



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

2019 FEB 14 PM 3:37  
OFFICE OF THE CITY CLERK  
CAMBRIDGE, MASSACHUSETTS  
Plan No: BZA-017072-2019

BZA APPLICATION FORM

GENERAL INFORMATION

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

Special Permit : \_\_\_\_\_ Variance : ✓ Appeal : \_\_\_\_\_

PETITIONER : 68 Sparks Street, LLC - C/O James J. Rafferty, Esq.

PETITIONER'S ADDRESS : 907 Massachusetts Avenue Cambridge, MA 02139

LOCATION OF PROPERTY : 68 Sparks St Cambridge, MA

TYPE OF OCCUPANCY : \_\_\_\_\_ ZONING DISTRICT : Residence A-1 Zone

REASON FOR PETITION :

Additions

DESCRIPTION OF PETITIONER'S PROPOSAL :

Petitioner seeks to enclose first floor side porch at rear of structure and enlarge elevator shaft, previously approved in BZA Case No. 016737-2018, by less than 8 sf.

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) :

\_\_\_\_\_  
(Petitioner(s) / Owner)

James J. Rafferty, Esq.

(Print Name)

Address : 907 Massachusetts Avenue  
Cambridge, MA 02139

Tel. No. : (617) 492-4100

E-Mail Address : jrafferty@adamsrafferty.com

Date : February 11, 2019

**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:

A literal enforcement of hte Ordinance would prevent the petitioner from constructing any additional gross floor area on the newly constructed foundation.

**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 directly related to the eroded rear foundation. Once renovation work commenced, it was discovered that the foundation of the rear addition needed to be replaced. Given the necessity of having to construct the new foundation, the petitioner is desirous of expanding the kitchen to include that area.

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

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

The enclosure of the rear left deck will have a limited impact on the neighboring property since it abuts their garage and will only result in an increase in gross floor area of 222 sf.

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

The use of the property as a two family dwelling will not be changed as a result of the variance being sought.

**\* 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:** James Rafferty, Esq. **PRESENT USE/OCCUPANCY:** two family

**LOCATION:** 68 Sparks St Cambridge, MA **ZONE:** Residence A-1 Zone

**PHONE:** \_\_\_\_\_ **REQUESTED USE/OCCUPANCY:** two family

		<b><u>EXISTING CONDITIONS</u></b>	<b><u>REQUESTED CONDITIONS</u></b>	<b><u>ORDINANCE REQUIREMENTS</u></b> <sup>1</sup>	
<b><u>TOTAL GROSS FLOOR AREA:</u></b>		<u>5,482</u>	<u>5,711</u>	<u>5,020</u>	(max.)
<b><u>LOT AREA:</u></b>		<u>10,040</u>	<u>no change</u>	<u>8,000</u>	(min.)
<b><u>RATIO OF GROSS FLOOR AREA TO LOT AREA:</u></b> <sup>2</sup>		<u>.546</u>	<u>.669</u>	<u>.5</u>	(max.)
<b><u>LOT AREA FOR EACH DWELLING UNIT:</u></b>		<u>5,020</u>	<u>no change</u>	<u>6,000</u>	(min.)
<b><u>SIZE OF LOT:</u></b>	<b>WIDTH</b>	<u>75.92'</u>	<u>no change</u>	<u>80'</u>	(min.)
	<b>DEPTH</b>	<u>132.42'</u>	<u>no change</u>	<u>N/A</u>	
<b><u>SETBACKS IN FEET:</u></b>	<b>FRONT</b>	<u>36.4'</u>	<u>no change</u>	<u>25'</u>	(min.)
	<b>REAR</b>	<u>29.1'</u>	<u>no change</u>	<u>34'</u>	(min.)
	<b>LEFT SIDE</b>	<u>5.2'</u>	<u>4.67'</u>	<u>15' (sum 35')</u>	(min.)
	<b>RIGHT SIDE</b>	<u>29.5'</u>	<u>no change</u>	<u>15' (sum 35')</u>	(min.)
<b><u>SIZE OF BLDG.:</u></b>	<b>HEIGHT</b>	<u>46.7'</u>	<u>no change</u>	<u>35'</u>	(max.)
	<b>LENGTH</b>	<u>66.75'</u>	<u>no change</u>	<u>N/A</u>	
	<b>WIDTH</b>	<u>46.5'</u>	<u>no change</u>	<u>N/A</u>	
<b><u>RATIO OF USABLE OPEN SPACE TO LOT AREA:</u></b>		<u>.595</u>	<u>.5724</u>	<u>.50</u>	(min.)
<b><u>NO. OF DWELLING UNITS:</u></b>		<u>2</u>	<u>no change</u>	<u>1</u>	(max.)
<b><u>NO. OF PARKING SPACES:</u></b>		<u>2</u>	<u>no change</u>	<u>2</u>	(min./max)
<b><u>NO. OF LOADING AREAS:</u></b>		<u>N/A</u>	<u>no change</u>	<u>N/A</u>	(min.)
<b><u>DISTANCE TO NEAREST BLDG. ON SAME LOT:</u></b>		<u>21.5</u>	<u>no change</u>	<u>N/A</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.

