



**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 Marc and Jennifer Richards  
(OWNER)

Address: 4 Aberdeen Court Cambridge MA 02138

State that I/We own the property located at 4 Aberdeen Court, which is the subject of this zoning application.

The record title of this property is in the name of \_\_\_\_\_  
RICHARDS, MARC D. & JENNIFER A. RICHARDS

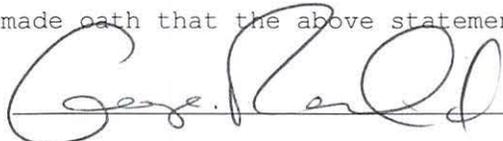
\*Pursuant to a deed of duly recorded in the date June 22, 2006, Middlesex South County Registry of Deeds at Book \_\_\_\_\_, Page \_\_\_\_\_; or Middlesex Registry District of Land Court, Certificate No. 1414180  
Book 1321 Page 142.

  
\_\_\_\_\_  
SIGNATURE BY LAND OWNER OR AUTHORIZED TRUSTEE, OFFICER OR AGENT\*

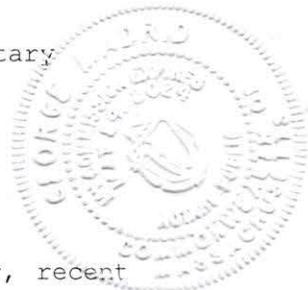
\*Written evidence of Agent's standing to represent petitioner may be requested.

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Commonwealth of Massachusetts, County of Middlesex

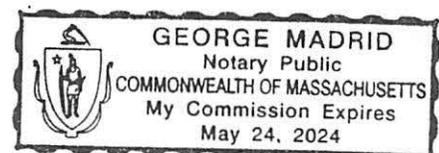
The above-name Marc Richards personally appeared before me, this 25 of May, 2018, and made oath that the above statement is true.

  
\_\_\_\_\_  
Notary

My commission expires 5/24/2024 (Notary Seal).



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





GEORGE MADRID  
Notary Public  
COMMONWEALTH OF MASSACHUSETTS  
My Commission Expires  
May 24, 2024



**BZA APPLICATION FORM**

**SUPPORTING STATEMENT FOR A VARIANCE**

**EACH OF THE FOLLOWING REQUIREMENTS FOR A VARIANCE MUST BE ESTABLISHED AND SET FORTH IN COMPLETE DETAIL BY THE APPLICANT IN ACCORDANCE WITH MGL 40A, SECTION 10:**

- A)** A Literal enforcement of the provisions of this Ordinance would involve a substantial hardship, financial or otherwise, to the petitioner or appellant for the following reasons:

The Richards family seeks to expand their existing eat-in kitchen, as their Cape-style home lacks a dining room and the current kitchen floorplan does not adequately suit their family of 4. The existing kitchen cannot be expanded in a conforming manner. To conform to the rear setback requirement, the kitchen would need to be moved to the opposite side of the house (from the right rear to the left rear side). Doing so would incur substantial hardship as the entire first floor of the home would need to be gutted and reconfigured.

- 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 trapezoidal shape of the lot and the orientation of the house on the lot creates an unusual circumstance in the zoning district: There is low FAR (23.2%) and a high ratio of usable open space (71.8%), yet minimal flexibility to modestly expand the footprint of the house in a manner that conforms with the setback requirements. A similar sized addition could be built off the right front or left rear of the house in a manner that conforms to the ordinance, but such an addition would be a) physically closer to abutters' homes; b) less keeping with the character of the neighboring houses; and 3) a substantial financial hardship (see above).

- C) DESIRABLE RELIEF MAY BE GRANTED WITHOUT EITHER:**

- 1)** Substantial detriment to the public good for the following reasons:

Aberdeen Court is a short, dead-end street with only four houses, which are all similar Cape styles built c. 1941. The character of the neighborhood will not be impacted by this addition, as it extends into the backyard and will not be visible from the front of our house or from Aberdeen Avenue. The rear property line is enclosed by an 8' privacy fence, and the rear abutters are Nick's Gas Station and Mount Auburn Memorials Inc.

