



CITY OF CAMBRIDGE

BOARD OF ZONING APPEAL

831 Massachusetts Avenue, Cambridge MA 02139

617-349-6100

2023 JAN 26 PM 2:15
OFFICE OF THE CITY CLERK
CAMBRIDGE, MASSACHUSETTS

BZA Application Form

BZA Number: 207927

General Information

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

Special Permit: _____ Variance: X Appeal: _____

PETITIONER: Lisa Simon and Matthew Tobey

PETITIONER'S ADDRESS: 151 Sherman Street, Cambridge, MA 02140

LOCATION OF PROPERTY: 151 Sherman St, Cambridge, MA

TYPE OF OCCUPANCY: residential

ZONING DISTRICT: Residence B Zone

REASON FOR PETITION:

/Additions/

DESCRIPTION OF PETITIONER'S PROPOSAL:

We would like to enclose our second story patio which will not result in extension beyond the vertical wall of the first floor. We were told we would need to request a variance because property zoning classification requires a 7.5' side yard setback, but the proposed room is currently at 6.5'.

SECTIONS OF ZONING ORDINANCE CITED:

- Article: 5.000 Section: 5.31 (Table of Dimensional Requirements).
- Article: 8.000 Section: 8.22.3 (Non-Conforming Structure).
- Article: 10.000 Section: 10.30 (Variance).

Original
Signature(s):

Lisa Simon Matthew Tobey
(Petitioner (s) / Owner)

Lisa Simon and Matthew Tobey
(Print Name)

Address: 151 Sherman St, Cambridge, MA 02140
Tel. No. 3105084014
E-Mail Address: lisa.emily.simon@gmail.com

Date: 1/18/23

BZA Application Form**DIMENSIONAL INFORMATION**

Applicant: Lisa Simon and Matthew Tobey
Location: 151 Sherman St., Cambridge, MA
Phone: 3105084014

Present Use/Occupancy: residential
Zone: Residence B Zone
Requested Use/Occupancy: residential

		<u>Existing Conditions</u>		<u>Requested Conditions</u>		<u>Ordinance Requirements</u>	
<u>TOTAL GROSS FLOOR AREA:</u>		1913		2013		1187	(max.)
<u>LOT AREA:</u>		2375		2375		5000	(min.)
<u>RATIO OF GROSS FLOOR AREA TO LOT AREA: ²</u>		.81		.85		0.5	
<u>LOT AREA OF EACH DWELLING UNIT</u>		2375		2375		2500	
<u>SIZE OF LOT:</u>	<u>WIDTH</u>	50		50		50	
	<u>DEPTH</u>	95		95		n/a	
<u>SETBACKS IN FEET:</u>	<u>FRONT</u>	16.5		16.5		15	
	<u>REAR</u>	25		25		25	
	<u>LEFT SIDE</u>	10.5		10.5		7.5	
	<u>RIGHT SIDE</u>	10.5		6.5		7.5	
<u>SIZE OF BUILDING:</u>	<u>HEIGHT</u>	30		30		35	
	<u>WIDTH</u>	53.5		53.5		n/a	
	<u>LENGTH</u>	14.5		14.5		50	
<u>RATIO OF USABLE OPEN SPACE TO LOT AREA:</u>		41.60		45.81		87.5 (average of zones B and C1A)	
<u>NO. OF DWELLING UNITS:</u>		1		1		1	
<u>NO. OF PARKING SPACES:</u>		2		2		1	
<u>NO. OF LOADING AREAS:</u>		N/A		N/A		N/A	
<u>DISTANCE TO NEAREST BLDG. ON SAME LOT</u>		N/A		N/A		N/A	

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.:

We live in a shared wall single family home. We request no changes to our current arrangement.

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'.

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 Lisa Simon and Matthew Tobey
(OWNER)

Address: 151 Sherman Street, Cambridge MA 02140

State that I/We own the property located at 151 Sherman Street, which is the subject of this zoning application.

The record title of this property is in the name of _____
Matthew Tobey and Lisa Simon

*Pursuant to a deed of duly recorded in the date Oct 20, 2020, Middlesex South County Registry of Deeds at Book 76055, Page 554; or Middlesex Registry District of Land Court, Certificate No. _____
Book _____ Page _____.

Matthew Tobey Lisa Simon
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 Middlesex

The above-name Matthew Tobey and Lisa Simon personally appeared before me, this 14 of January, 2023, and made oath that the above statement is true.

Antonieta Tavares Notary

My commission expires 05/04/2023 (Notary Seal)



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

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:

We are a small family and recently celebrated the birth of our daughter. We care deeply about our Cambridge community and wish to live in our current home as long as possible. With the birth of our daughter we have lost one of the spaces we use for working remotely. We are hoping to enclose our existing second floor patio so there is another remote workspace in our home. We cannot afford a larger home in Cambridge and need to separate spaces for our remote work.

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:

We are requesting enclosure of an already extant patio with a predetermined depth.

