



CITY OF CAMBRIDGE

BOARD OF ZONING APPEAL

831 Massachusetts Avenue, Cambridge MA 02139

617-349-6100

2026 MAR 24 AM 10:11

OFFICE OF THE CITY CLERK
CAMBRIDGE, MASSACHUSETTS

BZA Application Form

BZA Number: 1202022

General Information

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

Special Permit: _____

Variance: X

Appeal: _____

PETITIONER: Soheil Fathi

PETITIONER'S ADDRESS: 407 Concord ave, Cambridge, Ma 02138

LOCATION OF PROPERTY: 407 Concord Ave, Cambridge, MA

TYPE OF OCCUPANCY: Bakery

ZONING DISTRICT: Residence C1 Zone

REASON FOR PETITION:

/Change in Use/Occupancy/

DESCRIPTION OF PETITIONER'S PROPOSAL:

The petition seeks a variance to allow a small customer seating area associated with the existing bakery within a portion of the current space that was previously used for storage. The project involves only minor interior improvements such as cleaning, painting, and flooring. An existing restroom will be made available for customer use. The petition also requests approval for extended hours of operation until 10:00 PM. No exterior changes or construction are proposed.

SECTIONS OF ZONING ORDINANCE CITED:

Article: 4.000 Section: 4.35.0 (Fast Order/Quick Service Food Establishment)

Article: 10.000 Section: 10.30 (Variance).

Original
Signature(s):



(Petitioner (s) / Owner)

SOHEIL FATHI

(Print Name)

Address:
Tel. No.

55 Edward Dr. Winchester MA 01890
3107093997

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 Xonnabel G. Clark
(OWNER)

Address: 413 Concord Ave Cambridge, MA 02138

State that I/We own the property located at 407-409 Concord Ave
which is the subject of this zoning application. Cambridge, MA 02138

The record title of this property is in the name of Emory J. Clark
and Xonnabel G. Clark

*Pursuant to a deed of duly recorded in the date 20 June 1967, Middlesex South County Registry of Deeds at Book 11342, Page 692; or Middlesex Registry District of Land Court, Certificate No. _____
Book _____ Page _____.

Xonnabel G. Clark
SIGNATURE BY LAND OWNER OR AUTHORIZED TRUSTEE, OFFICER OR AGENT*

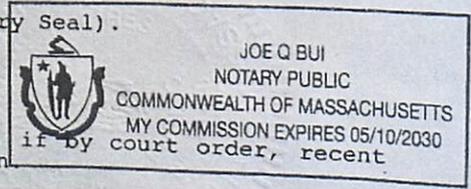
*Written evidence of Agent's standing to represent petitioner may be requested.

Commonwealth of Massachusetts, County of Middlesex

The above-name Xonnabel G. Clark personally appeared before me, this 24 of Jan., 2024, and made oath that the above statement is true.

[Signature] Notary

My commission expires 05/10/2030 (Notary Seal).



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

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 petitioner operates an existing bakery and café at the premises. The space already contains a restroom and previously approved food service use, but the current zoning restrictions limit the ability to provide customer seating and extended hours of operation. Without the requested variance, the business cannot reasonably operate as a neighborhood café, creating financial hardship.

- 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 existing structure was built prior to current zoning requirements. The layout of the building, including the restroom location and interior floor plan, limits the ability to comply strictly with current zoning provisions without hardship. These conditions are unique to this property.

- 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:

Granting the variance will not create detriment to the public good. No structural expansion is proposed. Work is limited to cleaning, painting, and laminate flooring. Seating and hours until 10 PM are consistent with similar cafés.

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

The variance supports an existing small business without changing the footprint of the building. The use remains compatible with the neighborhood and consistent with nearby uses.