The home will remain a single family residence. The addition will have no impact on traffic, nor will it impact sunlight on abutters' properties.

- 2)** Relief may be granted without nullifying or substantially derogating from the intent or purpose of this Ordinance for the following reasons:

a) All homes on Aberdeen Court are currently non-conforming due to their rear setbacks. After building the proposed addition, the rear setback of 4 Aberdeen Court will remain the largest of any permanent structure on Aberdeen Court. (See "Aberdeen Court Abutters" section in attached materials.)

b) The FAR increase and Usable Open Space reduction are minimal, from from 23.2% to 26.1%, and 71.8% to 69.0%, respectively. The resulting ratios are both within the ordinance requirements (0.5 max and 0.4 min, respectively).

- \* If You have any questions as to whether you can establish all of the applicable legal requirements, you should consult with your own attorney.**

**BZA APPLICATION FORM**

**DIMENSIONAL INFORMATION**

**APPLICANT:** Marc Richards **PRESENT USE/OCCUPANCY:** Single Family, owner occupied  
**LOCATION:** 4 Aberdeen Ct Cambridge, MA 02138 **ZONE:** Residence B Zone  
**PHONE:** \_\_\_\_\_ **REQUESTED USE/OCCUPANCY:** unchanged

	<u>EXISTING</u> <u>CONDITIONS</u>	<u>REQUESTED</u> <u>CONDITIONS</u>	<u>ORDINANCE</u> <u>REQUIREMENTS</u> <sup>1</sup>	
<u>TOTAL GROSS FLOOR AREA:</u>	1296	1456	2790	(max.)
<u>LOT AREA:</u>	5580	unchanged	5000	(min.)
<u>RATIO OF GROSS FLOOR AREA</u> <u>TO LOT AREA:</u> <sup>2</sup>	0.232	0.261	0.50	(max.)
<u>LOT AREA FOR EACH DWELLING UNIT:</u>	5580	unchanged	2500	(min.)
<u>SIZE OF LOT:</u>				
<u>WIDTH</u>	(front); 92 (	unchanged	50	(min.)
<u>DEPTH</u>	(left); 64 (rig	unchanged	n/a	
<u>SETBACKS IN FEET:</u>				
<u>FRONT</u>	9.8	unchanged	15	(min.)
<u>REAR</u>	18.7	14	25	(min.)
<u>LEFT SIDE</u>	14.9	unchanged	7.5	(min.)
<u>RIGHT SIDE</u>	18.1	unchanged	7.5	(min.)
<u>SIZE OF BLDG.:</u>				
<u>HEIGHT</u>	25	unchanged	35	(max.)
<u>LENGTH</u>	36	unchanged	n/a	
<u>WIDTH</u>	24	32	n/a	
<u>RATIO OF USABLE OPEN SPACE</u> <u>TO LOT AREA:</u>	0.718	0.690	0.40	(min.)
<u>NO. OF DWELLING UNITS:</u>	1	unchanged	n/a	(max.)
<u>NO. OF PARKING SPACES:</u>	2	unchanged	2	(min./max)
<u>NO. OF LOADING AREAS:</u>	0	unchanged	0	(min.)
<u>DISTANCE TO NEAREST BLDG.</u> <u>ON SAME LOT:</u>	n/a	n/a	n/a	(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.

The proposed addition is wood framed construction, 8'x20' extending off the right rear of the home. Our single family home is the only permanent structure on the lot. There is a 10'x10' wood shed on grade at the end of the driveway.

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 MASSACHUSETTS AVENUE  
 CAMBRIDGE, MA 02139  
 617 349-6100

2018 JUN -5 PM 2:46

BZA APPLICATION FORM

OFFICE OF THE CITY CLERK  
 CAMBRIDGE, MASSACHUSETTS

Plan No: BZA-016624-2018

GENERAL INFORMATION

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

Special Permit : \_\_\_\_\_ Variance :   v   Appeal : \_\_\_\_\_

PETITIONER :   Marc Richards  

PETITIONER'S ADDRESS :   4 Aberdeen Court Cambridge, MA 02138  

LOCATION OF PROPERTY :   4 Aberdeen Ct Cambridge, MA 02138  

TYPE OF OCCUPANCY :   Single Family   ZONING DISTRICT :   Residence B Zone  

REASON FOR PETITION :  
                           Additions

**DESCRIPTION OF PETITIONER'S PROPOSAL :**

Variance: To construct an addition to an existing house, that will increase the rear setback nonconformity.