C) DESIRABLE RELIEF MAY BE GRANTED WITHOUT EITHER:

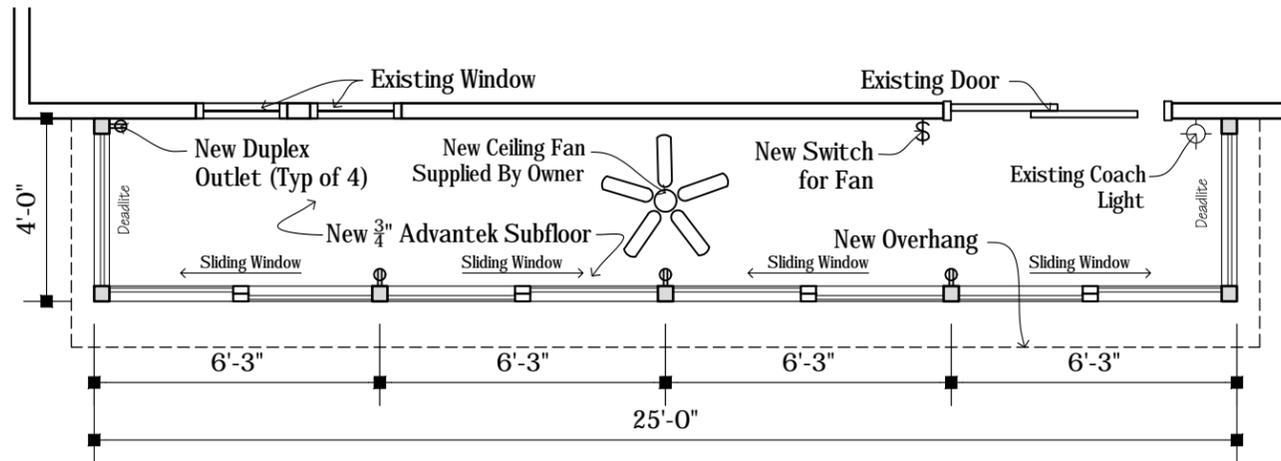
1) Desirable relief may be granted without substantial detriment to the public good for the following reasons:

We are requesting to enclose an existing patio, which will not dramatically affect the contour of our home from the street or our proximity to our neighbors.

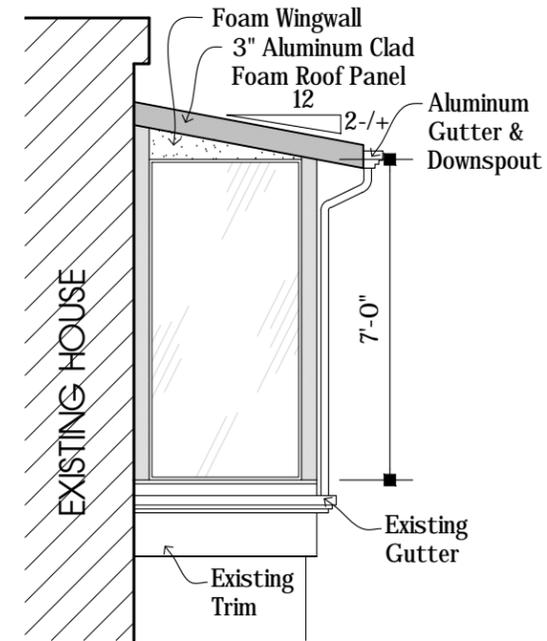
2) Desirable relief may be granted without nullifying or substantially derogating from the intent or purpose of this Ordinance for the following reasons:

It will continue to be a residential building with the same amount of traversable side yard on the ground floor as previous.

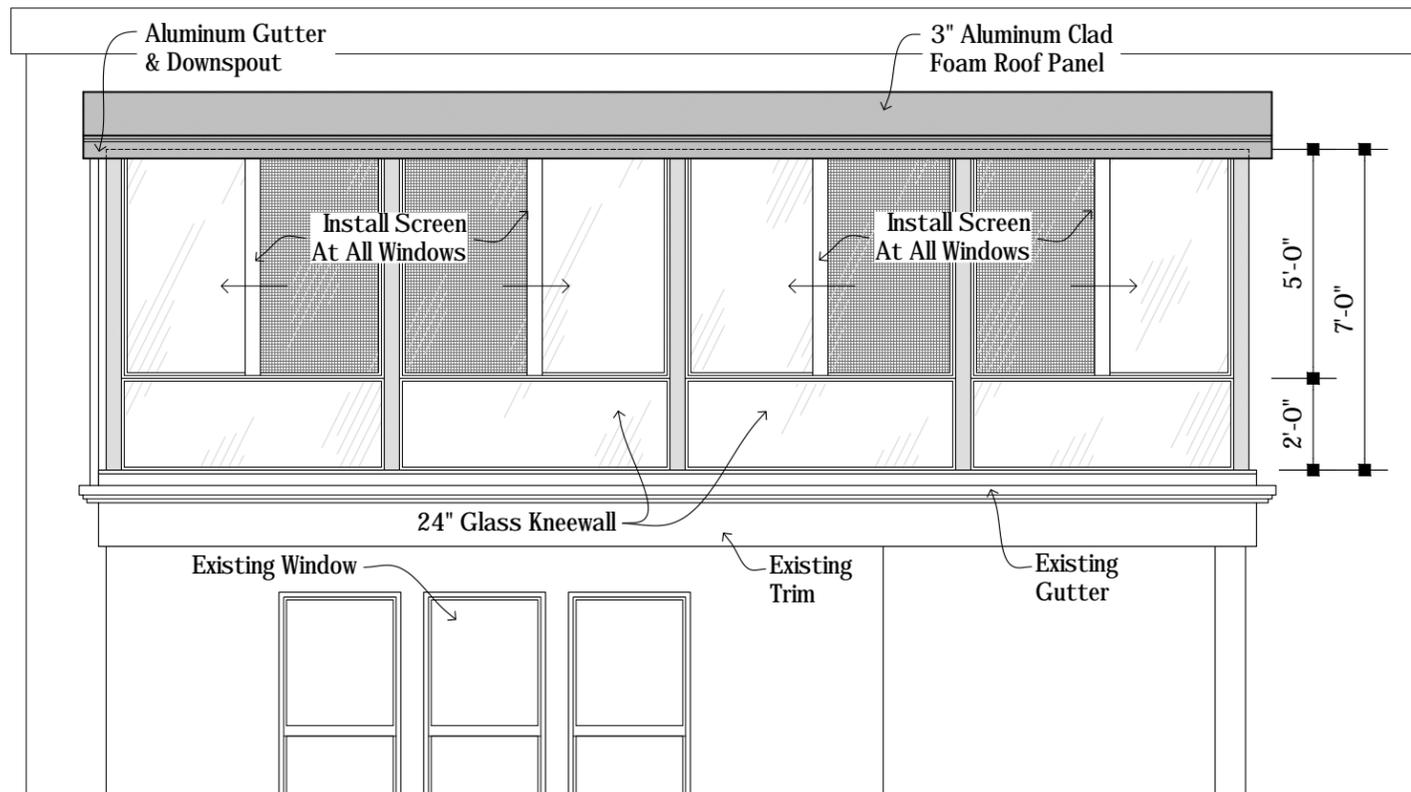
***If you have any questions as to whether you can establish all of the applicable legal requirements, you should consult with an attorney.**



