



CITY OF CAMBRIDGE

BOARD OF ZONING APPEAL

831 Massachusetts Avenue, Cambridge MA 02139

617-349-6100

2024 APR 17 AM 11:49
OFFICE OF THE CITY CLERK
CAMBRIDGE, MASSACHUSETTS

BZA Application Form

BZA Number: 263613

General Information

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

Special Permit: _____

Variance:

Appeal: _____

PETITIONER: Walsh, Tomas R. & Elizabeth P. Walsh C/O Edrick vanBeuzekom

PETITIONER'S ADDRESS: 1310 Broadway, Somerville, MA 02144

LOCATION OF PROPERTY: 73 FAYETTE ST., Unit 1, Cambridge, MA

TYPE OF OCCUPANCY: Residential

ZONING DISTRICT: Residence C-1 Zone

REASON FOR PETITION:

DESCRIPTION OF PETITIONER'S PROPOSAL:

The proposed work includes enclosing an existing covered porch, which is covered by a roof and deck above, owned by the second floor unit. Walls and a new roof will be constructed below the deck above to create an enclosed porch. The existing structure is nonconforming to: total gross floor area, lot area, floor area ratio, lot area for dwelling units, lot width, front, rear and side yard setback requirements, building height, ratio of private open space, and parking spaces requirements. The proposed work falls within the current nonconforming footprint and does not increase its nonconformity ~~or add to~~ its gross floor area.

with the exception of

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):

Edrick vanBeuzekom

(Petitioner (s) / Owner)

Edrick vanBeuzekom

(Print Name)

Address:

EVB Design 1310 Broadway Suite 200
Somerville, MA 02144

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 Tomas R. Walsh & Elizabeth P. Walsh

(OWNER)

Address: 73 Fayette St Unit 1 Cambridge, MA 02139

State that I/We own the property located at 73 Fayette St Unit 1 Cambridge, MA 02139, which is the subject of this zoning application.

The record title of this property is in the name of Tomas R. Walsh & Elizabeth P. Walsh

*Pursuant to a deed of duly recorded in the date 11/02/2018, Middlesex South County Registry of Deeds at Book 71837, Page 0290; or

Middlesex Registry District of Land Court, Certificate

No. _____ Book Page _____.

[Handwritten Signature]

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 Tomas Ryan Walsh Elizabeth Paige Walsh personally appeared before me, this 16th of March, 2024, and made oath that the above statement is true.



[Handwritten Signature]
Notary

My commission expires _____ (Notary Seal).

* If ownership is not 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:

A literal enforcement of the provisions of this Ordinance would involve a hardship for the petitioners as their condominium has only two bedrooms for a family of 5. As the children grow up the family need additional living space for daily activities. The existing rear porch is currently only usable part of the year and enclosing it would provide a much needed additional living space for the family.

- 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 nonconforming lot size and wedge shaped property lines which render the existing porch nonconforming to yard setbacks. The existing structure is in scale with the neighborhood but small size of the lot creates a nonconformity to Floor Area Ratio.

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

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

Relief may be granted without substantial detriment to the public good because the porch is already an existing space at the rear of the house, not viewable from the public way and as such would have no impact on 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:

Because the proposal is to enclose existing covered porch space it does not create a substantial change to the existing condition and therefore relief may be granted without nullifying or substantially derogating from the purpose of this Ordinance.

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

Tel. No. (617) 623-2222
 E-Mail Address: edrick@evbdesign.com

Date: 4/16/24

BZA Application Form

DIMENSIONAL INFORMATION

Applicant: Walsh, Tomas R. & Elizabeth P. Walsh
Location: 73 FAYETTE ST., Unit 1, Cambridge, MA
Phone: (617) 623-2222