**SECTIONS OF ZONING ORDINANCE CITED :**

Article   5.000   Section   5.31   (Table of Dimensional Requirements).

Original Signature(s) :

  Marc Richards / Jennifer Richards    
 (Petitioner(s) / Owner)

  Marc Richards     Jennifer Richards    
 (Print Name)

Address :   4 Aberdeen Ct  

  Cambridge MA 02138  

Tel. No. :   617 460 7088  

E-Mail Address :   marc.d.richards@gmail.com  

Date :   6/4/2018

**BZA APPLICATION FORM**

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# CAMBRIDGE HISTORICAL COMMISSION

831 Massachusetts Avenue, 2<sup>nd</sup> Floor, Cambridge, Massachusetts 02139  
Telephone: 617 349 4683 TTY: 617 349 6112  
E-mail: histcomm@cambridgema.gov URL: http://www.cambridgema.gov/Historic

Bruce A. Irving, *Chair*; Susannah Barton Tobin, *Vice Chair*; Charles M. Sullivan, *Executive Director*  
William G. Barry, Jr., Robert G. Crocker, Joseph V. Ferrara, Chandra Harrington, Jo M. Solet, *Members*  
Gavin W. Kleespies, Paula A. Paris, Kyle Sheffield, *Alternates*

## Jurisdiction Advice

To the Owner of Property at 4 Aberdeen Court

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)
- Structures 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 demolition permit anticipated.**
- 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 June 5, 2018

Received by Uploaded to Energov

Date June 5, 2018

Relationship to project BZA 16624-2018

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

# Abutter Notice

I have reviewed the plans for an 8'x20' addition into the backyard at 4 Aberdeen Court. As an owner of an abutting property, I am supportive of their proposal for a variance to allow construction. I do not believe this addition will negatively impact my property or the neighborhood.

Signature	Print Name	Address
<u>Kristin Sullivan</u>	<u>KRISTIN SULLIVAN</u>	<u>1 ABERDEEN COURT</u>
<u>Ryan Guo</u>	<u>Ryan Guo</u>	<u>2 aberdeen ct.</u>
<u>Kathleen Downelly</u>	<u>KATHLEEN DOWNELLY</u>	<u>3 Aberdeen Ct.</u>
<u> </u>	<u> </u>	<u> </u>
<u> </u>	<u> </u>	<u> </u>
<u> </u>	<u> </u>	<u> </u>
<u> </u>	<u> </u>	<u> </u>



4 Aberdeen Ct.

Petitioner

251-9  
CANNIFF, MARY A. & PAUL JOHN KILGARRIFF,  
TRS. OF GRANITE TRADING REALTY TRUST  
P.O. BOX 74  
ROSLINDALE, MA 02131

