



# CITY OF CAMBRIDGE

## BOARD OF ZONING APPEAL

831 Massachusetts Avenue, Cambridge MA 02139

617-349-6100

2021 AUG -2 PM 12:03

OFFICE OF THE CITY CLERK  
CAMBRIDGE, MASSACHUSETTS

### BZA Application Form

**BZA Number:** 131123

### General Information

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

Special Permit:   X  

Variance:   X  

Appeal:           

**PETITIONER:** Levi Tofias and Rosemary Park

**PETITIONER'S ADDRESS:** 30 Bellis Circle, Cambridge, MA 02140

**LOCATION OF PROPERTY:** 30 Bellis Cir , Cambridge, MA

**TYPE OF OCCUPANCY:** Single-family

**ZONING DISTRICT:** Residence B Zone

### **REASON FOR PETITION:**

/Altering a window in a setback and extending exterior stairs in the setback./

### **DESCRIPTION OF PETITIONER'S PROPOSAL:**

To amend a previously approved variance BZA-017222-2019 by widening the exterior stairs in the rear setback.

Alter a window in the rear setback.

### **SECTIONS OF ZONING ORDINANCE CITED:**

Article: 5.000      Section: 5.31 (Table of Dimensional Requirements)

Article: 8.000      Section: 8.22.2.C (Non-Conforming Structure)

Article: 10.000      Section: 10.30 (Variance). & 10.40 (Special Permit).

Original  
Signature(s):

  
(Petitioner (s) / Owner)

LEVI TOFIAS  
(Print Name)

Address:

Tel. No.      508-335-4923

E-Mail Address: levitofias@gmail.com

Date:

**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 LEVI TOFIAS & ROSEMARY PARK  
(OWNER)

Address: 41 JEFFERSON ST. CAMBRIDGE MA

State that I/We own the property located at 30 BELLIS CIRLE,  
which is the subject of this zoning application.

The record title of this property is in the name of \_\_\_\_\_  
LEVI J. TOFIAS AND ROSEMARY PARK

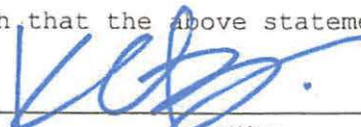
\*Pursuant to a deed of duly recorded in the date 7/31/19, Middlesex South  
County Registry of Deeds at Book 73031, Page 296; or  
Middlesex Registry District of Land Court, Certificate No. \_\_\_\_\_  
Book \_\_\_\_\_ Page \_\_\_\_\_.

  
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 LEVI TOFIAS personally appeared before me,  
this 2 of DEC, 20 19, and made oath that the above statement is true.

  
Notary

My commission expires 3.6.2020 (Notary)

- If ownership is not shown in recorded deed, e.g. deed, or inheritance, please include documentation.



**BZA Application Form****DIMENSIONAL INFORMATION**

**Applicant:** Levi Tofias and Rosemary Park  
**Location:** 30 Bellis Circle  
**Phone:** 508-335-4923

**Present Use/Occupancy:** Single-family  
**Zone:** Residence B Zone  
**Requested Use/Occupancy:** Single-family

		<b><u>Existing Conditions</u></b>	<b><u>Requested Conditions</u></b>	<b><u>Ordinance Requirements</u></b>	
<b><u>TOTAL GROSS FLOOR AREA:</u></b>		2130	Unchanged	1150	(max.)
<b><u>LOT AREA:</u></b>		2301	Unchanged	n/a	(min.)
<b><u>RATIO OF GROSS FLOOR AREA TO LOT AREA: <sup>2</sup></u></b>		.93	Unchanged	.5	
<b><u>LOT AREA OF EACH DWELLING UNIT</u></b>		n/a	n/a	n/a	
<b><u>SIZE OF LOT:</u></b>	<b>WIDTH</b>	40	Unchanged	50	
	<b>DEPTH</b>	63	Unchanged	n/a	
<b><u>SETBACKS IN FEET:</u></b>	<b>FRONT</b>	4.5	Unchanged	15	
	<b>REAR</b>	.5	Unchanged	25	
	<b>LEFT SIDE</b>	0.9	Unchanged	7.5'	
	<b>RIGHT SIDE</b>	5.2'	Unchanged	7.5'	
<b><u>SIZE OF BUILDING:</u></b>	<b>HEIGHT</b>	28'	Unchanged	35'	
	<b>WIDTH</b>	50'	Unchanged	n/a	
<b><u>RATIO OF USABLE OPEN SPACE TO LOT AREA:</u></b>		33%	Unchanged	40%	
<b><u>NO. OF DWELLING UNITS:</u></b>		1	Unchanged	n/a	
<b><u>NO. OF PARKING SPACES:</u></b>		1	Unchanged	n/a	
<b><u>NO. OF LOADING AREAS:</u></b>		n/a	n/a	n/a	
<b><u>DISTANCE TO NEAREST BLDG. ON SAME LOT</u></b>		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.

