



CITY OF CAMBRIDGE
 MASSACHUSETTS
 BOARD OF ZONING APPEAL
 831 MASSACHUSETTS AVENUE
 CAMBRIDGE, MA 02139
 617 349-6100

2019 AUG 30 AM 10:07
 OFFICE OF THE CITY CLERK
 CAMBRIDGE, MASSACHUSETTS

BZA APPLICATION FORM

Plan No: BZA-017170-2019

GENERAL INFORMATION

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

Special Permit : _____ Variance : √ Appeal : _____

PETITIONER : Daniel Wilson

PETITIONER'S ADDRESS : 31 Bay Street Cambridge, MA 02139

LOCATION OF PROPERTY : 31 Bay St Cambridge, MA 02139

TYPE OF OCCUPANCY : Residence ZONING DISTRICT : C-1

REASON FOR PETITION :

Other: Enclose porch & gas fireplace vent bumpout

DESCRIPTION OF PETITIONER'S PROPOSAL :

Enclose the existing, partially covered entry porch to create a small mudroom; remodel current living room area to include a gas fireplace vent bumpout requiring the removal of an exterior window and installing two smaller windows on either side of the bumpout

SECTIONS OF ZONING ORDINANCE CITED :

Article 5.000 Section 5.31 (Table of Dimensional Requirements)

Original Signature(s) :

(Petitioner(s) / Owner)

Daniel Gray Wilson

(Print Name)

Address : 31 Bay Street

 Cambridge MA, 02139

Tel. No. : (617) 480-6106

E-Mail Address : danielgwilson@me.com

Date : Aug 28, 2019

BZA APPLICATION FORM

DIMENSIONAL INFORMATION

APPLICANT: Daniel Wilson PRESENT USE/OCCUPANCY: Residence
 LOCATION: 31 Bay St Cambridge, MA 02139 ZONE: C-1
 PHONE: (617) 480-6106 REQUESTED USE/OCCUPANCY: Residence

	<u>EXISTING CONDITIONS</u>	<u>REQUESTED CONDITIONS</u>	<u>ORDINANCE REQUIREMENTS</u> ¹	
<u>TOTAL GROSS FLOOR AREA:</u>	<u>1559</u>	<u>1596</u>	<u>1357</u>	(max.)
<u>LOT AREA:</u>	<u>1809</u>	<u>1809</u>	<u>5000</u>	(min.)
<u>RATIO OF GROSS FLOOR AREA TO LOT AREA:</u> ²	<u>.86</u>	<u>.88</u>	<u>.75</u>	(max.)
<u>LOT AREA FOR EACH DWELLING UNIT:</u>	<u>na</u>	<u>na</u>	<u>na</u>	(min.)
<u>SIZE OF LOT:</u>				
WIDTH	<u>29.9</u>	<u>29.9</u>		(min.)
DEPTH	<u>60</u>	<u>60</u>		
<u>SETBACKS IN FEET:</u>				
FRONT	<u>1.2</u>	<u>1.2</u>	<u>10</u>	(min.)
REAR	<u>14</u>	<u>19.9</u>	<u>20</u>	(min.)
LEFT SIDE	<u>2.6</u>	<u>2.6</u>	<u>8.5</u>	(min.)
RIGHT SIDE	<u>3.3</u>	<u>1.9</u>	<u>8.5</u>	(min.)
<u>SIZE OF BLDG.:</u>				
HEIGHT	<u>32</u>	<u>32</u>	<u>35</u>	(max.)
LENGTH	<u>34.2</u>	<u>34.2</u>		
WIDTH	<u>24.3</u>	<u>.6 vent bumpou</u>		
<u>RATIO OF USABLE OPEN SPACE TO LOT AREA:</u>	<u>.47</u>	<u>.44</u>	<u>.30</u>	(min.)
<u>NO. OF DWELLING UNITS:</u>	<u>1</u>	<u>unchanged</u>		(max.)
<u>NO. OF PARKING SPACES:</u>	<u>0</u>	<u>unchanged</u>		(min./max)
<u>NO. OF LOADING AREAS:</u>	<u>0</u>	<u>unchanged</u>		(min.)
<u>DISTANCE TO NEAREST BLDG. ON SAME LOT:</u>	<u>0</u>	<u>unchanged</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.