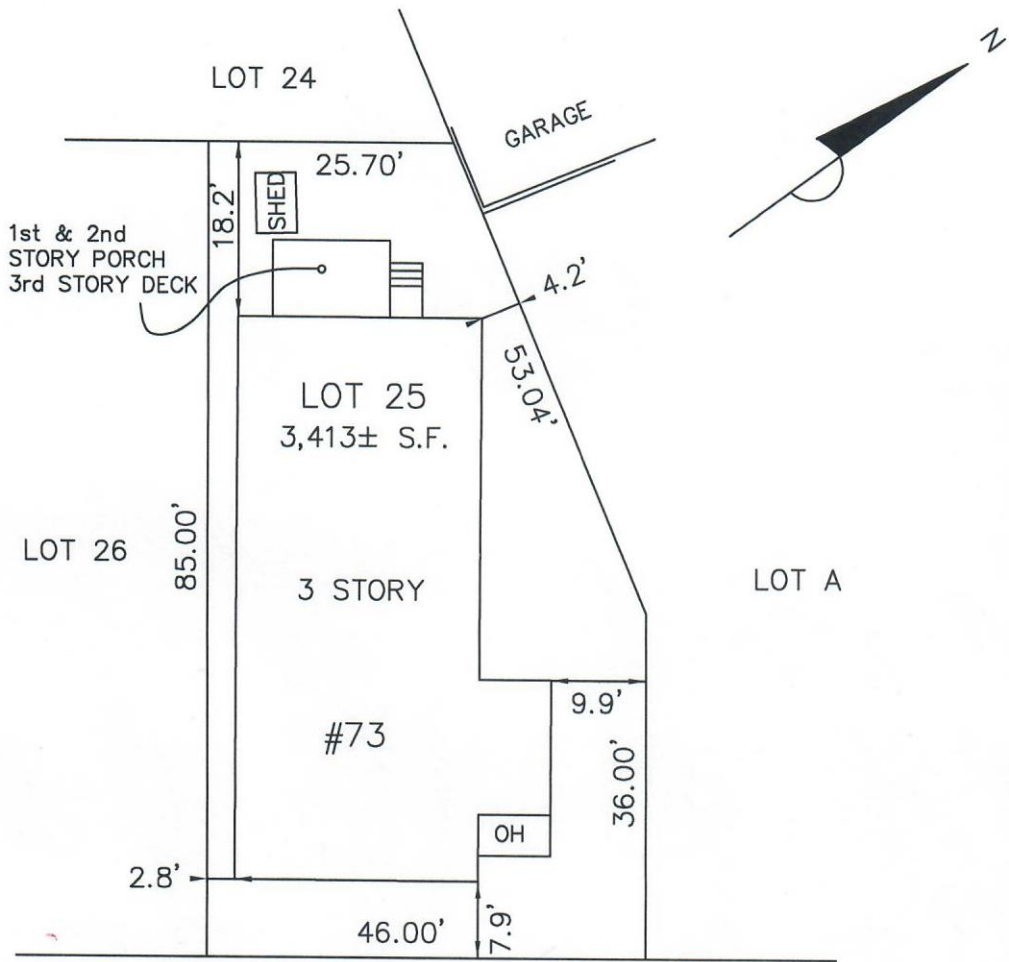
Present Use/Occupancy: Residential
Zone: Residence C-1 Zone
Requested Use/Occupancy: Residential

		Existing Conditions	Requested Conditions	Ordinance Requirements	
TOTAL GROSS FLOOR AREA:		4,779	4,881	3,750	(max.)
LOT AREA:		3,413	3,413	5,000	(min.)
RATIO OF GROSS FLOOR AREA TO LOT AREA: ²		1.40	1.43	.75	
LOT AREA OF EACH DWELLING UNIT		1,138	1,138	1,500	
SIZE OF LOT:	WIDTH	46	46	50	
	DEPTH	85	85	not applicable	
SETBACKS IN FEET:	FRONT	7.9	7.9	11.4	
	REAR	18.2	18.2	20	
	LEFT SIDE	2.8	2.8	7.5	
	RIGHT SIDE	4.2	4.2	7.5	
SIZE OF BUILDING:	HEIGHT	35.8	35.8	35	
	WIDTH	66.3	66.3	not applicable	
	LENGTH	33.1	33.1	not applicable	
RATIO OF USABLE OPEN SPACE TO LOT AREA:		0	0	1023.9	
NO. OF DWELLING UNITS:		3	3	3	
NO. OF PARKING SPACES:		0	0	3	
NO. OF LOADING AREAS:		0	0	0	
DISTANCE TO NEAREST BLDG. ON SAME LOT		NA	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.:

NA

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')



FAYETTE STREET

OWNER: 73 FAYETTE STREET CONDOMINIUM

I HEREBY CERTIFY THAT THE BUILDING IS LOCATED AS SHOWN.



Scott Lynch

SCOTT LYNCH, PLS DATE

THIS PLAN MAY HAVE BEEN ALTERED IF THE SIGNATURE IS NOT SIGNED IN BLUE.