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

E-Mail Address: Info@lasaison-bakery.com

Date: _____

BZA Application Form

DIMENSIONAL INFORMATION

Applicant: Soheil Fathi
Location: 407 Concord Ave., Cambridge, MA
Phone: 3107093997

Present Use/Occupancy: Bakery
Zone: Residence C1 Zone
Requested Use/Occupancy: Bakery

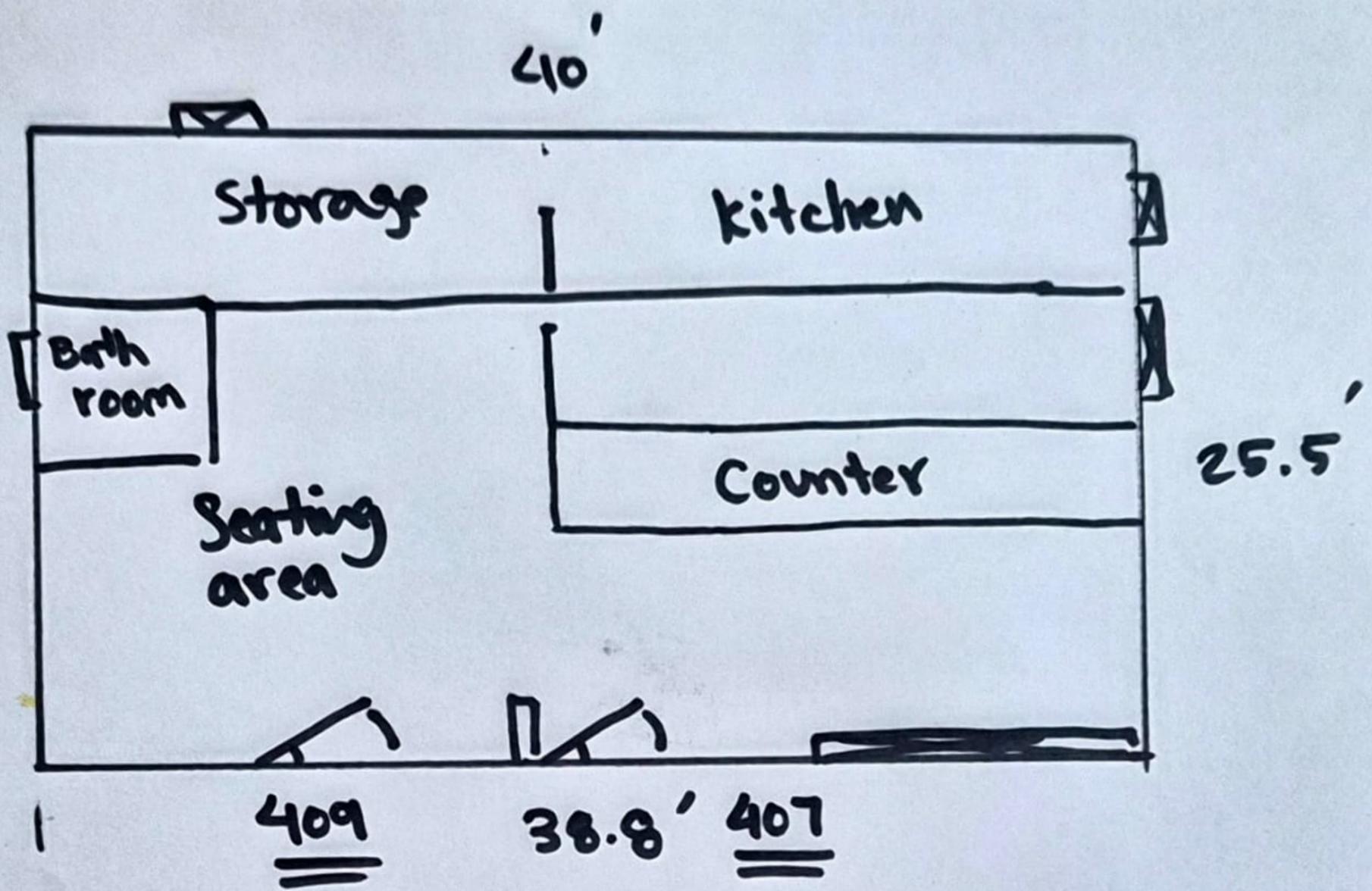
| | | Existing Conditions | | Requested Conditions | | Ordinance Requirements | |
|--|-------------------|----------------------------|--|-----------------------------|--|-------------------------------|--------|
| TOTAL GROSS FLOOR AREA: | | 437 | | 437 | | 1957 | (max.) |
| LOT AREA: | | 3914 | | No change | | 5000 | (min.) |
| RATIO OF GROSS FLOOR AREA TO LOT AREA: ² | | .243 | | .243 | | .5 | |
| LOT AREA OF EACH DWELLING UNIT | | Na | | Na | | 2500 | |
| SIZE OF LOT: | WIDTH | 98 | | No change | | 50 | |
| | DEPTH | 80 | | No change | | 50 | |
| SETBACKS IN FEET: | FRONT | 58 | | No change | | 15 | |
| | REAR | 0 | | No change | | 15 | |
| | LEFT SIDE | 5 | | No change | | 7.5 | |
| | RIGHT SIDE | 10 | | No change | | Sum-20 | |
| SIZE OF BUILDING: | HEIGHT | 10 | | No change | | 35 | |
| | WIDTH | 25 | | No change | | 35 | |
| | LENGTH | 25 | | No change | | 25 | |
| RATIO OF USABLE OPEN SPACE TO LOT AREA: | | 25% | | 25% | | 40% | |
| NO. OF DWELLING UNITS: | | 0 | | Na | | 1 | |
| NO. OF PARKING SPACES: | | 4 | | No change | | 1 | |
| NO. OF LOADING AREAS: | | 1 | | Na | | Na | |
| DISTANCE TO NEAREST BLDG. ON SAME LOT | | E building on | | No change | | Na | |