251-113  
PACHECO-ABERDEEN LIMITED PARTNERSHIP  
PACHECO FAMILY REALTY CO. LLC  
54 LARCHWOOD DR  
CAMBRIDGE, MA 02138

251-245  
RICHARDS, MARC D. & JENNIFER A. RICHARDS  
4 ABERDEEN CT  
CAMBRIDGE, MA 02138

251-235  
DAMON, KENT T., JR. & LORI N. DAMON  
14 OLD DEE RD  
CAMBRIDGE, MA 02138

251-241  
O'CONNELL, MICHAEL F. &  
NANCY E. TRUS O'CONNELL/ OLD DEE ROAD TR.  
19 OLD DEE RD  
CAMBRIDGE, MA 02138

251-242  
GUO, LIYAN & LIN ZHOU  
2 ABERDEEN CT  
CAMBRIDGE, MA 02138

251-243  
LOFBLAD, KRISTIN A.  
1 ABERDEEN CT  
CAMBRIDGE, MA 02138

251-244  
DONNELLY, KATHLEEN M.  
3 ABERDEEN CT  
CAMBRIDGE, MA 02138

251-221  
BOURJI, NAIM,  
TRUSTEE THE BOURJI NOM REAL ESTATE T.  
587 MT AUBURN ST  
CAMBRIDGE, MA 02138

251-247  
BIANCHI, CHRISTOPHER & CORINNE C. BIANCHI  
18 OLD DEE RD  
CAMBRIDGE, MA 02138

251-256  
MONDINO, GABRIELA R.  
581-1 MT AUBURN ST  
CAMBRIDGE, MA 02138

251-257  
SONG, JUN  
581-2 MT AUBURN ST  
CAMBRIDGE, MA 02138

251-258  
TURNER, FREDERICA C.  
581 MT AUBURN ST.#3  
CAMBRIDGE, MA 02138

251-259  
WOOTTON, RAYMOND JOSHUA &  
LOIS A. HETLAND  