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****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 change is minor in nature and makes the stairs safer to use.

- 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 by not affecting generally the zoning district in which it is located for the following reasons:

The hardship is owing to the existing location of the structure on the land.

- 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:

The change is minor in nature.

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

The change is minor in nature.

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



**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 30 Bellis Cir , 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:**

All of the facades are in a setback.

**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 changes are minor in nature.

**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 changes are minor in nature.

**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:**

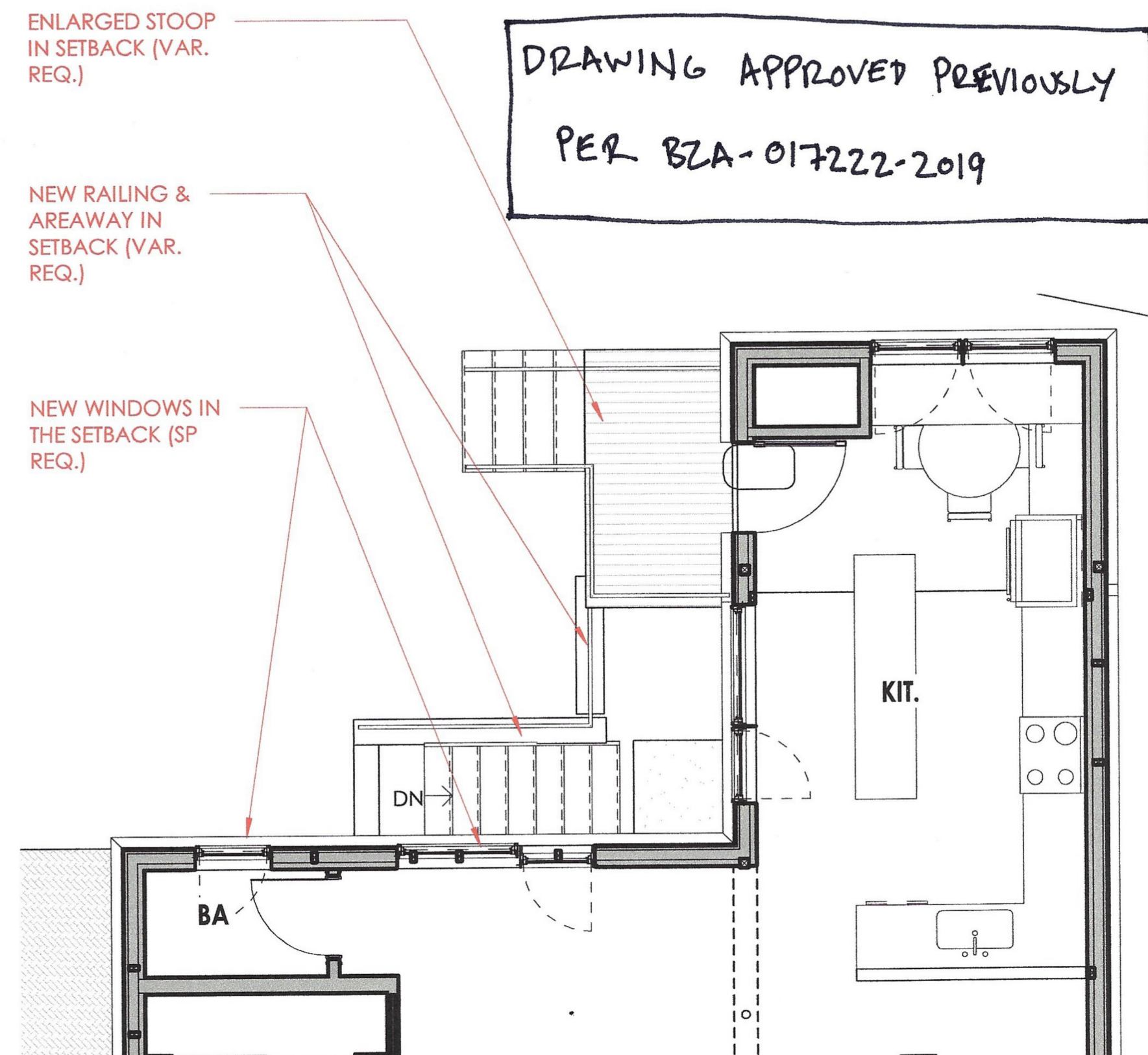
The changes are minor in nature.

