before the Board.

If a line indicating possible jurisdiction is checked, the owner needs to consult with the staff of the Historical Commission to determine whether a hearing will be required.

CHC staff initials SLB

Date February 27, 2017

Received by Uploaded to Energov

Date February 27, 2017

Relationship to project BZA 12596-2017

cc: Applicant
Inspectional Services Commissioner

Demolition Delay Ordinance and Application Information

The Demolition Delay Ordinance (Chapter 2.78, Article II of the Cambridge Municipal Code) was adopted by the City Council in 1979 to afford public review of demolition permit applications for potentially significant buildings. When the Historical Commission determines that a building is significant and should be preserved, demolition will be delayed for up to six months so that solutions can be sought to preserve the building indefinitely. The Ordinance covers all buildings over 50 years old, city-wide. The Historical Commission archives provide dates of construction for all properties in the City.

Demolition is defined in the ordinance as "the act of pulling down, destroying, removing or razing a building or commencing the work of total or substantial destruction with the intent of completing the same." The Inspectional Services Commissioner has provided further guidelines to outline what actions require a demolition permit. **In addition to complete demolition of a building, the following actions may require a demolition permit,**

- **removal of a roof,**
- **removal of one side of a building,**
- **gutting of a building's interior to the point where exterior features (windows, etc.) are impacted, and**
- **removal of more than 25% of a structure.**

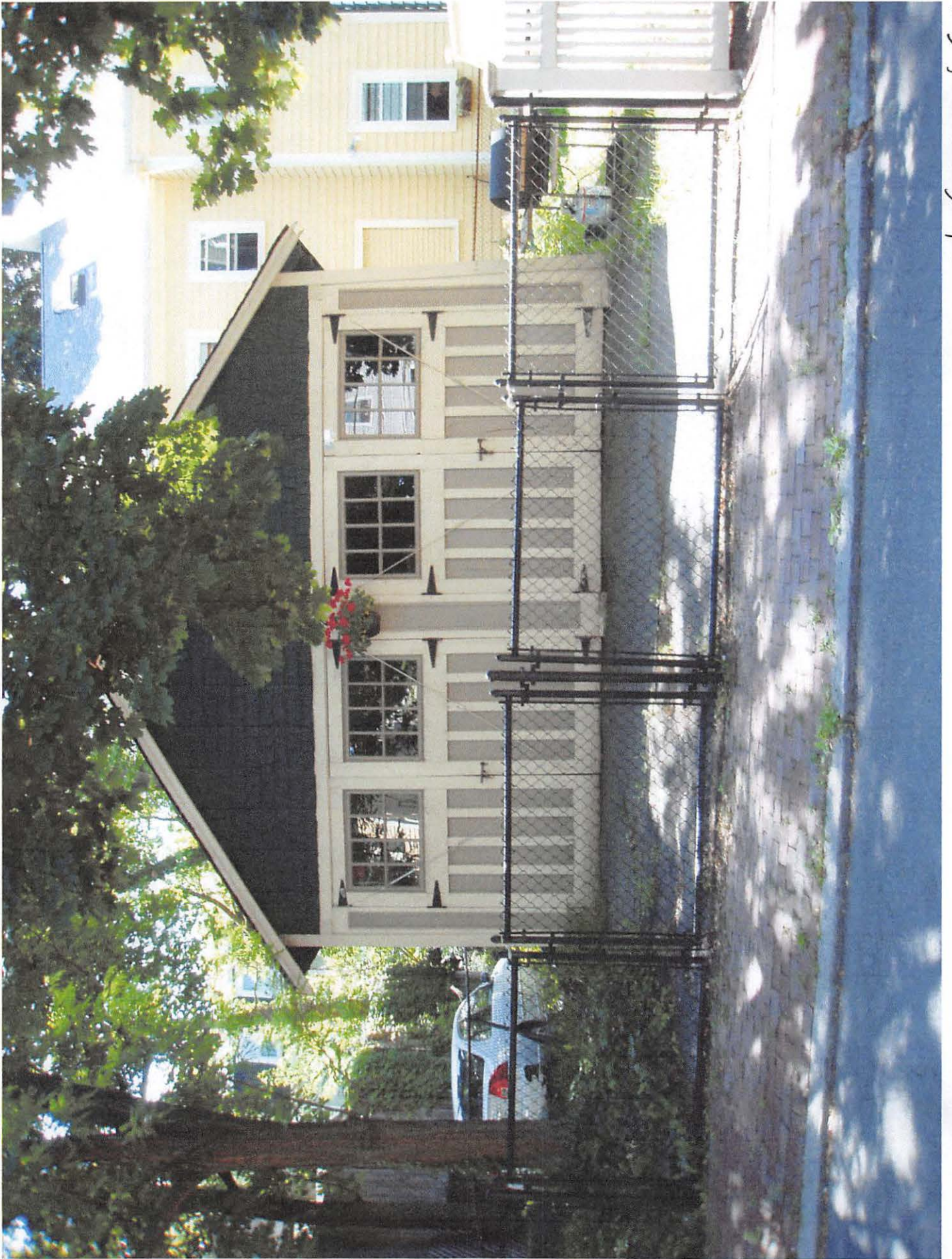
Please contact the building inspector or a staff member of the Historical Commission if you have questions about whether a demolition permit is required for a particular project.

Demolition permit applications can be obtained from the Inspectional Services Department. The completed application should be submitted to the Historical Commission, where the staff will review the application. If the Executive Director of the Historical Commission makes an initial determination that the building is significant, a public hearing will be scheduled with Historical Commission. If the staff makes an initial determination that the building is not significant, the application is released for further review by the Building Commissioner.

More information about the demolition permit application procedures is available on the Historical Commission's web site or by calling or dropping by the Historical Commission office.

July 2003

Cambridge Historical Commission
831 Massachusetts Ave., 2nd Fl.
Cambridge, MA 02139
Ph: 617/349-4683 or TTY: 617/349-6112
<http://www.cambridgema.gov/Historic>



24 GUTERMAN ST.