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.:

There one building on the lot. The lot is described as 407-409 Concord ave.

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'.

Lot
148

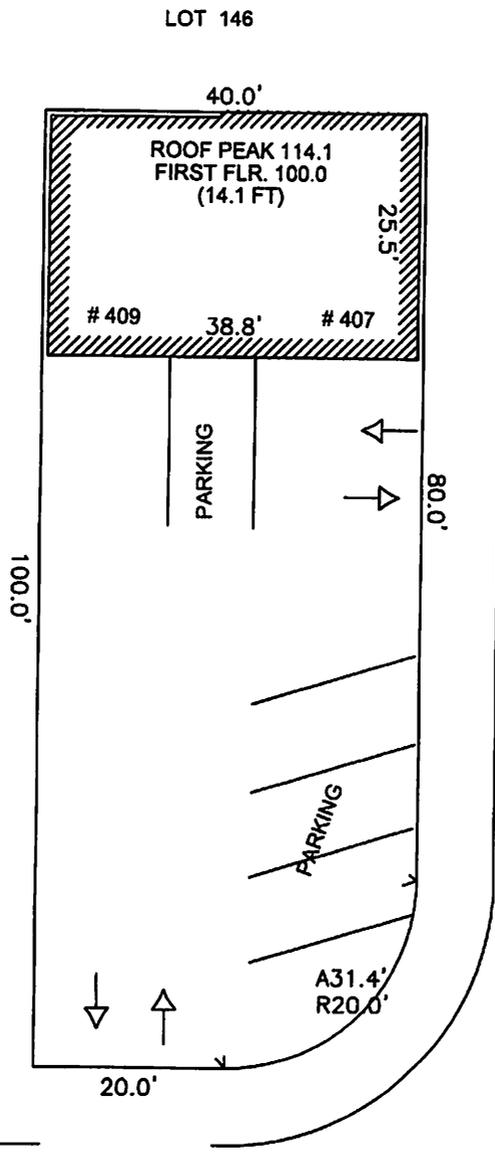
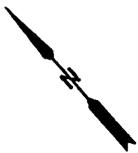