This existing structure is a single family residence, ther are no other structures or occupancies.

- SEE CAMBRIDGE ZONING ORDINANCE ARTICLE 5.000, SECTION 5.30 (DISTRICT OF DIMENSIONAL REGULATIONS).
- TOTAL GROSS FLOOR AREA (INCLUDING BASEMENT 7'-0" IN HEIGHT AND ATTIC AREAS GREATER THAN 5') DIVIDED BY LOT AREA.
- 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 Daniel Gray Wilson
(OWNER)

Address: 31 Bay Street, Cambridge MA 02139

State that I/We own the property located at 31 Bay Street,
which is the subject of this zoning application.

The record title of this property is in the name of Daniel Gray Wilson

*Pursuant to a deed of duly recorded in the date March 26, 2013, Middlesex South
County Registry of Deeds at Book 61470, Page 423; 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 Daniel Gray Wilson personally appeared before me,
this 28 of August, 2019, and made oath that the above statement is true.

CA [Signature] Notary

My commission expires October 3 2025



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

CHAMOUN ABON MANSIR
My Commission Expires October 2, 2025
New York Public Commission of Assessors



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:

An enforcement of the provisions (Section 5, Table 5.1 side yard setback and maximum FAR), would prevent improvements to the home for the residing family. Since 2014 it has been the residence of a family of four: Daniel Wilson & Terri Turner with their two children, 12 yr old Ruby and 10 yr old Nico. The modest renovation proposed would create a much needed but small entry area for hanging coats and removing shoes before entering the home. Reconfiguring the living room aims to create a larger, family gathering area around a fireplace. The requested relief will enable the family to continue to reside at this home for many years to come.

- 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 hardship is owing to the narrowness of the existing lot. Given the limited lot width and location of the house, any improvements to the sides would be impossible. The proposed enclosed entry maintains the existing 2' 6" side yard setback. The exterior wall for proposed direct vent fireplace bumpout and window reconfiguration is currently at a 3' 3" side yard setback. The increase of FAR is modest, from .86 to .88. There are several residential structures in the neighborhood with enclosed porches, small gas fireplace bump outs, and with higher FARs.

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

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

The proposed work results in a more functional design with a modest increase in FAR ratio. All proposed exterior work is designed to be consistent with the established neighborhood streetscape and clad in new painted clapboards to match existing. The existing landscape and plantings will be protected and the impervious site coverage will not change. The addition will exceed the MA State building and energy code requirements. All abutting neighbors have signed letters of support for this proposed work. For these reasons, the proposed work will not be a detriment to the public good.

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

This variance deals with a unique combination of existing circumstances. Enclosing the existing small porch and allowing for a modest bumpout for a fireplace vent would not nullify the intent of this Ordinance. For reasons outlined in this application, we respectfully request that the Board grant our application for variance.

*** 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

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 31 Bay St Cambridge, MA 02139 (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:

The permit sought will remove one window and install two new windows on the preexisting external wall on northeast side of the structure.

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:

No adverse impacts on traffic patterns and proposed windows are consistent with the architectural style of the home and neighborhood.

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:

No adverse affects on adjacency uses or developments and all abutters have written the support of the changes proposed.