CERTIFIED PLOT PLAN
 #73 FAYETTE STREET
 IN
CAMBRIDGE, MA
 (MIDDLESEX COUNTY)

SCALE: 1" = 20' DATE: 12/20/2023

ROBER SURVEY
 1072A MASSACHUSETTS AVENUE
 ARLINGTON, MA 02476
 (781) 648-5533
 7398CP1.DWG

Tom & Paige Walsh Residence

73 Fayette Street, Unit 1
Cambridge, MA 02139

ISSUE DATE: February, 29 2024

ZONING VARIANCE SET
REVISION April 05, 2024

Architect:

EvB Design

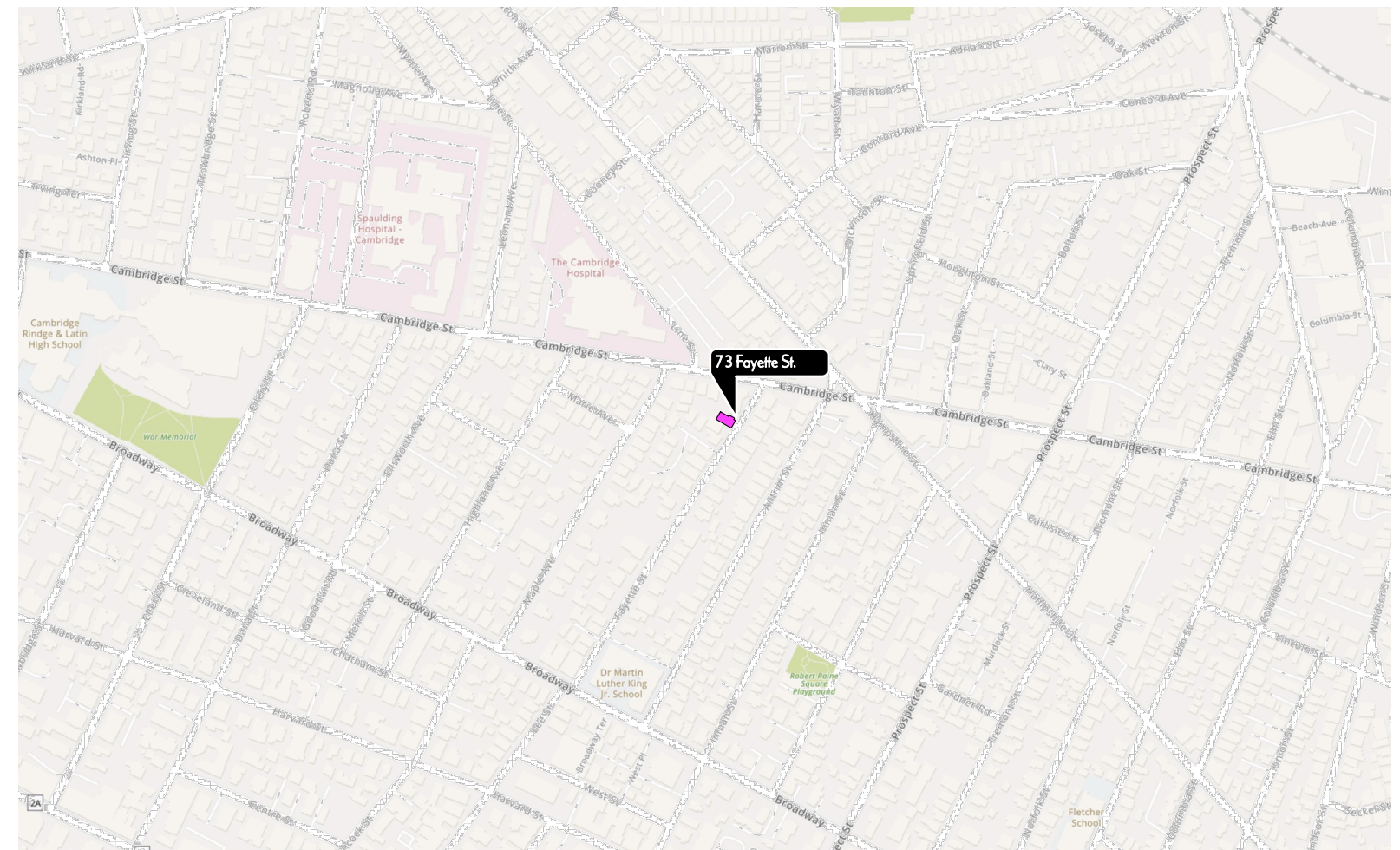
Edrick vanBeuzekom, AIA
1310 Broadway, Suite 200
Somerville, MA 02144
Tel: 617-623-2222