(one floor)

outdoor seating
parking +
area

↑ Corporal Burns
↑

EXISTING BUILDING
407-409 CONCORD AVENUE
CAMBRIDGE, MA
SCALE: 1 IN = 20 FT
AUG 5, 2018



LOT 148



CONCORD AVENUE

LOT 147 AREA: 3914 SF +/- RECORD
REFERENCE BOOK 11342 PAGE 692
FILE PLAN 481

ESSEX ENG. & SURVEY
PO BOX 650217
WEST NEWTON, MA. 02465

617-797-7342

FRANK.IEBBA@GMAIL.COM



DETAILS REPORT

**Note: report is Sorted in Ascending Order by Recorded Date, Document Number

| Doc# | Document Type | Town | Book/Page | File Date | Consideration |
|---|----------------------|---------------|-----------------------------|------------------|----------------------|
| 27582 | DECISION | | 85335/342 | 03/13/2026 | |
| Street | Street Name | | Description | | |
| 407 | CONCORD AVE | | | | |
| Grantors | Grantees | Street | Property Description | | |
| CAMBRIDGE CITY APPEALS, CLARK EMORY J, CLARK XONNABEL G | | | | | |
| References | | | | | |
| Book/Page | Description | | Recorded year | | |
| References Certificate | | | | | |



CITY OF CAMBRIDGE

Massachusetts
BOARD OF ZONING APPEAL
831 Mass Avenue, Cambridge, MA.
617) 349-6100

2024 MAY -1 PM 2:28
OFFICE OF THE CITY CLERK
CAMBRIDGE, MASSACHUSETTS

CASE NO: 255390

LOCATION: 407 Concord Avenue Residence B Zone
Cambridge, MA

BK 11342 PG 692

PETITIONER: Emory J. Clark & Xonnabel G. Clark
C/o Soheil Fathi



2026 00027582
Bk: 85335 Pg: 342 Doc: DECIS
Page: 1 of 3 03/13/2026 11:25 AM

PETITION: Variance: To increase outdoor capacity, hours of operation & use of music and entertainment outside on occasion.

VIOLATIONS: Art. 4.000, Sec. 4.35.0 (Fast Order/Quick Service Food Establishment).
Art. 10.000, Sec. 10.30 (Variance).

DATE OF PUBLIC NOTICE: February 29, 2024 & March 7, 2024

DATE OF PUBLIC HEARING: March 14, 2024

MEMBERS OF THE BOARD:

- JIM MONTEVERDE
- STEVEN NG
- VIRGINIA KEESLER
- FERNANDO DANIEL HIDALGO
- WILLIAM BOEHM

✓
✓
✓
✓
✓

ASSOCIATE MEMBERS:

- MATINA WILLIAMS
- WENDY LEISERSON
- CAROL AGATE
- THOMAS MILLER
- ZARYA MIRANDA
- MICHAEL LAROSA

Members of the Board of Zoning Appeal heard testimony and viewed materials submitted regarding the above request for relief from the requirements of the Cambridge Zoning Ordinance. The Board is familiar with the location of the petitioner's property, the layout, and other characteristics as well as the surrounding district.

Case No: BZA-255390
Location: 407 Concord Avenue, Cambridge, MA
Petitioner: Emory J. Clark and Xonnabel G. Clark – c/o Soheil Fathi

On March 14, 2024, Petitioner Soheil Fathi appeared before the Board of Zoning Appeal requesting a variance in order to increase the outdoor seating capacity, increase the hours of operation, and allow music and entertainment outside on occasion. The Petitioner requested relief from Article 4, Section 4.35.O and Article 10, Section 10.30 of the Cambridge Zoning Ordinance (“Ordinance”). The Petitioner submitted materials in support of the application including information about the project, plans, and photographs.