581-4 MT AUBURN ST  
CAMBRIDGE, MA 02138

251-260  
CHUNG, YOOJIN & RAJIV NARAYAN  
581 MT AUBURN ST., #5  
CAMBRIDGE, MA 02139

251-261  
SHIELDS, HILARY  
581-6 MT AUBURN ST  
CAMBRIDGE, MA 02138

251-262  
AUNG, SANDA S.,  
TR. THE SANDA S. AUNG TRUST OF 2011  
2440 MASS AVE., #34  
CAMBRIDGE, MA 02140

251-263  
SHEDID, RANDA & NASSER O. RABBAT  
581 MT. AUBURN ST., #8  
CAMBRIDGE, MA 02138

252-139  
COX, RANDALL L. & SUSAN T. CAULFIELD  
22 ABERDEEN AVE  
CAMBRIDGE, MA 02138

252-140  
ZOU, ZONG SONG  
C/O SUNNYVIEWRE LLC  
259 LOWELL ST  
LEXINGTON, MA 02420

# Board of Zoning Appeals Petition

Supplemental Information for Variance Petition

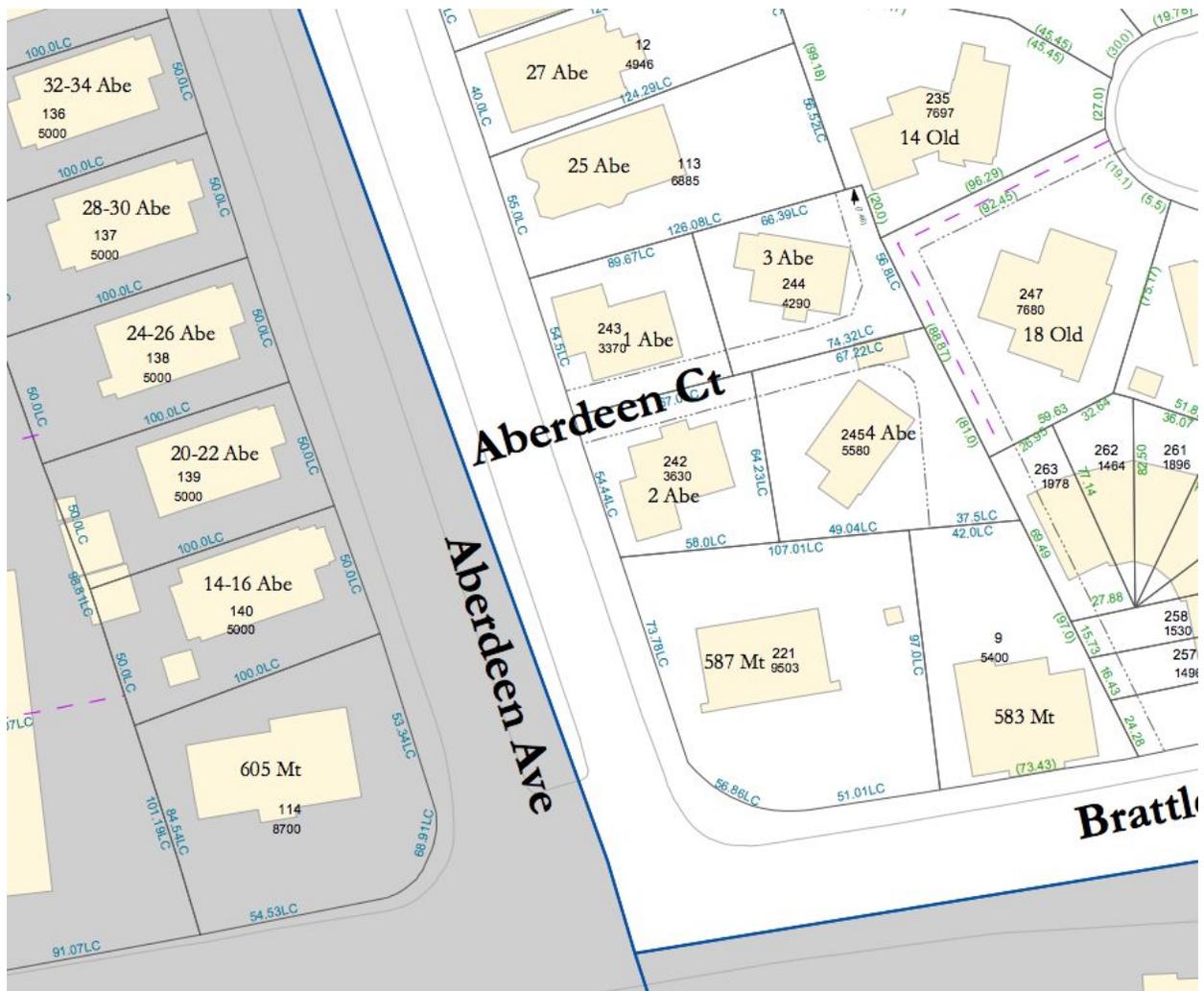
4 Aberdeen Court

Marc and Jennifer Richards

**Attachments**

<b>Cambridge Block Map 251 (cropped)</b>	<b>3</b>
<b>Floor plan of proposed addition</b>	<b>4</b>
<b>Exterior elevations</b>	<b>5</b>
<b>Certified Plot Plan (2010)</b>	<b>6</b>
<b>Plot plan detail with proposed addition</b>	<b>7</b>
<b>Aberdeen Court abutters</b>	<b>8</b>
<b>Photographs of Property</b>	<b>9</b>