**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:**

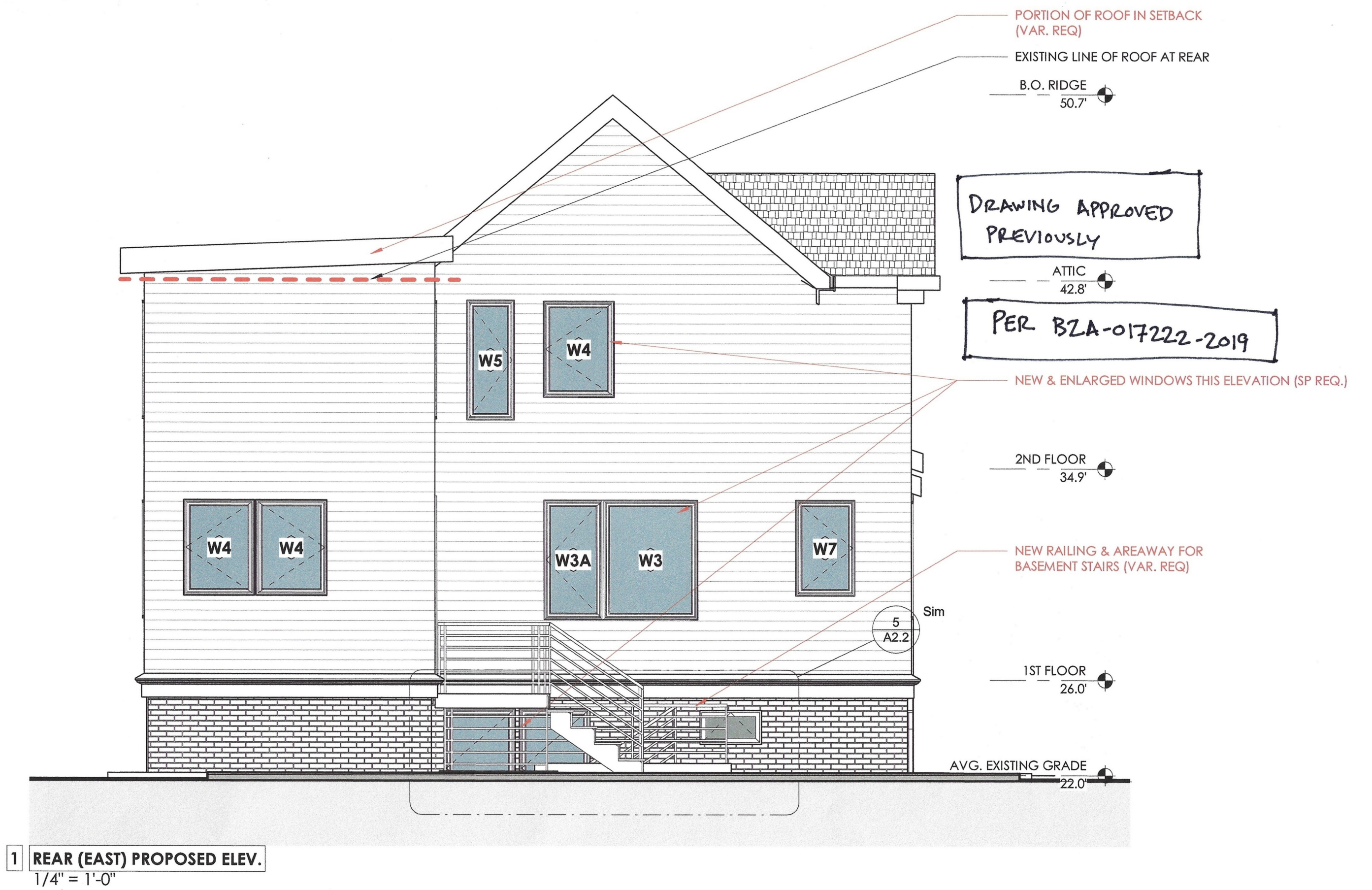
The changes are minor in nature.