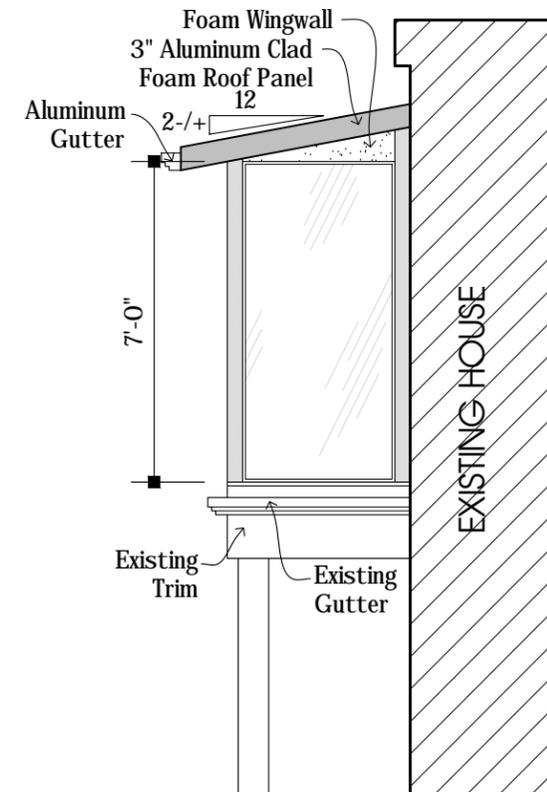
1 FLOOR PLAN
1/4"=1'-0"



2 ELEVATION
1/4"=1'-0"



3 ELEVATION
1/4"=1'-0"



4 ELEVATION
1/4"=1'-0"

General Notes:

1. All Wood in Direct Contact With Concrete Must Be EPA Approved Preservative Treated Per Code, & Designated As "Ground Contact"
2. All Connections To Existing House Shall Be Done In Accordance With Sound Construction Practices. Particular Attention Must Be Given To Ensure A Proper Load Path From The Sunroom To The Existing House Framing & To The Sunroom Foundation
3. All Wood Member Connections Shall Be Rigid & Secure Or Simpson Strong-Tie Or Equivalent Where Applicable
4. When Using EPA Approved Preservative Treated Lumber In Contact With Aluminum, First Isolate Wood From Aluminum With Either Of The Following: 15 Lb Roof Felt, Or 10 Mil Plastic Sheeting Prior To Installation Of Aluminum. All Fasteners In Direct Contact With Preservative Treated Wood Shall Be Hot-Dipped Galvanized Per ASTM A153, Or Other Approved Protective Coating Trim Coil To Be Attached to Isolated Wood Post Using Stainless Steel Nails. Lags Onto Decks Must Penetrate Center Of Header Or Joist Board, Or Provide Solid Blocking For Lag Embedment.
5. Wedge Bolts Shall Have Empigard "Tri-Coat Coating" & Shall Be Installed Per Manufacturers Recommendations.
6. All Windows, Doors, & Glass Wing Panels Shall Be Tempered Insulated Glass. Roof Panels Are Tempered Insulated Glass Or Annealed Insulated Laminated Glass If Height Above Grade Equals 12 Feet Or More
7. Registered Professional Stamping These Details Cannot Be Responsible For Soil Bearing Analysis Or Adequacy Of Existing Structures, Or Proposed Work Performed Or Coordinated By Owner

Note:

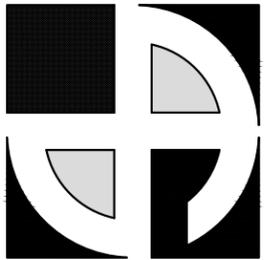
1. This Is A 3 Season, Unheated, Non-Habitable Space Exempt From MA Energy Code.
2. Either The Contractor Or The Owner Shall Install Smoke Detectors Throughout Existing Structure Per IBC2015 313
3. All Dimensions Are Nominal, Installed On New Or Existing Concrete Foundation

I Certify That When This Pre Engineered Structure By "Patjo Enclosures, Inc." Is Assembled With The Manufacturers Directions It Meets The Design Load Requirements Of IBC2015. Snow: 50 Psf
Wind: 130 Mph

Notes:

1. All Lumber To Be S-P-F#2 Or Better
2. All Lumber In Contact w/ Concrete To Be Pressure Treated
3. All Lumber Closer Than 18" To Ground To Be Pressure Treated
4. New 16" Dia Piers Calculated To Support Roof & Floor Loading