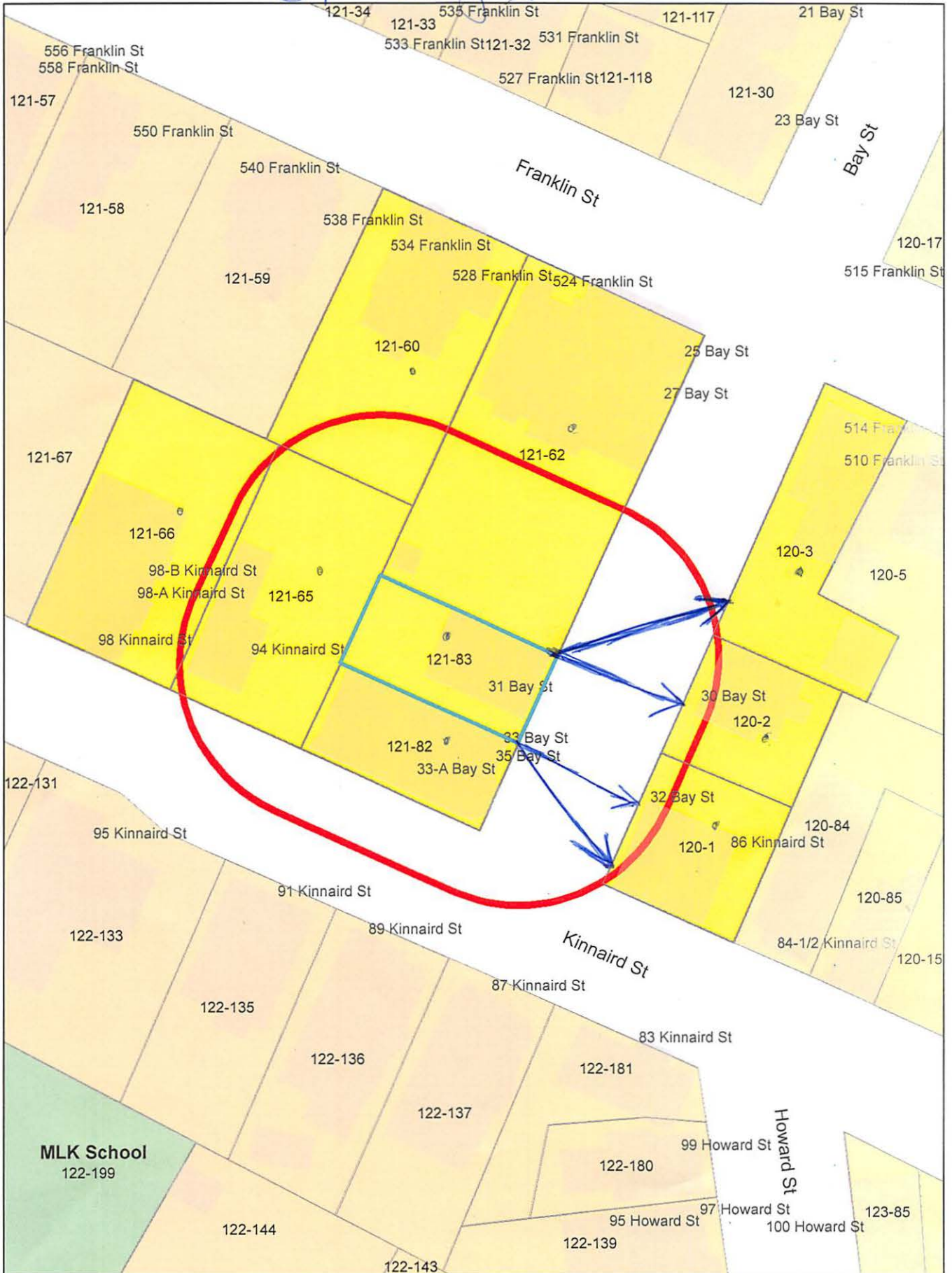
D) Nuisance or hazard would not be created to the detriment of the health, safety and/or welfare of the occupant of the proposed use or the citizens of the City for the following reasons:

The proposed windows will not adversely impact the health, safety or welfare of the occupants or others.

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 proposed windows adhere to the architectural style of the home, will let in more light into the home, and neighbors support the proposed changes.