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'.

This map shows a residential neighborhood with several streets and property lots. The streets include Sparks St, Highland St, Buckingham St, Healey St, 2 Hemlock Rd, 1 Riedesel Ave, and 6 Riedesel Ave. A red outline highlights a specific area, and a blue outline highlights a smaller area within it. Various lot numbers are labeled throughout the map, including 231-33, 231-52, 231-45, 231-47, 231-46, 231-48, 231-2, 231-3, 231-5, 226-59, 226-57, 226-58, 226-61, 226-65, 226-45, 226-44, 226-5, 226-3, 226-2, 226-34, 226-35, 225-45, 225-20, 225-19, 225-58, 225-22, 225-47, 225-49, 225-26, 224-32, 223-66, 223-65, 223-68, 223-67, 223-25, 223-45, 223-44, 223-41, 223-50, 223-49, 223-64, 223-63, 223-62, 223-61, 223-60, 223-59, 223-58, 223-57, 223-56, 223-55, 223-54, 223-1053, 223-34, 223-33, 223-32, 223-39, 223-38, 223-37, 223-36, 223-35, 223-34, 223-33, 223-32, 223-31, 223-30, 223-29, 223-28, 223-27, 223-26, 223-25, 223-24, 223-23, 223-22, 223-21, 223-20, 223-19, 223-18, 223-17, 223-16, 223-15, 223-14, 223-13, 223-12, 223-11, 223-10, 223-9, 223-8, 223-7, 223-6, 223-5, 223-4, 223-3, 223-2, 223-1, 222-59, 222-58, 222-57, 222-56, 222-55, 222-54, 222-53, 222-52, 222-51, 222-50, 222-49, 222-48, 222-47, 222-46, 222-45, 222-44, 222-43, 222-42, 222-41, 222-40, 222-39, 222-38, 222-37, 222-36, 222-35, 222-34, 222-33, 222-32, 222-31, 222-30, 222-29, 222-28, 222-27, 222-26, 222-25, 222-24, 222-23, 222-22, 222-21, 222-20, 222-19, 222-18, 222-17, 222-16, 222-15, 222-14, 222-13, 222-12, 222-11, 222-10, 222-9, 222-8, 222-7, 222-6, 222-5, 222-4, 222-3, 222-2, 222-1, 221-59, 221-58, 221-57, 221-56, 221-55, 221-54, 221-53, 221-52, 221-51, 221-50, 221-49, 221-48, 221-47, 221-46, 221-45, 221-44, 221-43, 221-42, 221-41, 221-40, 221-39, 221-38, 221-37, 221-36, 221-35, 221-34, 221-33, 221-32, 221-31, 221-30, 221-29, 221-28, 221-27, 221-26, 221-25, 221-24, 221-23, 221-22, 221-21, 221-20, 221-19, 221-18, 221-17, 221-16, 221-15, 221-14, 221-13, 221-12, 221-11, 221-10, 221-9, 221-8, 221-7, 221-6, 221-5, 221-4, 221-3, 221-2, 221-1, 220-59, 220-58, 220-57, 220-56, 220-55, 220-54, 220-53, 220-52, 220-51, 220-50, 220-49, 220-48, 220-47, 220-46, 220-45, 220-44, 220-43, 220-42, 220-41, 220-40, 220-39, 220-38, 220-37, 220-36, 220-35, 220-34, 220-33, 220-32, 220-31, 220-30, 220-29, 220-28, 220-27, 220-26, 220-25, 220-24, 220-23, 220-22, 220-21, 220-20, 220-19, 220-18, 220-17, 220-16, 220-15, 220-14, 220-13, 220-12, 220-11, 220-10, 220-9, 220-8, 220-7, 220-6, 220-5, 220-4, 220-3, 220-2, 220-1, 219-59, 219-58, 219-57, 219-56, 219-55, 219-54, 219-53, 219-52, 219-51, 219-50, 219-49, 219-48, 219-47, 219-46, 219-45, 219-44, 219-43, 219-42, 219-41, 219-40, 219-39, 219-38, 219-37, 219-36, 219-35, 219-34, 219-33, 219-32, 219-31, 219-30, 219-29, 219-28, 219-27, 219-26, 219-25, 219-24, 219-23, 219-22, 219-21, 219-20, 219-19, 219-18, 219-17, 219-16, 219-15, 219-14, 219-13, 219-12, 219-11, 219-10, 219-9, 219-8, 219-7, 219-6, 219-5, 219-4, 219-3, 219-2, 219-1, 218-59, 218-58, 218-57, 218-56, 218-55, 218-54, 218-53, 218-52, 218-51, 218-50, 218-49, 218-48, 218-47, 218-46, 218-45, 218-44, 218-43, 218-42, 218-41, 218-40, 218-39, 218-38, 218-37, 218-36, 218-35, 218-34, 218-33, 218-32, 218-31, 218-30, 218-29, 218-28, 218-27, 218-26, 218-25, 218-24, 218-23, 218-22, 218-21, 218-20, 218-19, 218-18, 218-17, 218-16, 218-15, 218-14, 218-13, 218-12, 218-11, 218-10, 218-9, 218-8, 218-7, 218-6, 218-5, 218-4, 218-3, 218-2, 218-1, 217-59, 217-58, 217-57, 217-56, 217-55, 217-54, 217-53, 217-52, 217-51, 217-50, 217-49, 217-48, 217-47, 217-46, 217-45, 217-44, 217-43, 217-42, 217-41, 217-40, 217-39, 217-38, 217-37, 217-36, 217-35, 217-34, 217-33, 217-32, 217-31, 217-30, 217-29, 217-28, 217-27, 217-26, 217-25, 217-24, 217-23, 217-22, 217-21, 217-20, 217-19, 217-18, 217-17, 217-16, 217-15, 217-14, 217-13, 217-12, 217-11, 217-10, 217-9, 217-8, 217-7, 217-6, 217-5, 217-4, 217-3, 217-2, 217-1, 216-59, 216-58, 216-57, 216-56, 216-55, 216-54, 216-53, 216-52, 216-51, 216-50, 216-49, 216-48, 216-47, 216-46, 216-45, 216-44, 216-43, 216-42, 216-41, 216-40, 216-39, 216-38, 216-37, 216-36, 216-35, 216-34, 216-33, 216-32, 216-31, 216-30, 216-29, 216-28, 216-27, 216-26, 216-25, 216-24, 216-23, 216-22, 216-21, 216-20, 216-19, 216-18, 216-17, 216-16, 216-15, 216-14, 216-13, 216-12, 216-11, 216-10, 216-9, 216-8, 216-7, 216