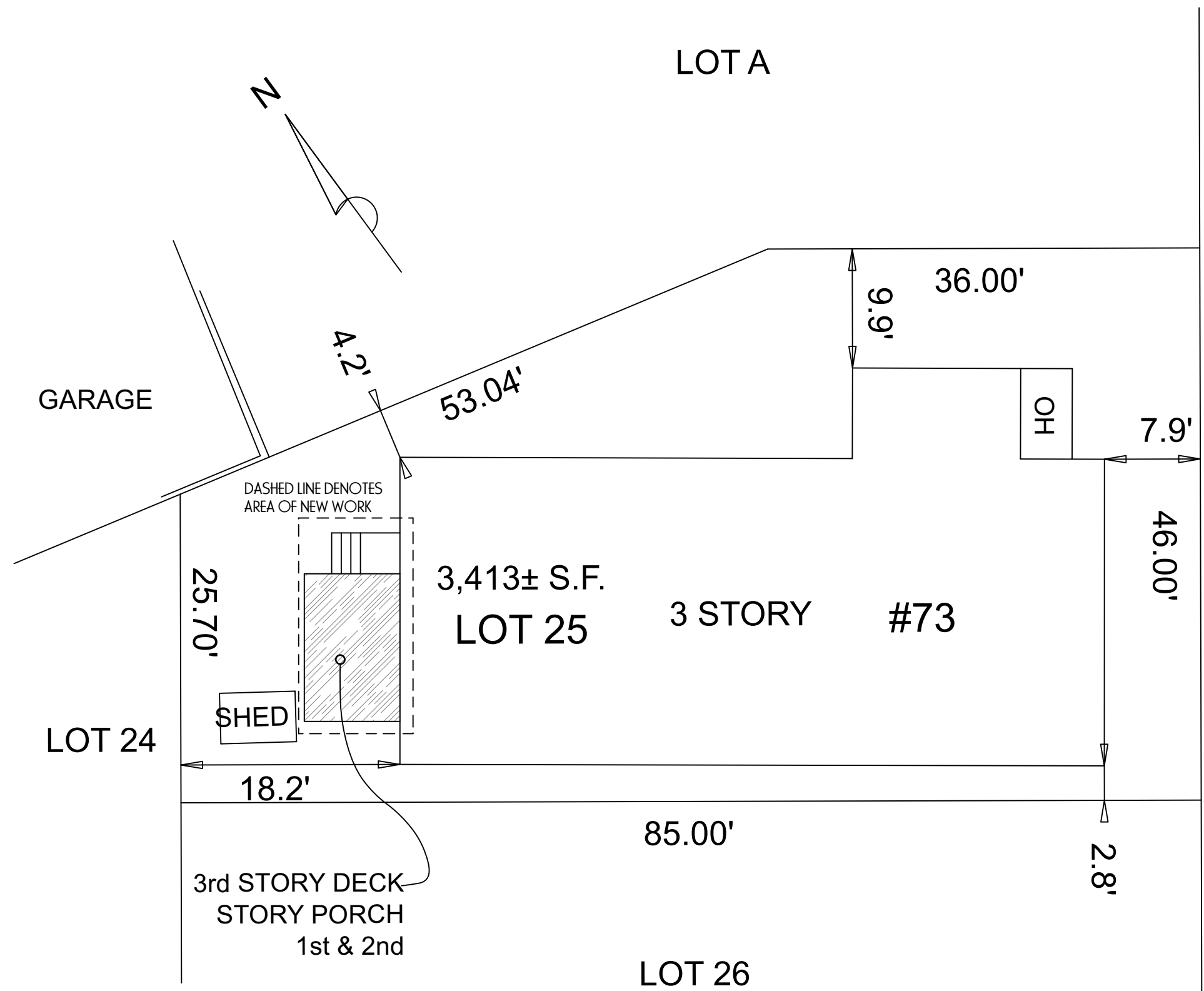
List Of Drawings:

Cover Sheet
C1.0 Existing Survey
Z1.0 Zoning Information
A1.0 Proposed 1st Floor Plan
A1.1 Proposed 1st Floor Plan (Area of Work)
A2.1 Proposed Back Elevation
A2.2 Proposed Right Elevation & Left Elevation
A3.1 Proposed Section