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



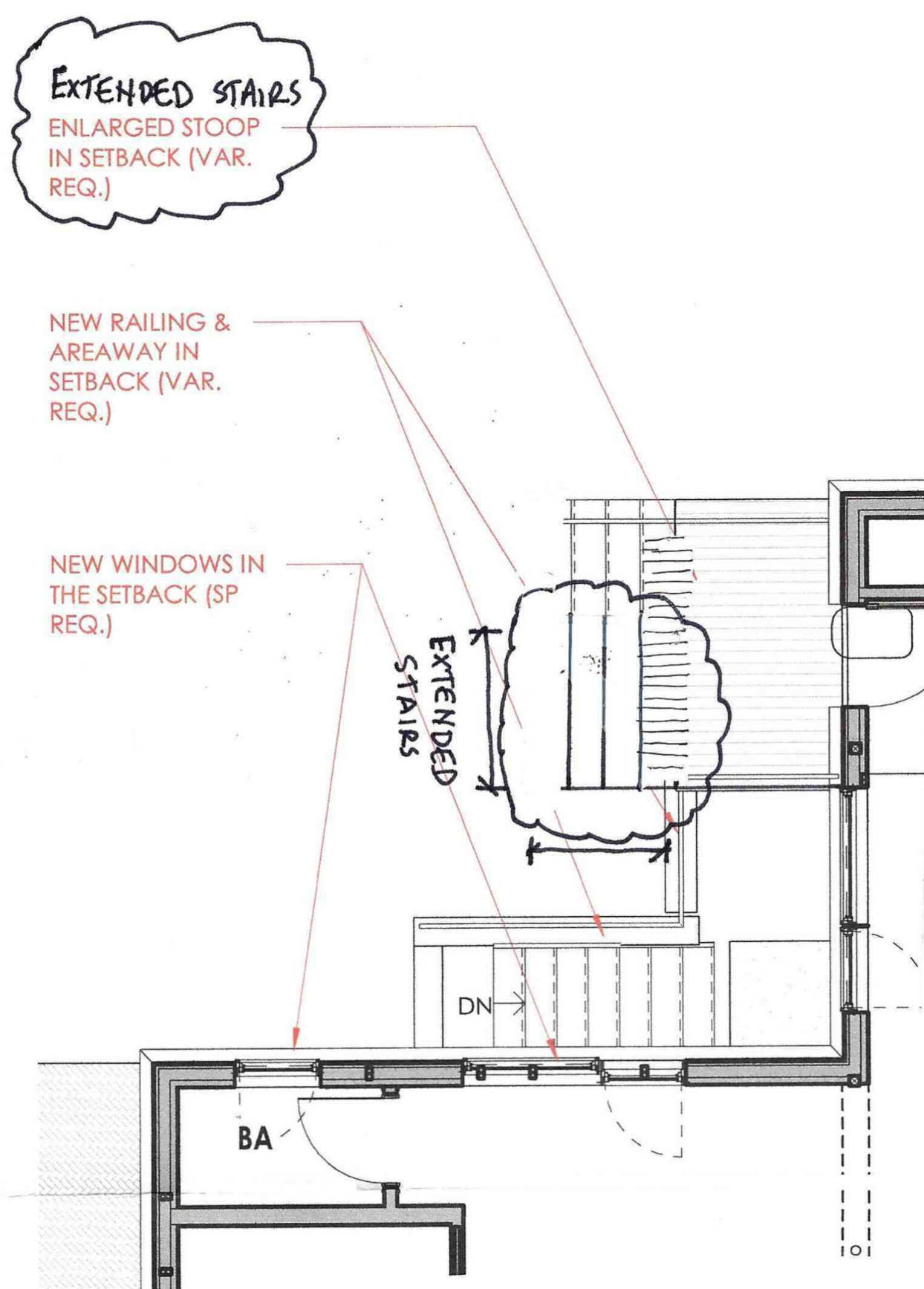