68 Sparks St.

Petitioner

223-19  
MOORE VON MEHREN, JOAN, TRUSTEE OF JOAN  
MOORE VON MEHREN QUAL.PERS RES TR.  
68 SPARKS ST  
CAMBRIDGE, MA 02138

223-20  
MILLER, LYNNE T.  
17 BUCKINGHAM ST  
CAMBRIDGE, MA 02138

JAMES J. RAFFERTY, ESQ.  
907 MASS AVENUE  
CAMBRIDGE, MA 02139

223-27  
BARRINGER, ELIZABETH PRATT & JOHN A. CLARK  
64 SPARKS ST  
CAMBRIDGE, MA 02138

223-28  
FISHER, JOSEPH,  
TRUSTEE THE SPARKS TRUST  
PO BOX 11270  
JACKSON, WY 83002

223-34  
WOODS, AMY  
2 HIGHLAND ST  
CAMBRIDGE, MA 02138

223-66  
DONATH, JUDITH S.  
13 BUCKINGHAM ST  
CAMBRIDGE, MA 02138

226-5  
STRAUS, DONALD R. & CAROL L. GOSS  
19 BUCKINGHAM ST  
CAMBRIDGE, MA 02138

226-44  
SIPSER, MICHAEL & INA SIPSER  
21 BUCKINGHAM ST  
CAMBRIDGE, MA 02138

226-57  
FRIEDMAN, BENJAMIN M. &  
BARBARA C. FRIEDMAN  
74 SPARKS ST  
CAMBRIDGE, MA 02138

226-61  
FELDMAN, NOAH,  
TRUSTEE THE NOAH FELDMAN 2015 REV TR  
72 SPARKS ST  
CAMBRIDGE, MA 02138

226-65  
BEATRICE, ROY  
70 SPARKS ST  
CAMBRIDGE, MA 02138

231-3  
HIGGINS, ROBERT F.  
1 HIGHLAND STREET  
CAMBRIDGE, MA 02138

223-1053  
TAGIURI, CONSUELO & RENATO TAGIURI,  
TRS. 67 SPARKS STREET REALTY TRUST  
67 SPARKS STREET  
CAMBRIDGE, MA 02138