Mr. Fathi stated that the bakery, operating under a special permit, wished to provide 20 additional seats outdoors, wished to expand the hours on Fridays, Saturdays and Sundays until 9 p.m., and wished to play non-amplified music between 12 p.m. and 2 p.m. on Fridays, Saturdays, and Sundays.

Neighbors spoke and wrote in support of the proposal.

The Chair moved that the Board specifically find that based upon all the information presented, there are circumstances involving a substantial hardship relating to this property within the meaning of M.G.L. c. 40A § 10 and that the Board grant the variance for the requested relief on the following conditions:

1. that the operation be in conformance with the drawings titled “407 Concord Avenue”, as labeled, initialed, and dated by the Chair,
2. that the hours on Fridays, Saturdays, and Sundays are limited to 7 a.m. to 9 p.m.,
3. that the music and entertainment are to be non-amplified and are limited to 12 p.m. and 2 p.m. Fridays, Saturdays, and Sundays.
4. that the variance is valid only for the existing specially permitted bakery and is valid only for a time period of 10 years from the date of this decision.

The five-member Board voted unanimously in favor of the findings and of granting the variance as conditioned (Monteverde, Ng, Keesler, Boehm, and Hidalgo). Therefore, the variance is granted as conditioned.

The Board of Zoning Appeal is empowered to waive local zoning regulations only. This decision therefore does not relieve the petitioner in any way from the duty to comply with local ordinances and regulations of the other local agencies, including, but not limited to the Historical Commission, License Commission and/or compliance with requirements pursuant to the Building Code and other applicable codes.

Jim Monteverde

Jim Monteverde, Chair

Attest: A true and correct copy of decision filed with the offices of the City Clerk and Planning Board on 5-1-24 by Maie Pacheco, Clerk.

Twenty days have elapsed since the filing of this decision.

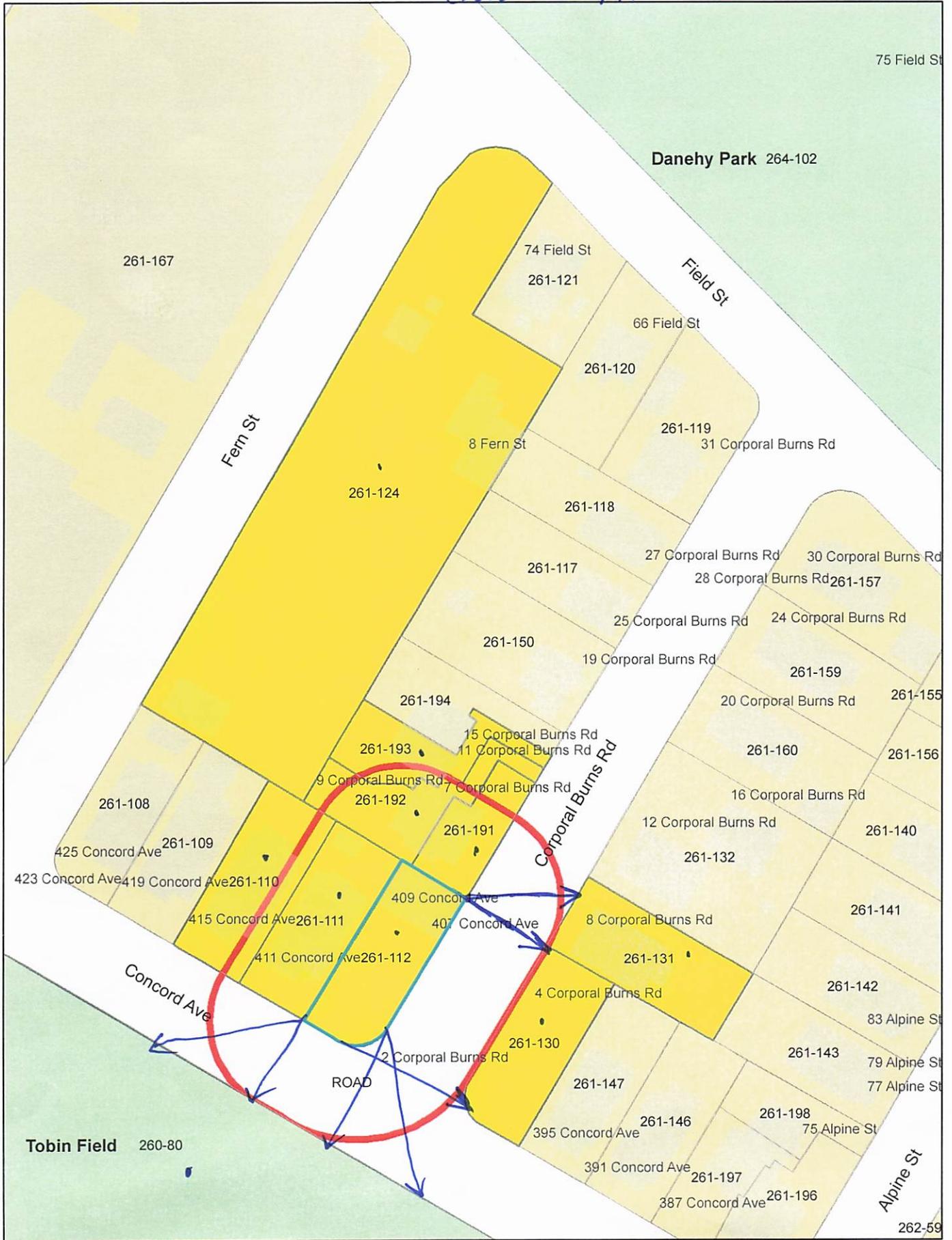
No appeal has been filed _____.