**PREVIOUSLY APPROVED PLAN**

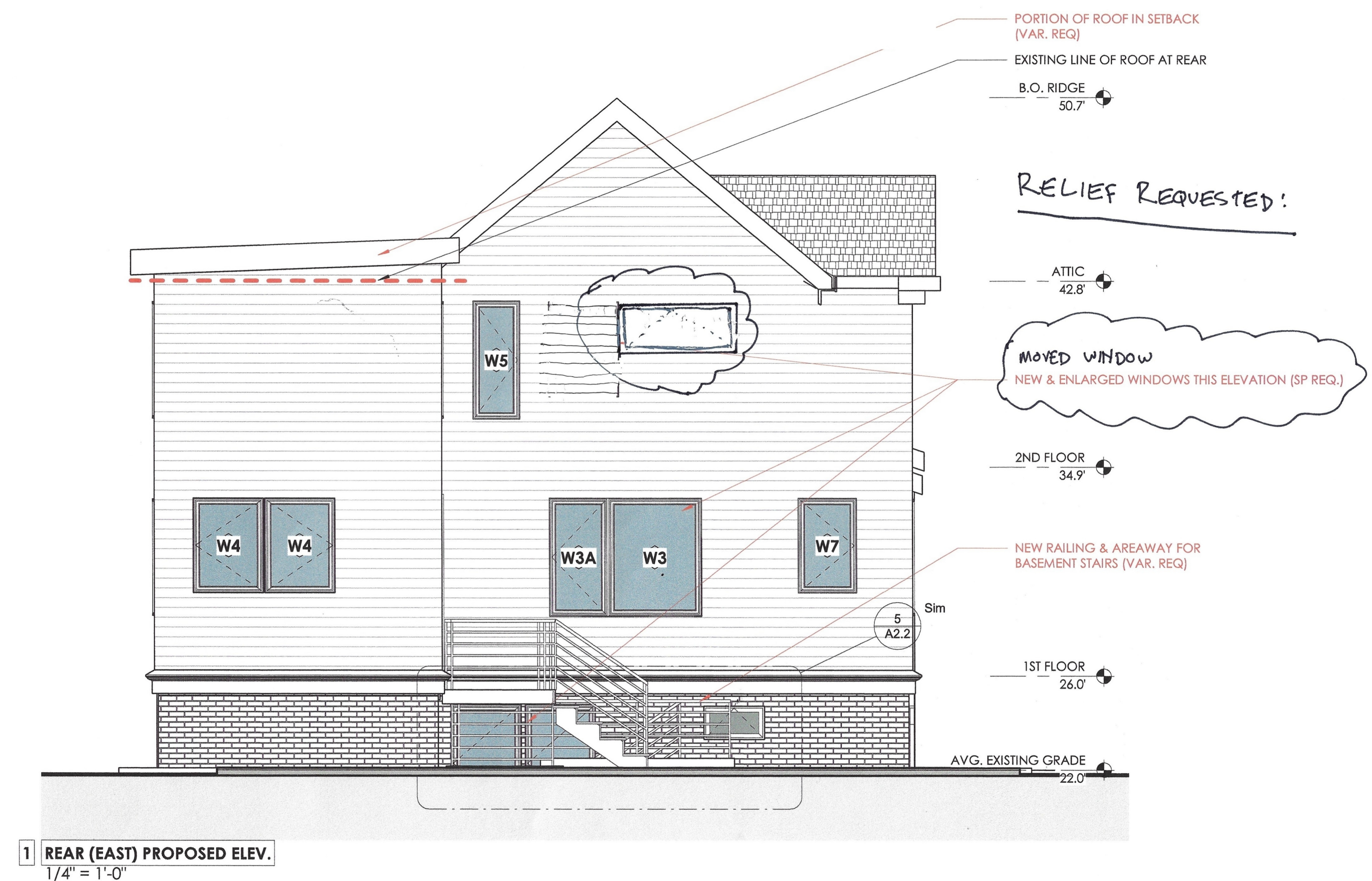


**PREVIOUSLY APPROVED ELEVATION**

RELIEF REQUESTED:

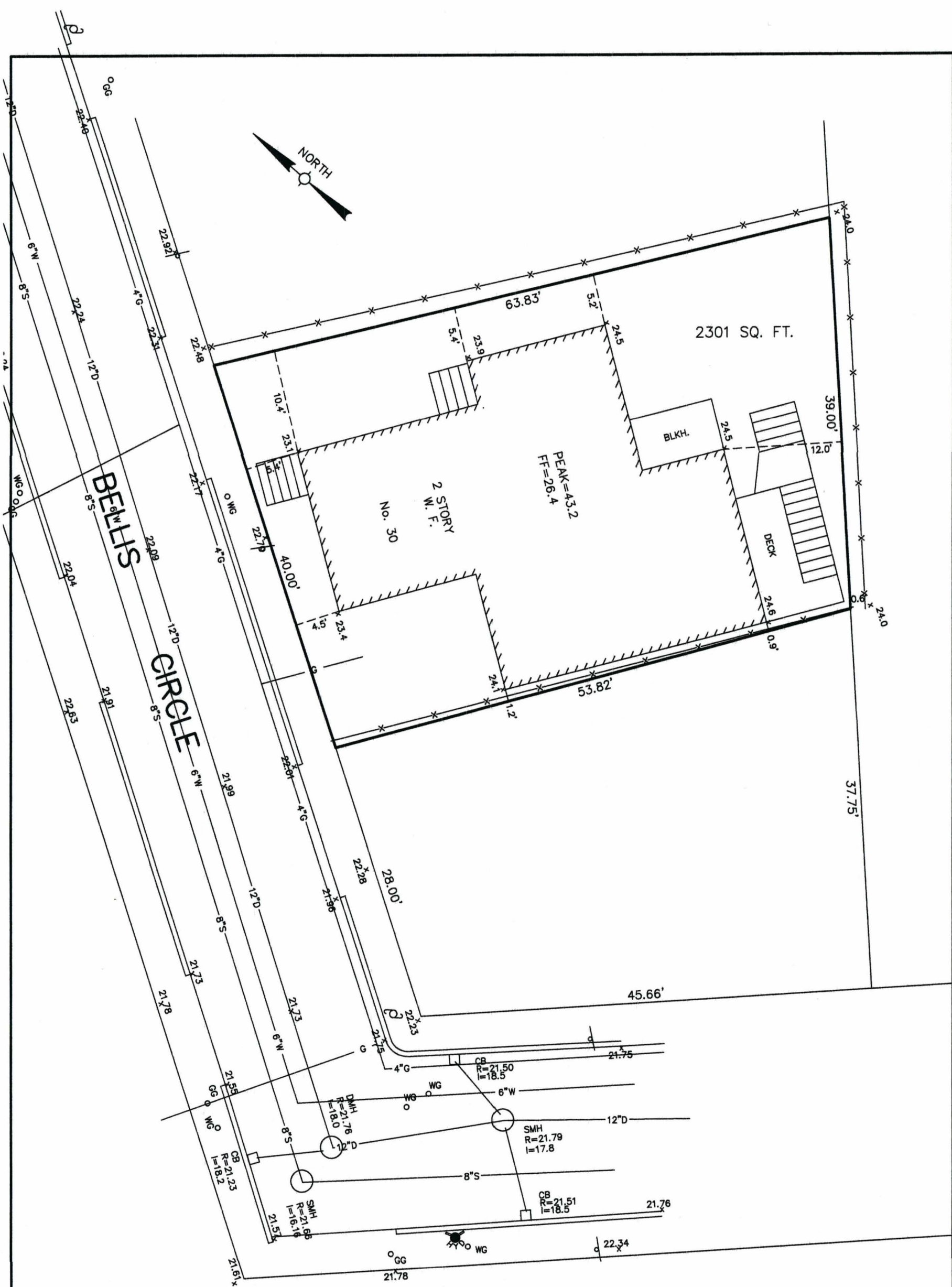


**PLAN OF EXTERIOR STAIR CHANGE**



**ELEVATION OF WINDOW CHANGE**





**PLOT PLAN**  
30 BELLIS CIRCLE  
**CAMBRIDGE, MASS.**

SCALE : 1" = 10'