223-21  
SICHKO, SAMUEL C. & DAVID R. PEELER  
TRU 15 BUCKINGHAM STREET REALTY TRUST  
15 BUCKINGHAM ST  
CAMBRIDGE, MA 02138

1950 MASSACHUSETTS AVE  
CAMBRIDGE, MA 02140  
TEL 617-497-4150  
FAX 617-868-1055

68 SPARKS STREET

CAMBRIDGE, MA

REVISIONS		
NO.	DATE	REVISION NOTES

CONSULTANTS	
Consultant Name	
Consultant Address	

PROJECT ARCHITECT	DRAWN BY
NANCY DINGMAN	Drawn By
DATE	PROJECT JOB NUMBER
1-27-19	1802

NO.	DATE	ISSUE NOTE

FRONT ELEVATION  
REAR ELEVATION

A2-1



PROPOSED FRONT ELEVATION



PROPOSED REAR ELEVATION



CAMBRIDGE, MA

REVISIONS		
NO.	DATE	REVISION NOTES

CONSULTANTS
<div>Consultant Name</div> <div>Consultant Address</div>

PROJECT ARCHITECT	DRAWN BY
NANCY DINGMAN	Drawn By
DATE	PROJECT JOB NUMBER
1-27-19	1802

[illegible]

RIGHT SIDE ELEVATION

A2-2



CAMBRIDGE, MA

REVISIONS		
NO.	DATE	REVISION NOTES

CONSULTANTS	
Consultant Name	
Consultant Address	

PROJECT ARCHITECT	DRAWN BY
NANCY DINGMAN	Drawn By
DATE	PROJECT JOB NUMBER
1-27-19	1802

[illegible]

A2-3





CAMBRIDGE, MA

[illegible]

CONSULTANTS

PROJECT ARCHITECT	DRAWN BY
NANCY DINGMAN	
DATE	PROJECT JOB NUMBER
1-27-2019	1802

[illegible]

A1-0



CAMBRIDGE, MA

[illegible]

CONSULTANTS	
Consultant Name	
Consultant Address	

PROJECT ARCHITECT	DRAWN BY
NANCY DINGMAN	Drawn By
DATE	PROJECT JOB NUMBER
1-27-2019	1802

[illegible]