31 Bay St.



31 Bay St

Petitioner

120-1
SETO, TOBY KAM-YEE &
SHERRY HY CHEN YUNG-MOU CHEN
27 GOODMAN HILL RD
SUDBURY, MA 01776

120-2
LIANG, STEPHEN
30 BAY STREET
CAMBRIDGE, MA 02139

121-83
WILSON, DANIEL G. & TERRI M. TURNER
31 BAY ST
CAMBRIDGE, MA 02139

120-3
KUHLMANN, PETER & SHIRLEY KUHLMANN
514 FRANKLIN ST
CAMBRIDGE, MA 02139

121-60
DISCH, ESTELLE
TRUSTEE THE ESTELLE DISCH REVOC. TRUST
528 FRANKLIN ST
CAMBRIDGE, MA 02139

121-62
KAPTCHUK, TED & JOYCE P. SINGER
524 FRANKLIN ST
CAMBRIDGE, MA 02139

121-65
MAXAM, ALLAN &
CITY OF CAMBRIDGE TAX TITLE
94 KINNAIRD ST
CAMBRIDGE, MA 02139

121-66
PENG, HUIYEN
98A KINNAIRD STREET
CAMBRIDGE, MA 02139

121-66
SWANSON, LESLIE H.
98 KINNAIRD ST. UNIT B
CAMBRIDGE, MA 02139

121-82
OCHOA, ANTONIA
33-35 BAY ST., #33A
CAMBRIDGE, MA 02139

121-82
BEALL, LYDIA
35 BAY ST
CAMBRIDGE, MA 02139

121-82
BECK, MARGARET
33-35 BAY ST., #33
CAMBRIDGE, MA 02139

31 Bay St.



BOWDITCH & CRANDALL, INC.
 MAKES NO STATEMENT REGARDING
 CONFORMANCE TO ZONING REQUIREMENTS.
 THIS MUST BE CONFIRMED BY THE
 APPROPRIATE ZONING AUTHORITY.

DEED REFERENCE: BOOK 61470, PAGE 424
 PLAN REFERENCE: BOOK 3518, END
 ASSESSORS: MAP-121/LOT-83

THIS PLAN IS NOT TO BE USED FOR
 CONSTRUCTION. REFER TO ARCHITECT/DESIGNER'S
 PLANS FOR CONSTRUCTION DETAILS

ZONE: C-1

{ZONING AND SETBACK REQUIREMENTS
 MUST BE VERIFIED BY THE CLIENT
 OR HIS/HER DESIGNER}

EL. @ PEAK: 132.0
 EL. @ SOFFIT: 122.2
 EL. @ SILL: 104.2
 EL. @ THRESHHOLD: 105.3
 EL. @ DECK: 105.0

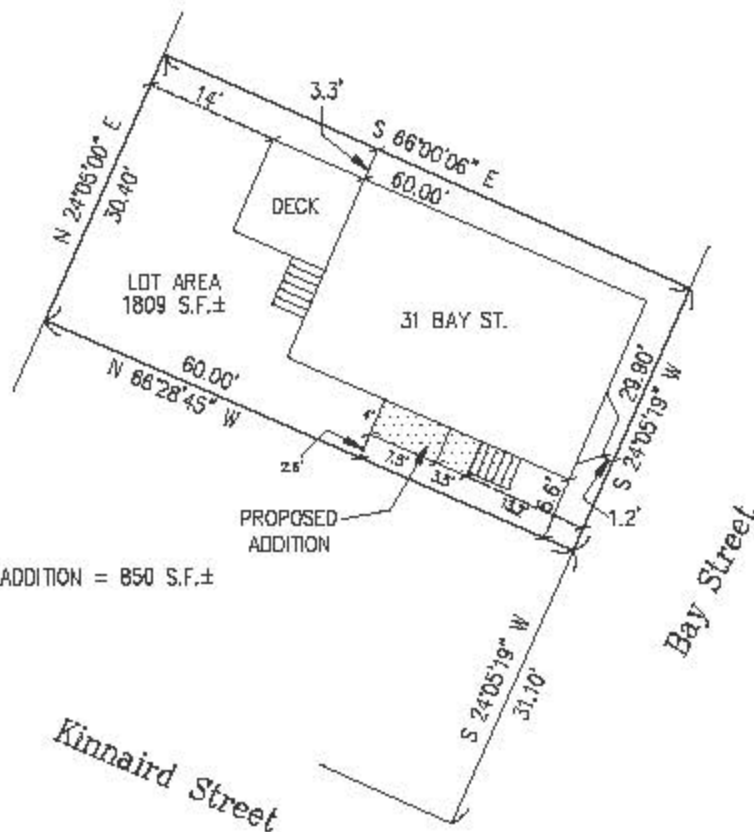
AV. GRADE: 100.1±

ELEVATIONS ARE BASED ON
 AN ASSUMED DATUM.

AREAS:

LOT: 1809 S.F.±
 HOUSE + DECKS: 850 S.F.±
 HOUSE + DECKS COVER 47%
 OF THE LOT

EXIST. HOUSE AND DECK + PROP. ADDITION = 850 S.F.±



I CERTIFY THAT THE INFORMATION SHOWN ON THIS PLAN
 IS BASED ON RECORD INFORMATION AND ON AN ACTUAL
 FIELD SURVEY AND IS CORRECT TO THE BEST OF MY
 KNOWLEDGE.