Design Loads:
Snow- 50 PSF
Wind- 115 MPH
Live- 50 PSF
Dead- 10 PSF
Seismic- D



D·E·A·N
ARCHITECTS

www.deanarchitects.com



3284 WALDEN AVENUE
DEPEW, NEW YORK 14043
PHONE: (716) 651-0381
FAX: (716) 651-0382

22-414



GREAT DAY
IMPROVEMENTS, LLC

250 Cape Hwy-Unit 8
East Taunton, MA 02718
(508) 822-1966

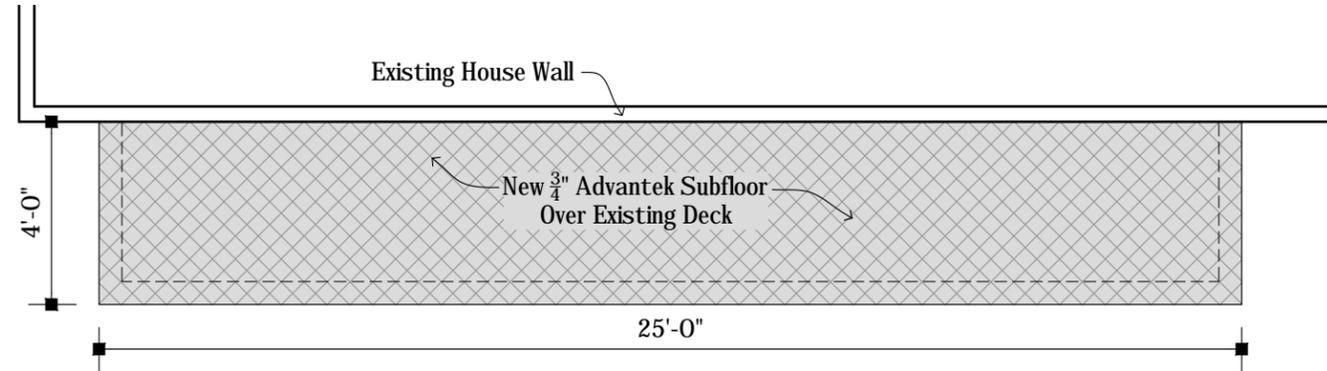
Simon
Residence
151 Sherman St.
Cambridge, MA 02140

No.	Description	Date	By

DATE:
10-25-2022
DRAWN BY:
M. Kasperek
CHECKED BY:
M. Dean
SCALE:
1/4"= 1'-0"

Plans & Elevations

A1



1 FOUNDATION PLAN

1/4"=1'-0"

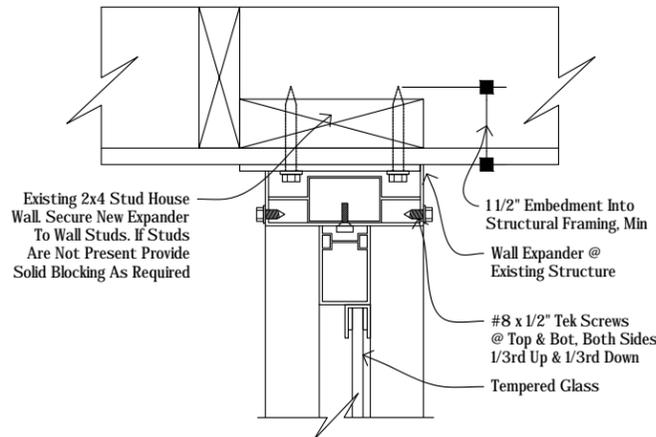
Attaching Sunroom Wall Expander To Existing Structure:
 Wood Framed Structures & Wood Framing w/ Brick Veneer Use 1/4 Inch Diameter Galvanized Lags & Washers Providing A Minimum 1 1/2" Embedment Into Wood Framing Or Wood Blocking Installed & Nailed To Wood Framing At All Locations Noted Below.

Bearing Walls:
 Locate (2) Fasteners Near Floor Level, (2) At Kneewall Or Railing Height, (2) At Transom, & (2) Near Header Height. Install Single Fasteners Located @ 16" O.C. Vertically & Staggered Along The Expander Height Between Double Fastener Locations Typical.

Non-Bearing Walls:
 Locate (2) Fasteners Near Floor, (2) At Kneewall Or Railing Height, (2) At Transom Height, (2) At H, & (2) Near Top End Of Expander. Install Single Fasteners Located At 16" O.C. Vertically & Staggered Along The Expander Height Between Double Fasteners Locations (Typ).

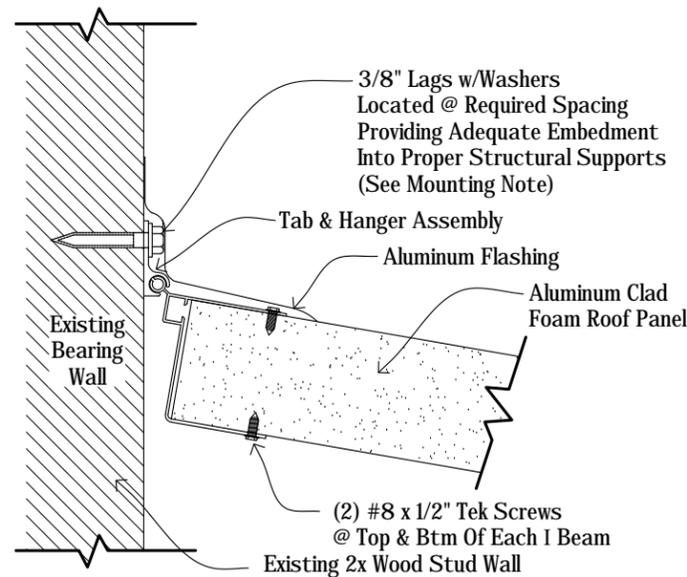
Mounting To Existing Structures:
 Remove Existing Siding & Any Compressible Sheathing At Connection Points Of Enclosure To House. Lags Must Be Securely Anchored To Structural Framing Or Install Blocking Securely To Structural Framing To Provide Minimum 1 1/2" Embedment For Mounting Fasteners.