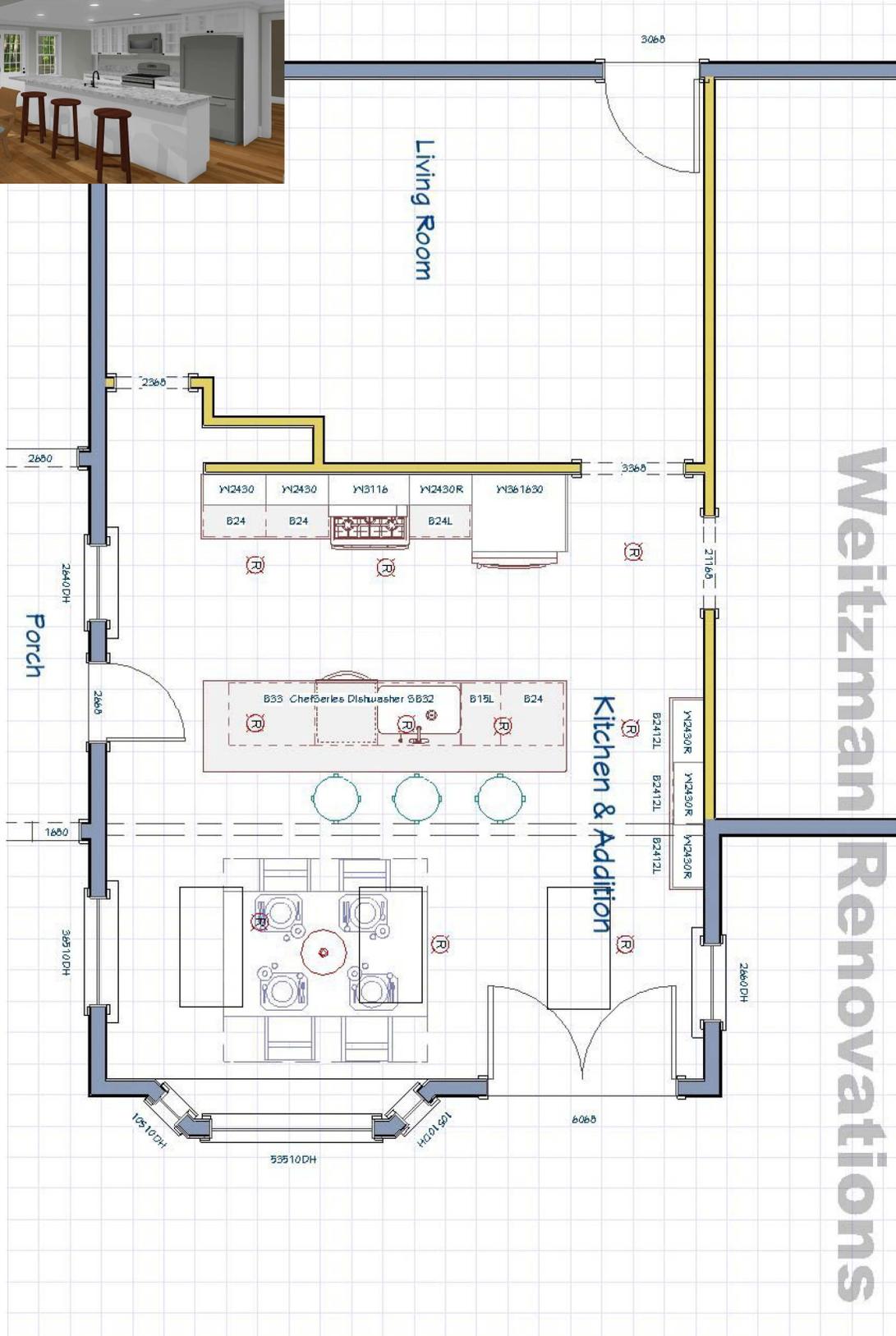
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## Cambridge Block Map 251 (cropped)

Full map: [https://gis.cambridgema.gov/blockmaps/Block\\_251.pdf](https://gis.cambridgema.gov/blockmaps/Block_251.pdf)