John W. McEachern
 JOHN W. McEACHERN
 6-24-2013



OWNER: DANIEL G. WILSON AND TERRI M. TURNER 13-034

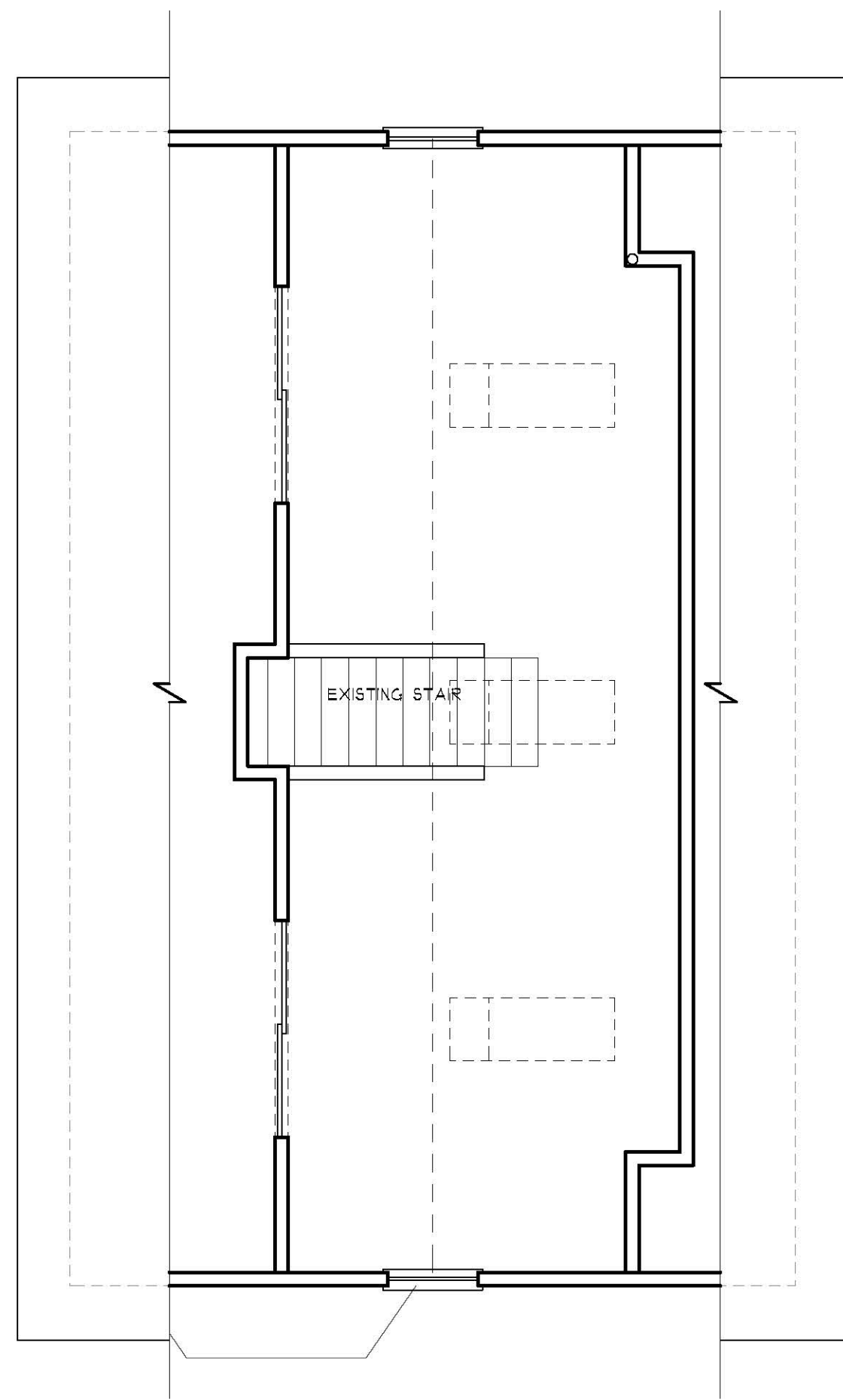
Bowditch & Crandall, Inc.
 8 Holt St.
 Belmont, Ma. 02478
 781-641-9600

PLOT PLAN
 SHOWING PROP. ADDITION
 31 BAY ST.
 CAMBRIDGE, MA.