Mounting Note:
 The Quality & Size of Fasteners Required Varies By Application. A Ledger w/ Lags Adequately Fastened To The Existing Structure, Or A Support Beam Mounted On Support Posts At The Face Of The Existing Structure May Be Required Under Heavy Loads.



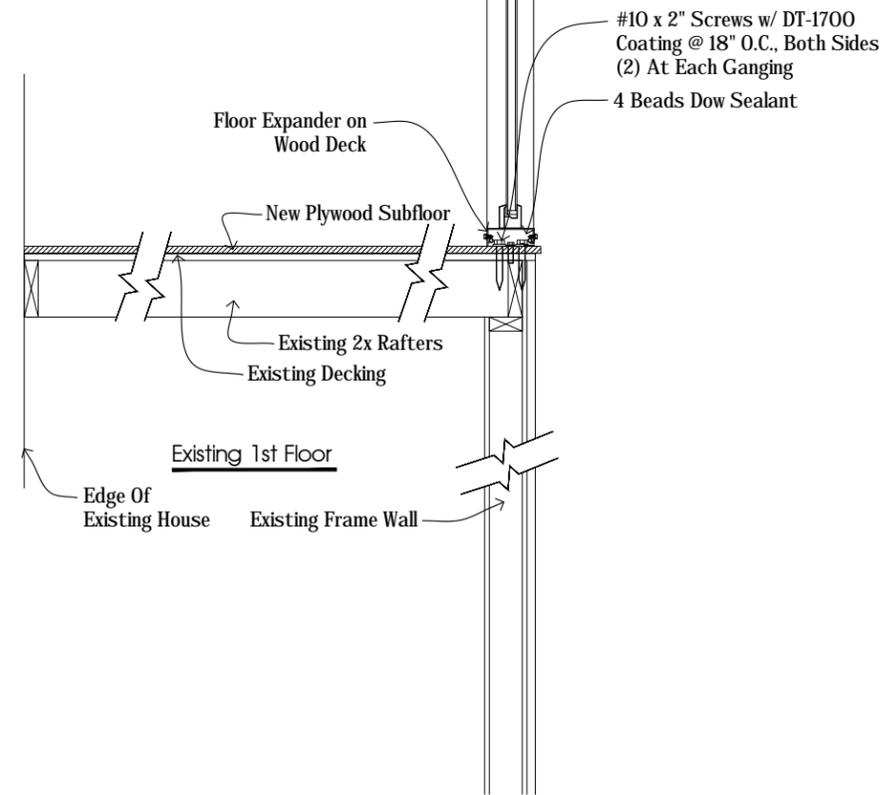
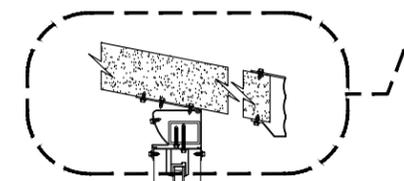
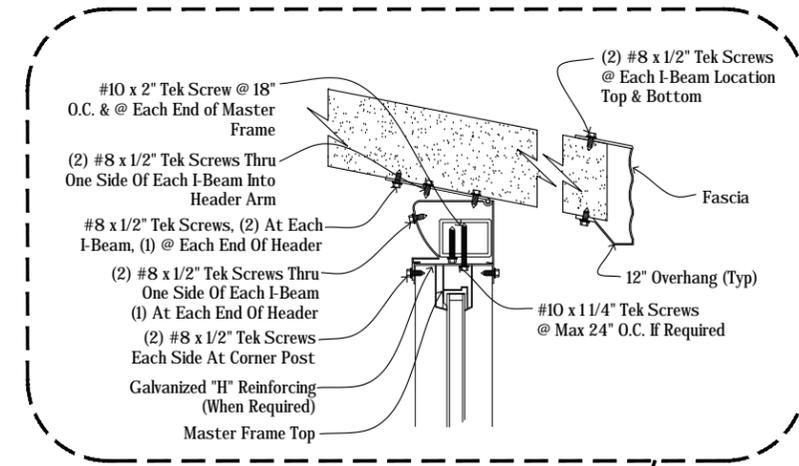
2 CONNECTION DETAIL