AUGUST 15, 2019

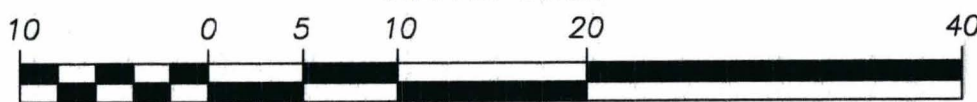
**AGH ENGINEERING**

166 WATER STREET

STOUGHTON, MA 02072

PHONE: (781)344-2386

GRAPHIC SCALE







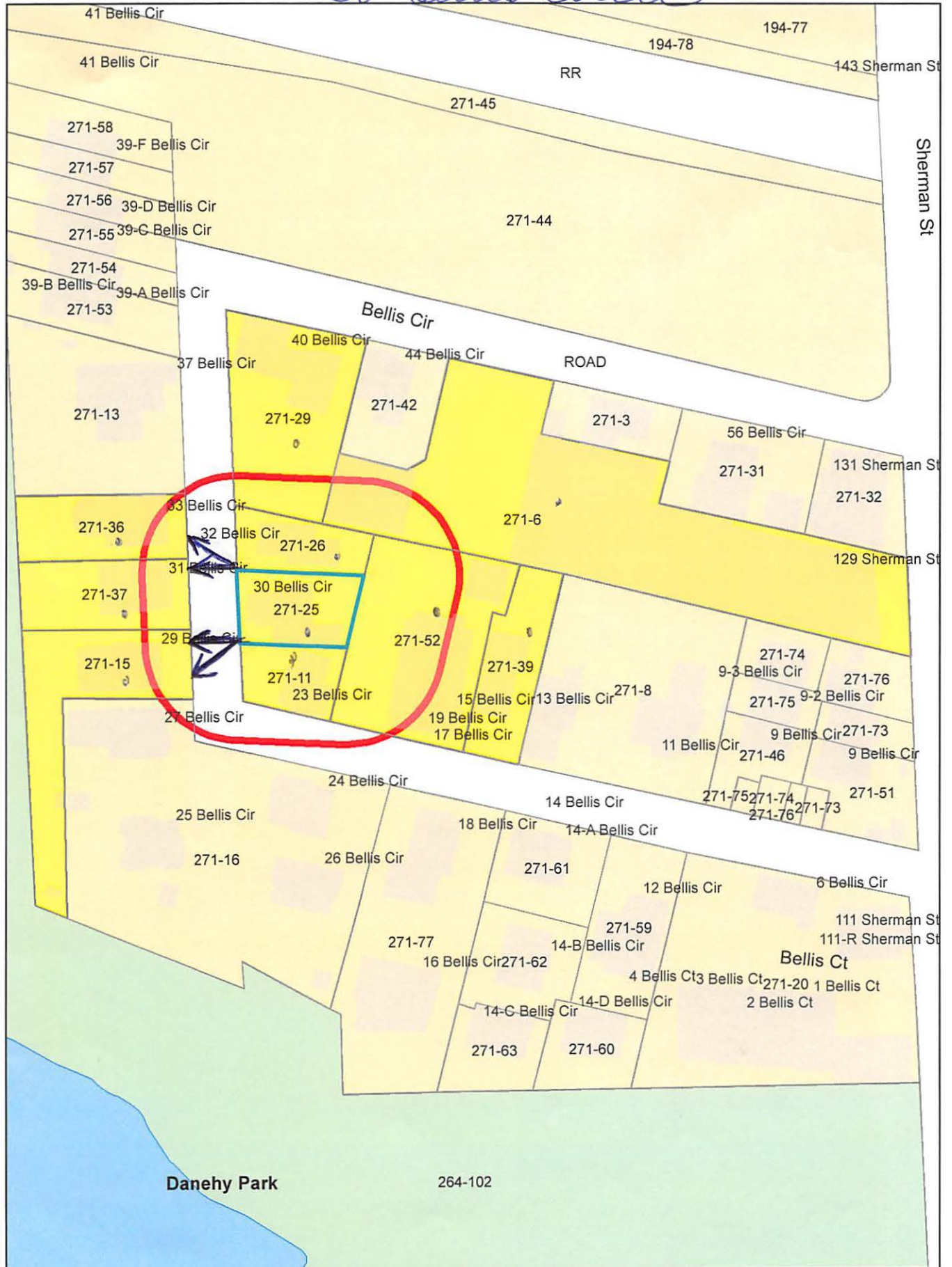
30 Bellis Circle







30 Bellis Circle



30 Bellis Circle

Petitioner

271-6  
CAMBRIDGE MONTESSORI SCHOOL, INC.  
161 GARDEN STREET  
CAMBRIDGE, MA 02138

271-15  
WYMAN, DUDLEY & NICOLE A. BARNA  
29 BELLIS CIR  
CAMBRIDGE, MA 02140

271-25  
TOFIAS, LEVI J. ROSEMARY PARK  
30 BELLIS CIR  
CAMBRIDGE, MA 02140

271-29  
LORING, ELLEN G.  
C/O LORING, WOLCOTT & COOLIDGE  
230 CONGRESS ST  
BOSTON, MA 02110

271-11  
MORIARTY, PATRICIA M.  
23 BELLIS CIR  
CAMBRIDGE, MA 02140

271-39  
HARRIS, EUGENE N. & ESTHER K. HARRIS  
15 BELLIS CIR  
CAMBRIDGE, MA 02140

271-26  
LADD, MARIBETH & BARRY MURPHY  
32 BELLIS CIRCLE  
CAMBRIDGE, MA 02140

271-52  
VISE, DAVID  
19 BELLIS CIR  
CAMBRIDGE, MA 02140

271-36  
SIEGELL, MICHAEL LAKSHMI MUDUNURI  
33 BELLIS CIR  
CAMBRIDGE, MA 02140

271-37  
WILTON, LISA JAYNE  
31 J. F. BELLIS CIR.  
CAMBRIDGE, MA 02140-3207

**Pacheco, Maria**

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**From:** d wyman <daddywyman@gmail.com>  
**Sent:** Friday, September 10, 2021 1:11 PM  
**To:** Pacheco, Maria  
**Cc:** Nicole Barna; Levi Tofias  
**Subject:** 30 Bellis Circle

Miss Pacheco,

We are writing to give our enthusiastic support for the amendment to the zoning for 30 Bellis Circle.

Thanks,

Dudley Wyman & Nicole Barna  
29 Bellis Cir, Cambridge, MA 02140



**Pacheco, Maria**

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**From:** john simmons <johnsimmons1948@gmail.com>  
**Sent:** Thursday, September 9, 2021 5:40 PM  
**To:** Pacheco, Maria  
**Subject:** 30 Bellis Cir.

Hi: My name is John Simmons and I live on Sherman St. here in Cambridge. I often visit friends who live on Bellis Cir. and have been made aware of the newly rebuilt home at number 30. I have spoken to the owner several times and find him to be a very conscientious person. Furthermore I believe his newly remodeled home is a huge improvement to the area and should remain just the way it is. It's a wonderful improvement. Thank you for your time.