A1-1

1950 MASSACHUSETTS AVE  
CAMBRIDGE, MA 02140  
TEL 617-497-4150  
FAX 617-868-1055

68 SPARKS STREET

CAMBRIDGE, MA

REVISIONS		
NO.	DATE	REVISION NOTES

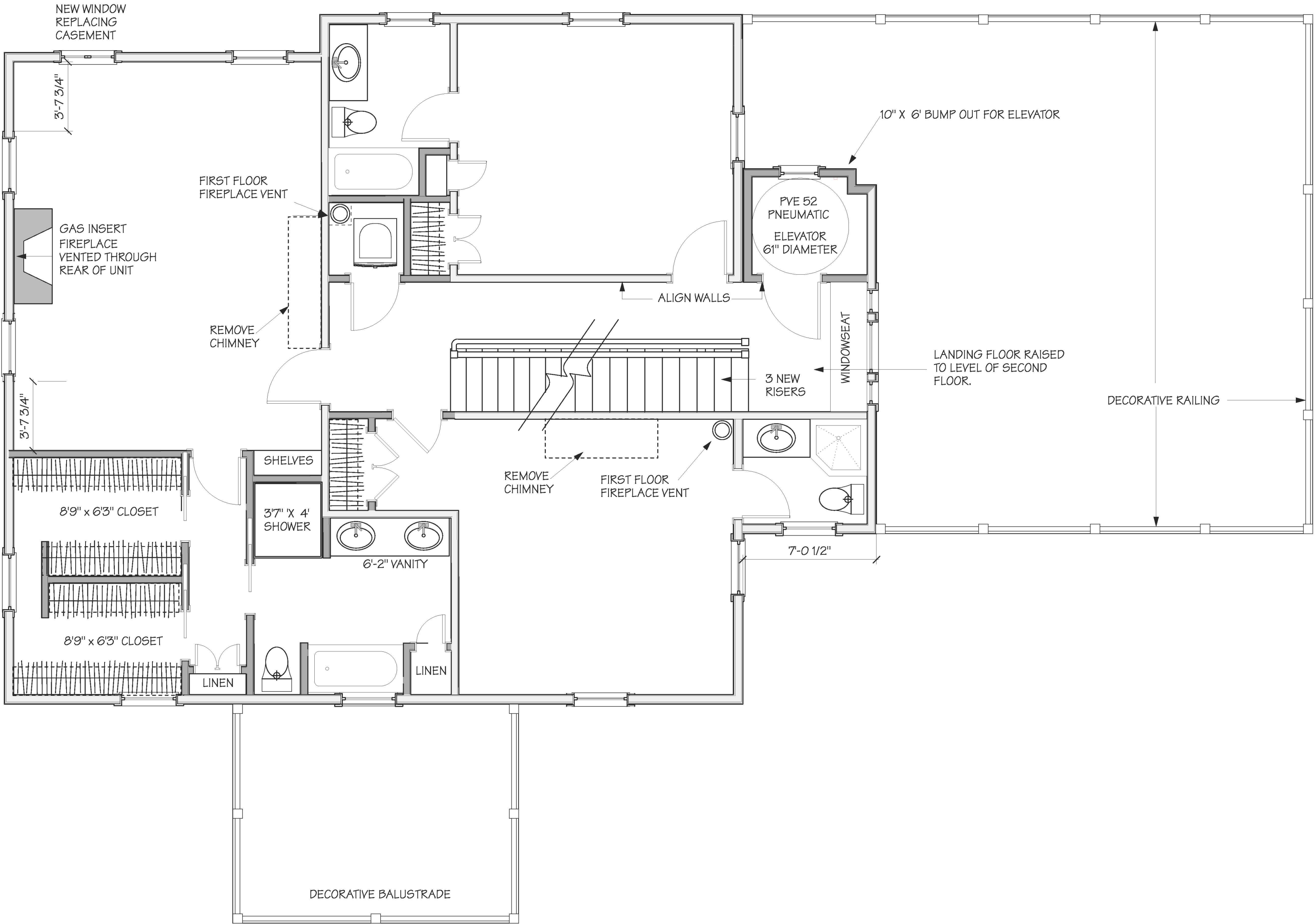

CONSULTANTS

PROJECT ARCHITECT	DRAWN BY
NANCY DINGMAN	
DATE	PROJECT JOB NUMBER
1-27-2019	1802

NO.	DATE	ISSUE NOTE

SECOND FLOOR PLAN

A1-2



PROPOSED SECOND FLOOR PLAN



CAMBRIDGE, MA

REVISIONS		
NO.	DATE	REVISION NOTES

[illegible]

PROJECT ARCHITECT	DRAWN BY
NANCY DINGMAN	
DATE	PROJECT JOB NUMBER
1-27-2019	1802

[illegible]

A1-3



CAMBRIDGE, MA

[illegible]

CONSULTANTS

PROJECT ARCHITECT	DRAWN BY
NANCY DINGMAN	
DATE	PROJECT JOB NUMBER
1-27-2019	1802

[illegible]

A1-4



**OWNERSHIP INFORMATION FOR BOARD OF ZONING APPEAL RECORD**

To be completed by OWNER, signed and returned to Secretary of Board of Appeal

Joan von Mehren  
(Owner or Petitioner)

Address: c/o James J. Rafferty 675 Massachusetts Avenue, Cambridge MA 02139

Location of Premises: 68 Sparks Street

the record title standing in the name of Joan Moore Von Mehren Qualified Personal Residence Trust

whose address is 68 Sparks Street CAMBRIDGE MA 02138  
(Street) (City or Town) (State & Zip Code)

by a deed duly recorded in the Middlesex South County Registry of Deeds in

Book 50922 Page 157 or \_\_\_\_\_ Registry

District of Land Court Certificate No. \_\_\_\_\_ Book \_\_\_\_\_ Page \_\_\_\_\_

Joan D. von Mehren  
(Owner) JOAN VON MEHREN

=====

On this 2nd day of May, 2018, before me, the undersigned notary public, personally appeared Joan von Mehren proved to me through satisfactory evidence of identification, which were personal recognizance, to be the person whose name is signed on the preceding or attached document, and acknowledged to me that they signed it voluntarily for its stated purpose.

John J. Petrowsky  
Notary Public JOHN J. PETROWSKY  
My commission expires: 10/10/19