# Floor plan of proposed addition



Weitzman Renovations

# Exterior elevations

**Weitzman Renovations**  
Cambridge Mass 617-828-0517

4 Aberdeen Ct Design Drawing  
Kitchen Addition / Rear Elevation  
1/4" = 1 foot March 21, 2018

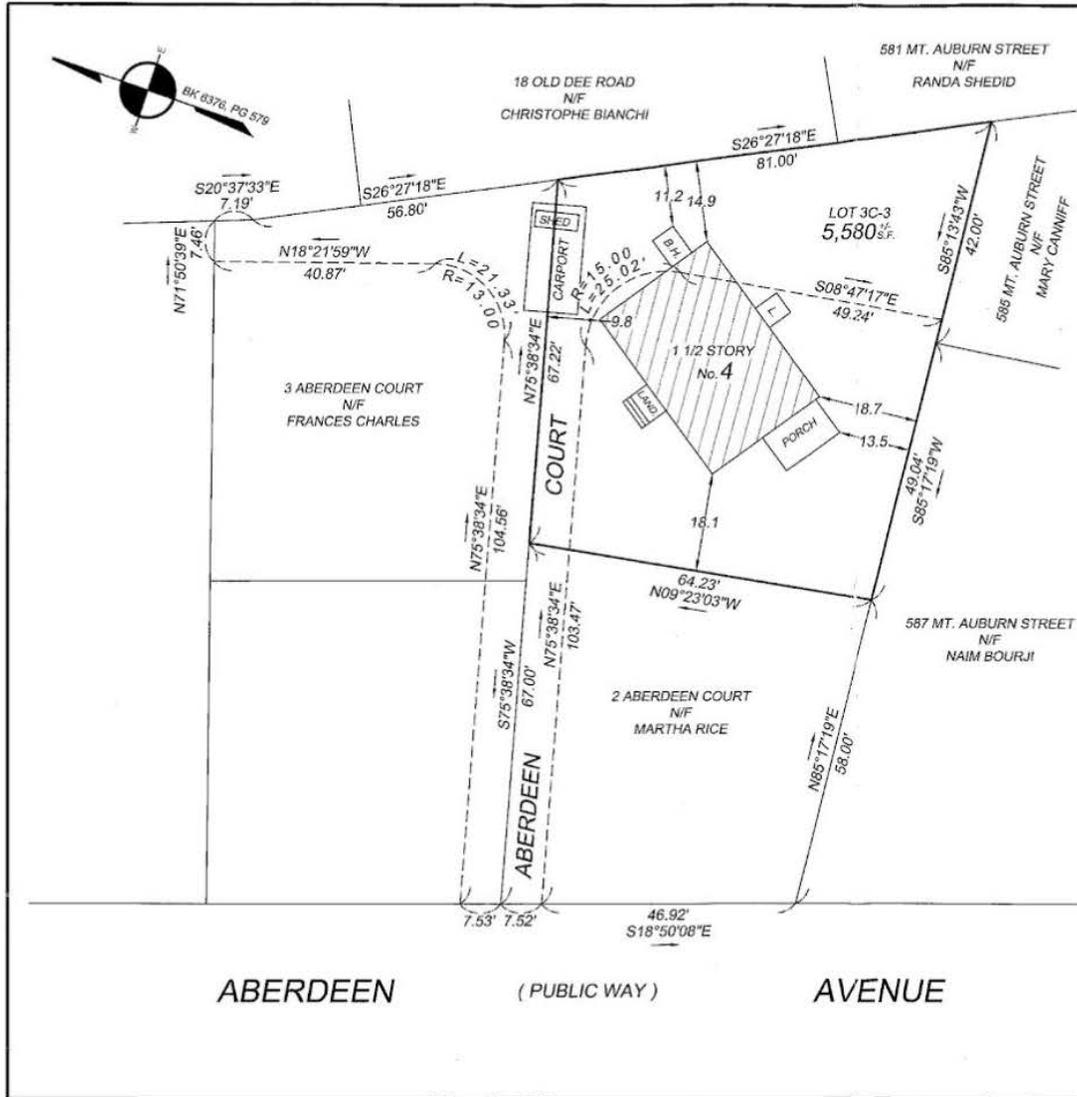


**Weitzman Renovations**  
Cambridge Mass 617-828-0517

4 Aberdeen Ct Design Drawing  
Kitchen Addition / Right Side Elevation  
1/4" = 1 foot March 21, 2018



Certified Plot Plan (2010)



**LEGEND**

**REFERENCES**  
 DEED: CERTIFICATE# 237045  
 PLAN: L.C.C.# 1277<sup>D</sup>  
 BOOK 6376, PAGE 579  
 L.C.C. # 1259<sup>B</sup>  
 BOOK 13760, PAGE 363  
 BOOK 6137, PAGE 104

FIELD BOOK	PAGE	INSP. BY	DRAFT. BY	CHECKED BY
C22	27	M/T	DRM	GCC

**CERTIFICATION**  
 I CERTIFY THAT THIS PLAN WAS MADE FROM AN INSTRUMENT SURVEY ON THE GROUND BETWEEN THE DATES OF MAY 20 AND 28, 2010 AND ALL STRUCTURES ARE LOCATED AS SHOWN HEREON.

ACCORDING TO THE FEDERAL EMERGENCY MANAGEMENT AGENCY (F.E.M.A.) MAPS, THE MAJOR IMPROVEMENTS ON THIS PROPERTY FALL IN AN AREA DESIGNATED AS ZONE "C" (NOT IN FLOOD).