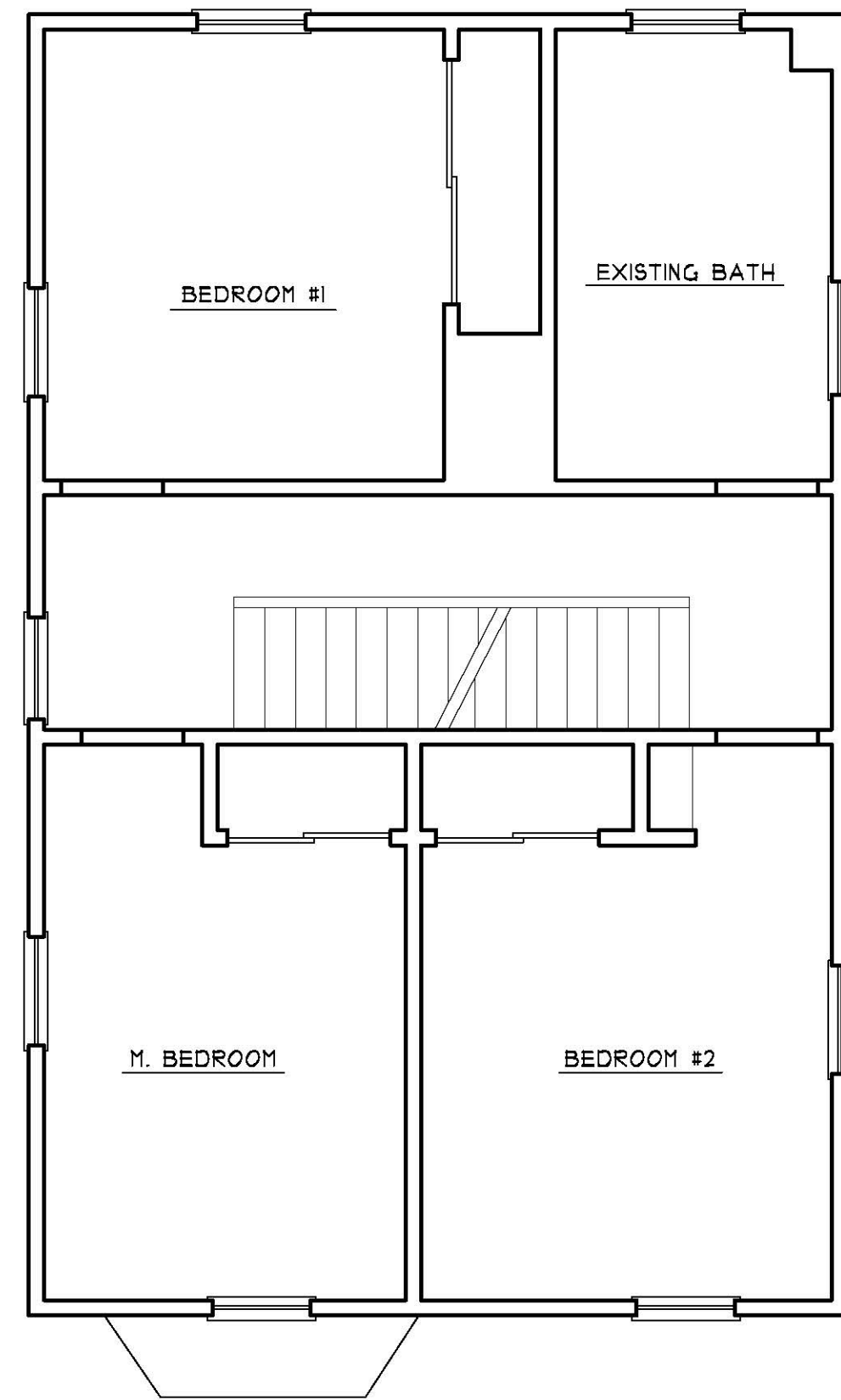
SCALE: 1" = 20'