To Existing House



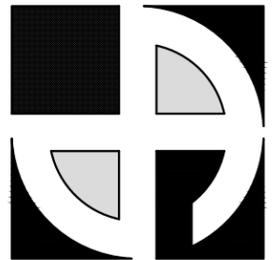
3 ROOF CONNECTION

Not To Scale



4 WALL SECTION

Not To Scale



DEAN ARCHITECTS

www.deanarchitects.com



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 (508) 822-1966

Simon Residence
 151 Sherman St.
 Cambridge, MA 02140

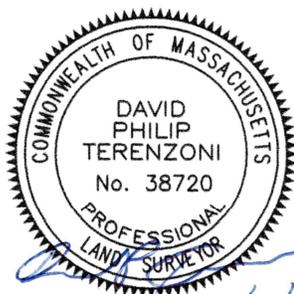
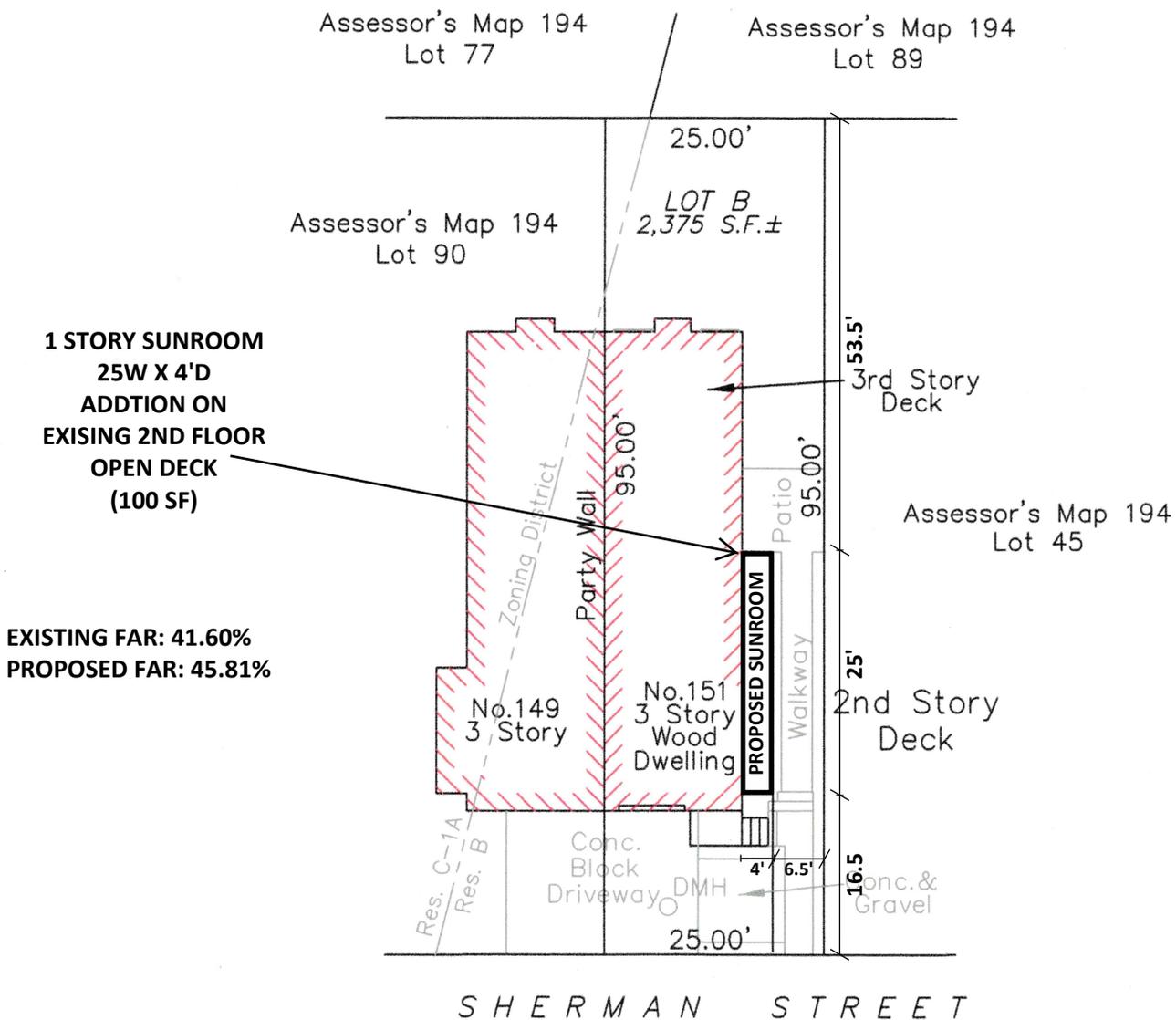
No.	Description	Date	By

DATE: 10-25-2022
 DRAWN BY: M. Kasperek
 CHECKED BY: M. Dean
 SCALE: AS NOTED

Foundation Details

A2

PROPOSED SITE PLAN



12/2/22

PLOT PLAN OF LAND CAMBRIDGE, MA.

PREPARED FOR:

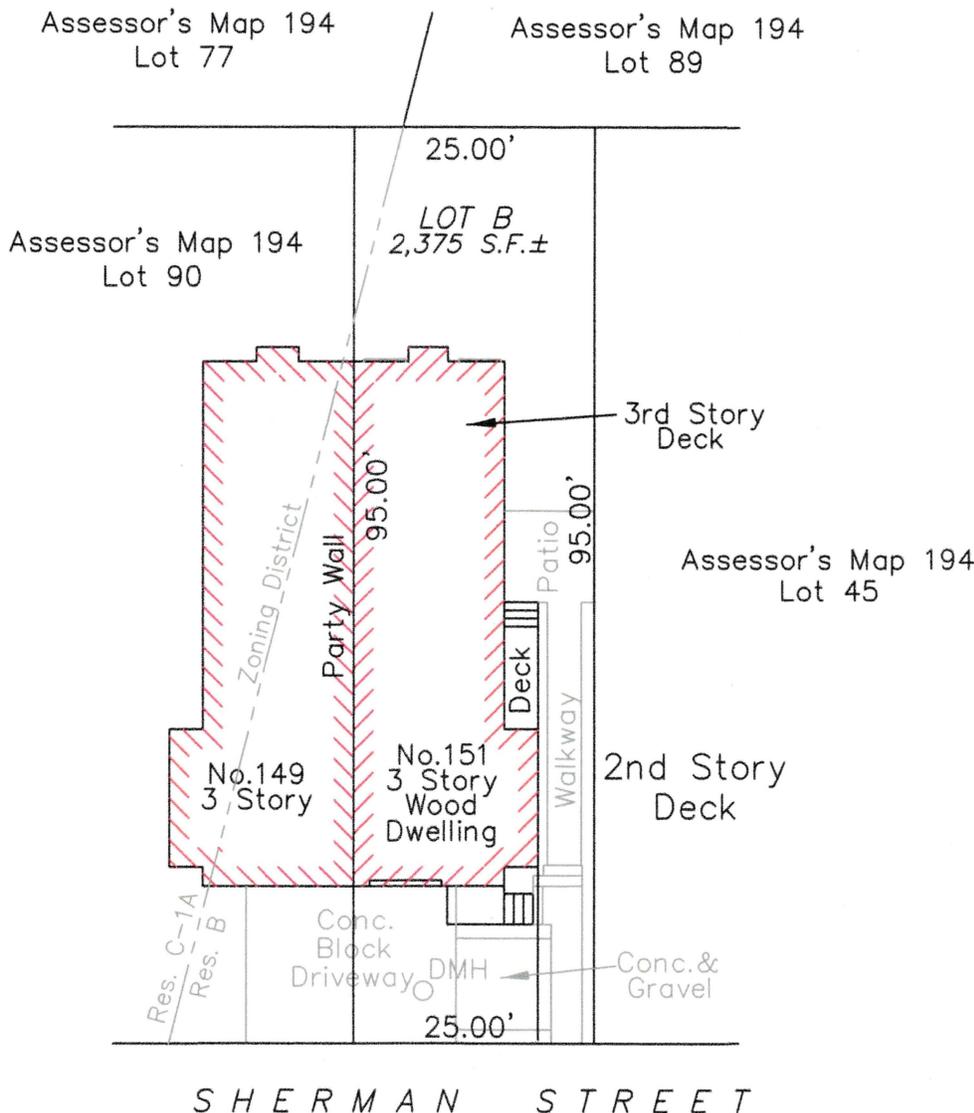
MATTHEW TOBEY & LISA SIMON
151 SHERMAN STREET

SCALE: 1"=20' DATE: DECEMBER 2, 2022

DAVID P. TERENZONI, P.L.S.
4 ALLEN ROAD, PEABODY, MA. 01960

Zoning District: B
Deed Reference: Book 76055, Page 553
Assessor's Map 194, Lot 91
Existing Lot Coverage = 40.5% ±

EXISTING SITE PLAN



PLOT PLAN OF LAND CAMBRIDGE, MA.

PREPARED FOR:
MATTHEW TOBEY & LISA SIMON
151 SHERMAN STREET

SCALE: 1"=20' DATE: DECEMBER 2, 2022

DAVID P. TEREZONI, P.L.S.
4 ALLEN ROAD, PEABODY, MA. 01960

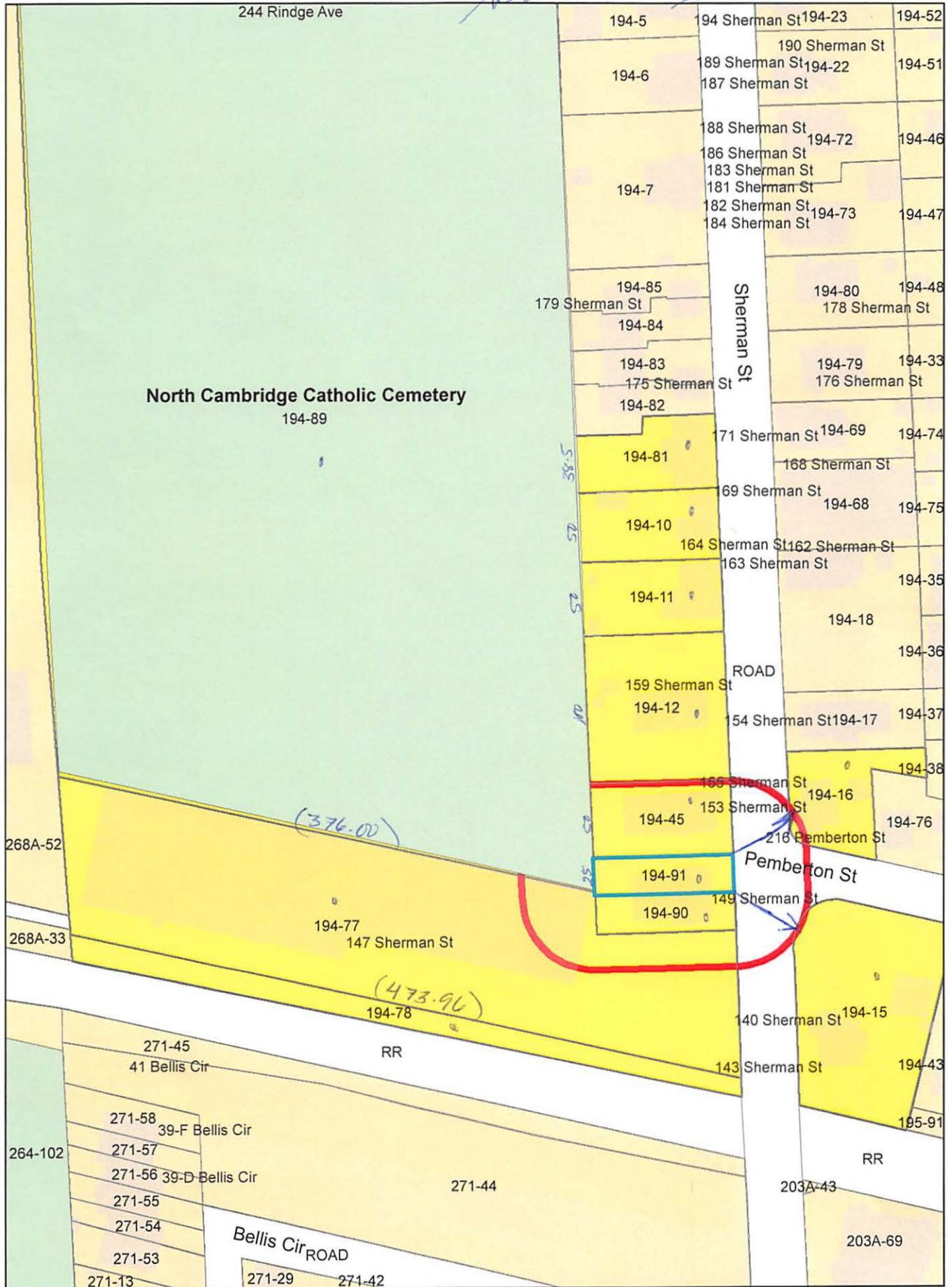
Zoning District: B
Deed Reference: Book 76055, Page 553
Assessor's Map 194, Lot 91
Existing Lot Coverage = 40.5% ±