COMMONWEALTH OF MASSACHUSETTS  
 GEORGE C. COLLIER  
 No. 41784  
 PROFESSIONAL  
 LAND SURVEYOR

5-26-10

**CERTIFIED PLOT PLAN**  
 LOCATED AT  
**4 ABERDEEN COURT**  
**CAMBRIDGE, MA**

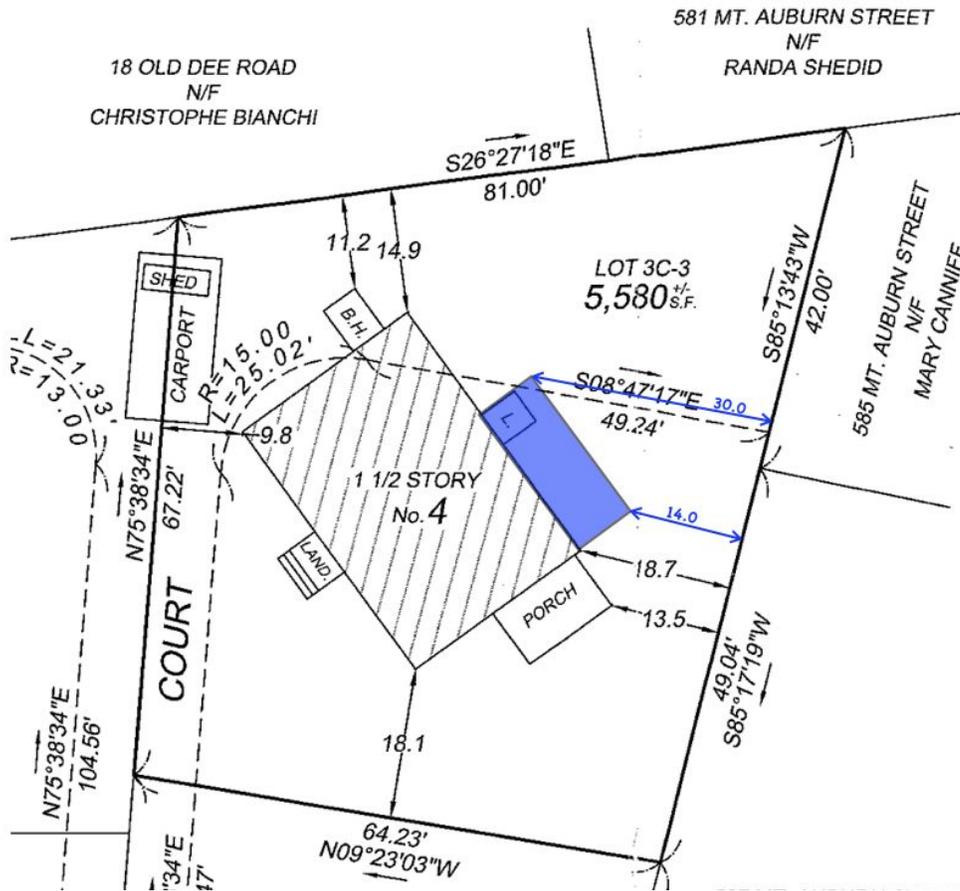
SCALE: 1 INCH = 20 FEET      DATE: MAY 25, 2010

PREPARED FOR: MARC RICHARDS  
 4 ABERDEEN COURT  
 CAMBRIDGE, MA

**BOSTON SURVEY, INC.**  
 UNIT C-4 SHIPWAYS PLACE  
 CHARLESTOWN, MA. 02129  
 (617)242-1313

JOB # 10-00341      FILE # 10-00341-05/25/10

# Plot plan detail with proposed addition



Proposed 8'x20' addition with approximate new setbacks

# Aberdeen Court abutters

Relative house locations and rear setbacks



Address	Rear setback (approx)
#1 Aberdeen Ct	7.0 ft (from garage)
#2 Aberdeen Ct	6.0 ft (from garage)
#3 Aberdeen Ct	5.0 ft
#4 Aberdeen Ct (current)	18.7 ft (exact)
#4 Aberdeen Ct (proposed)	14.0 ft

## Photographs of Property



**Photo 1:** Rear of house, with approximate footprint of the proposed addition.  
*Note that the rear property line is several feet behind the fence shown.*



**Photo 2:** View of 4 Aberdeen Court from Mount Auburn St.  
Mount Auburn Memorials, Inc (right) and Nick's Gas Station (left) are rear abutters.



**Photo 3:** Front of 4 Aberdeen Court, from Aberdeen Court.  
Rear addition not visible from street.



**Photo 3:** Side view of 4 Aberdeen Court backyard, showing trapezoidal shape.