## **Pacheco, Maria**

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**From:** Lisa Jayne Gordon <lvg9@me.com>  
**Sent:** Thursday, September 9, 2021 8:02 PM  
**To:** Pacheco, Maria  
**Subject:** 30 Bellis Circle

I am just writing in support of the additional zoning plans the Tofias family have for construction on their home, that is scheduled to be heard by the City via zoom on 9/23 at 7:15 p.m.

Lisa Jayne Gordon  
Julien Gordon  
31 Bellis Circle  
Cambridge, MA 02140

## **Pacheco, Maria**

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**From:** Huntlor <huntlor@comcast.net>  
**Sent:** Wednesday, September 15, 2021 8:37 AM  
**To:** Pacheco, Maria  
**Subject:** 30 Bellis Circle

To whom it may concern,

I am writing in support of the changes that were made to 30 Bellis Circle when Levi Tofias renovated the house for his family. I have lived on Bellis Circle for almost 40 years and know the property of 30 Bellis Circle well. The changes Levi Tofias made to the house have improved it enormously and I hope the BZA will approve what I consider to be the minor changes and improvements under consideration.

Thank you for your consideration of my thoughts on this matter, Ellen Loring  
40 Bellis Circle

Sent from my iPad

**Pacheco, Maria**

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**From:** Judy Hunt <judyhunt49@gmail.com>  
**Sent:** Tuesday, September 14, 2021 1:54 PM  
**To:** Pacheco, Maria  
**Subject:** 30 BELLIS CIRCLE

Dear Ms. Pacheco,

I am writing this letter in support of Levi and Rosemary Tofias. I have no objections to the small changes that were made to the initial construction plan. I hope the BZA approves their request.

Thank you,

Judy Hunt  
40 Bellis Circle  
Cambridge, Ma 02140

Sent from my iPad



# 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: LEVI TOFIAS Date: 9/8/21  
(Print)

Address: 30 Bellis Circle

Case No. BZA-131123

Hearing Date: 9/23/21

Thank you,  
Bza Members