Appeal has been filed and dismissed or denied.

Date: 3/13/26 Paula M Crane City Clerk.

MAR 13 2026
CERTIFIED COPY
Paula M Crane
City Clerk

407 Concord Ave



407 Concord Ave

Petitioner

261-110
HELFFELD, ALVIN AND SUSAN SCHENKEL
417 CONCORD AVE.
CAMBRIDGE, MA 02138-1215

261-111-112
CLARK, EMORY J. XONNABEL G CLARK
413 CONCORD AVE
CAMBRIDGE, MA 02138-1215

261-112
SOHEIL FATHI
407 CONCORD AVENUE
CAMBRIDGE, MA 02138

261-131
BACHER JUDITH A.
TRS THE JUDITH A BACHER REVOCABLE TR
8 CORPORAL BURNS RD
CAMBRIDGE, MA 02138

261-124
LYMAN, JAMES M., REINIER BEEUWKES, JR.
AUSTIN BROADHURST,
TR. OF LYMAN REAL ESTATE TRUST
445 CONCORD AVE
CAMBRIDGE, MA 02138

261-192
HOPKINS, SUZANNE B. & WENDY L. WOOD
9 CORPORAL BURNS RD
CAMBRIDGE, MA 02138

261-191
LAROCHÉ, GINA M. ALAN C. PRICE
7 CORPORAL BURNS RD
CAMBRIDGE, MA 02138

261-193
BUNDY CAROLE L TR BUNDY FAMILY 2020 TR
11 CORPORAL BURNS RD
CAMBRIDGE, MA 02138

261-130
4 CORPORAL BURNS ROAD LLC
267 GROVE ST
CAMBRIDGE, MA 02138

260-80
CAMBRIDGE CITY OF SCHOOL DEPT -
TOBIN SCHOOL
159 THORNDIKE ST
CAMBRIDGE, MA 02141

260-80
CITY OF CAMBRIDGE
C/O YI-AN HUANG
CITY MANAGER

260-80
CITY OF CAMBRIDGE
C/O MEGAN BAYER
CITY SOLICITOR