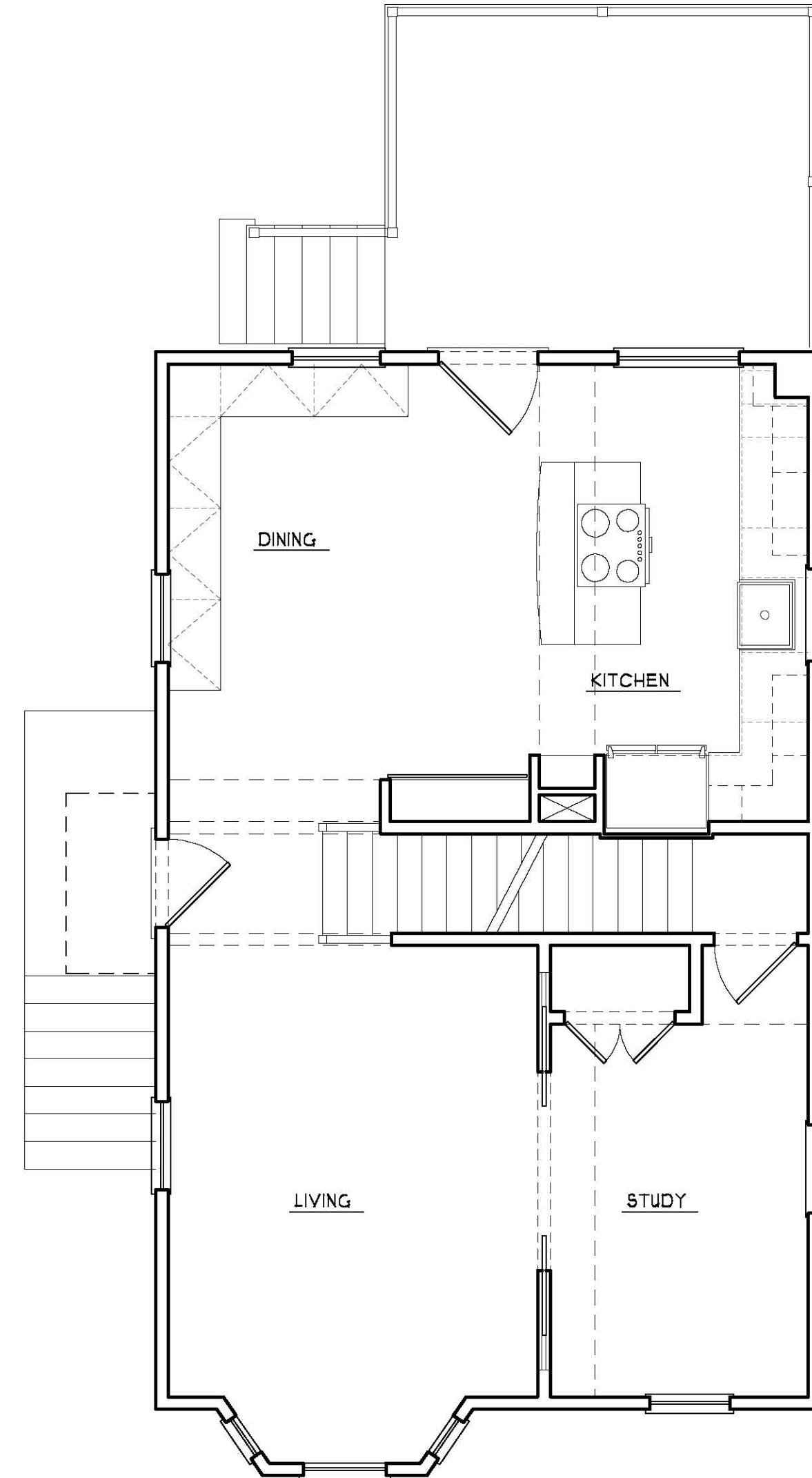
FIELD LOCATIONS: 5-6-2013



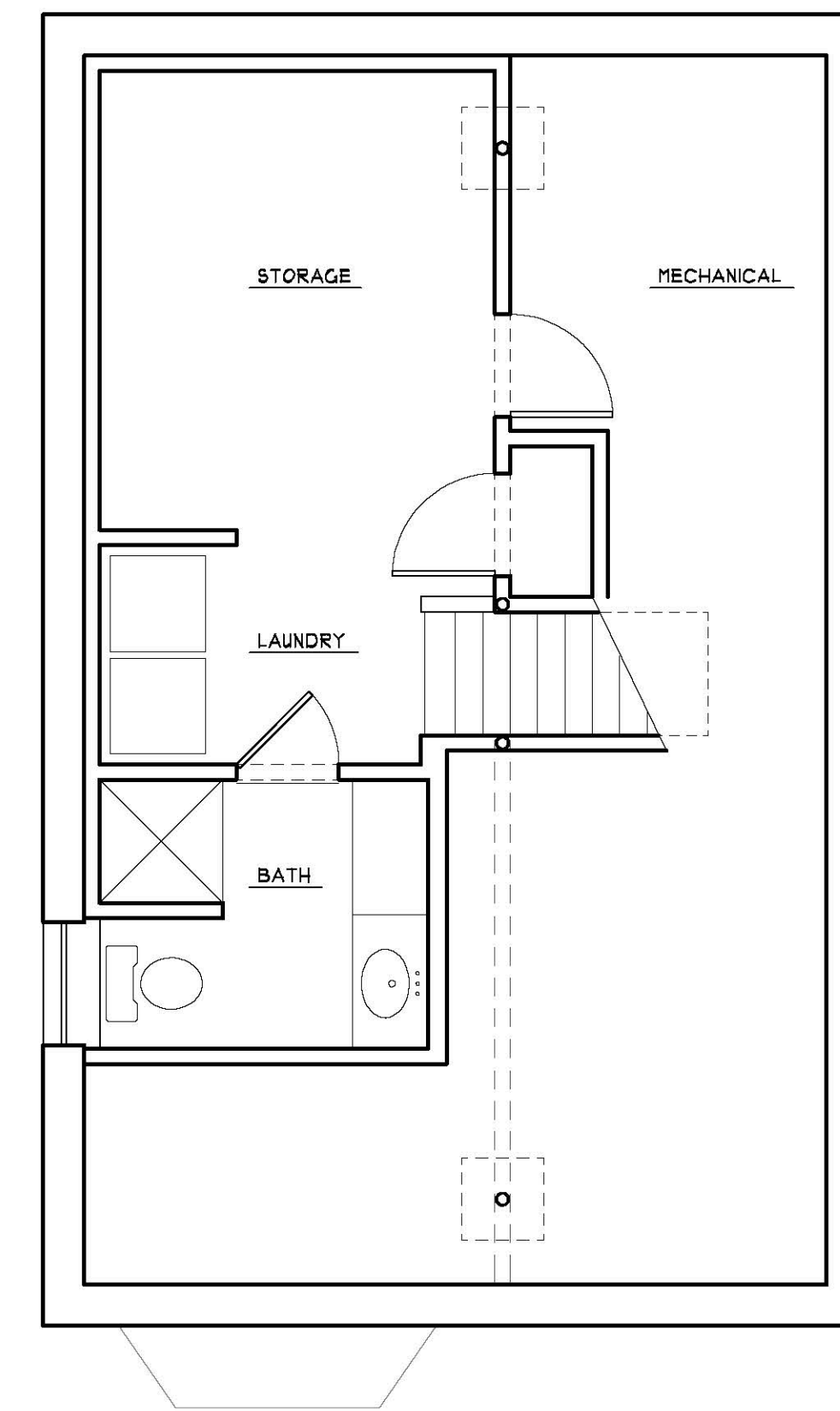
4 ATTIC FLOOR PLAN
EX) 1/4"=1'-0"



3 2ND FLOOR PLAN
EX) 1/4"=1'-0"



2 1st FLOOR PLAN
EX) 1/4"=1'-0"



1 BASEMENT PLAN
EX) 1/4"=1'-0"



1 NORTH ELEVATION
ZBA) 3/16"=1'-0"

RIDGE HEIGHT
(132)

SOFFIT HEIGHT
(222)

FINISH FLOOR HEIGHT
(105.3)

AVERAGE GRADE
(100)



2 WEST ELEVATION
ZBA) 3/16"=1'-0"



3 SOUTH ELEVATION
ZBA) 3/16"=1'-0"



4 EAST ELEVATION
ZBA) 3/16"=1'-0"

EXISTING

TITLE:

RENOVATIONS TO 31 BAY STREET, CAMBRIDGE MA
VARIANCE

DATE OF VARIANCE
06-20-18
DATE OF ZBA UPDATE
07-30-18
DATE OF ZBA UPDATE
08-15-18

EX1