Existing 2nd Floor Open Balcony for Proposed Sunroom

Address: 151 Sherman St, Cambridge, MA 02140



151 Sherman St.



151 Sherman St.

Petitioner

194-77
MAGDANZ, ANDREW R. & SUSAN S. MAGDANZ
TRUSTEE OF MAGDANZ NOMINEE TRUST
147 SHERMAN ST 2
CAMBRIDGE, MA 02140

194-77
MAGDANZ-SHERMAN STREET, LLC
71 APPLETON ST.
CAMBRIDGE, MA 02138

194-91
TOBEY MATTHEW SIMON LISA
151 SHERMAN STREET
CAMBRIDGE, MA 02140

194-81
GEDEON, TAMARA
171 SHERMAN ST
CAMBRIDGE, MA 02138

194-89
CATHOLIC CEMETERY ASSOCIATION OF THE
ARCHDIOCESE OF BOSTON
175 BROADWAY
MALDEN, MA 02148

194-15
FARINO, GAIL M
140 SHERMAN ST
CAMBRIDGE, MA 02140-3230

194-10
LORIGAN,TRINA
169 SHERMAN ST
CAMBRIDGE, MA 02140-3206

194-12
CYR, MARK J. & GRACE V. CYR
159 SHERMAN ST
CAMBRIDGE, MA 02140

194-77
BANISZEWSKI, BETH E. & ALEX KHRIPIN
147 SHERMAN ST. UNIT 207
CAMBRIDGE, MA 02140

194-77
MAGDANZ-SHERMAN STREET, LLC,
147 SHERMAN ST. 200
CAMBRIDGE, MA 02140

194-77
BOTHMER, MARINA VON
147 SHERMAN ST.,UNIT #106
CAMBRIDGE, MA 02140

194-77
GASKILL, BELINDA J.
147 SHERMAN ST., UNIT #108
CAMBRIDGE, MA 02140

194-77
GAI, MARGALIT,
TR. THE MARGALIT GAI 2017 REV TRUST
147 SHERMAN ST., #105
CAMBRIDGE, MA 02140

194-77
GREIF, MATTHEW & JENNIFER FUCHEL
53 CLAY ST.
CAMBRIDGE, MA 02140

194-77
BANISZEWSKI, BETH & ALEX KHRIPIN
147 SHERMAN STREET #207
CAMBRIDGE, MA 02140

194-11
GIBBONS, HILARY & JOSEPH GIBBONS
163 SHERMAN ST. #2
CAMBRIDGE, MA 02140

194-11
CARRANO DAVID T
163 SHERMAN ST UNIT 1
CAMBRIDGE, MA 02140

194-16
AIDEUIS, RICHARD J., JR.,
TRS THE AIDEUIS FAMILY REALTY TRT
216 PEMBERTON ST
CAMBRIDGE, MA 02140

194-78
MASSACHUSETTS BAY TRANSPORTATION
AUTHORITY
10 PARK PLAZA
BOSTON, MA 02116

194-77
NORDSTROM ALISON D
TRS ALISON NORDSTROM 2021 TR
147 SHERMAN ST - UNIT 205
CAMBRIDGE, MA 02140

194-45
BAZZAZ SAHAR
155 SHERMAN ST - UNIT 3
CAMBRIDGE, MA 02140

194-45
DROUIN LAUREN M
155 SHERMAN ST - UNIT 2
CAMBRIDGE, MA 02140

194-45
SAJDI DANA BOWLEY JAMES M
153 SHERMAN ST - UNIT 1
CAMBRIDGE, MA 02140

194-77
HONIGSBERG, SANDRO
147 SHERMAN ST UNIT 102
CAMBRIDGE, MA 02140

194-77
JONES, NATHANIEL M. CAROLYN R. JONES
147 SHERMAN ST UNIT 204
CAMBRIDGE, MA 02140

194-90
KHALSA, KARTAPURKH
TRS THE BORG-KHALSA REALTY NOMINEE TR
149 SHERMAN ST
CAMBRIDGE, MA 02140

194-77
DIGIOVANNI, NICHOLAS
147 SHERMAN ST - UNIT 203
CAMBRIDGE, MA 02140

194-77
COCHRAN, CHRISTOPHER E.
147 SHERMAN ST#201
CAMBRIDGE, MA 02140

194-77
BUBRISKI, JENNIFER A
147 SHERMAN ST - UNIT 104
CAMBRIDGE, MA 02140