X1.1 Existing 1st Floor Plan
X2.1 Existing Back Elevation
X2.2 Existing Right Elevation & Left Elevation
X3.1 Existing Sections

LOCUS PLAN





FAYETTE STREET

DRAWINGS BASED ON SURVEY FROM:
ROBER SURVEY
 1072A MASSACHUSETTS AVENUE
 ARLINGTON, MA 02476
 (781) 648-5533

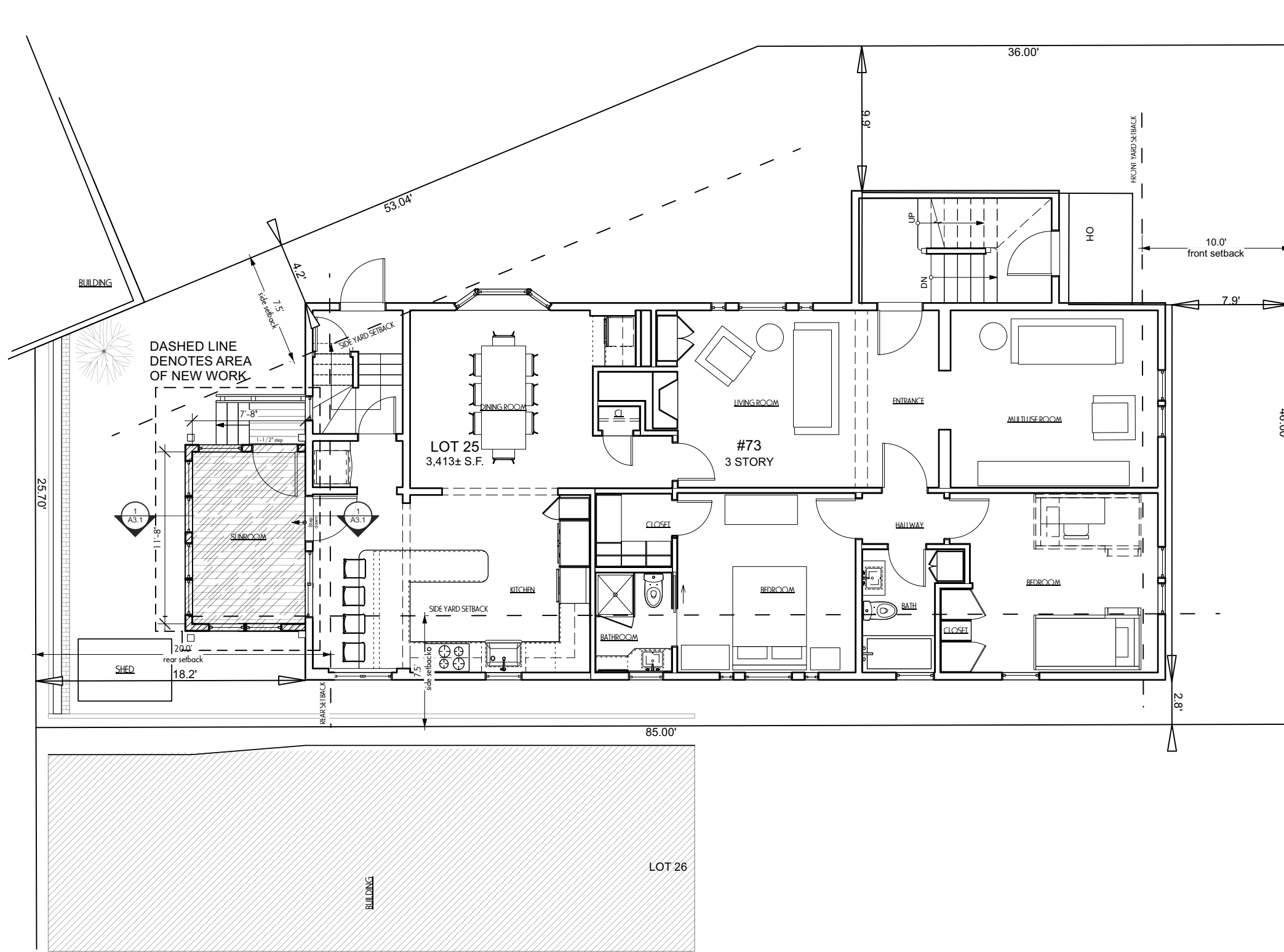
1 Existing Survey
 Scale: 1" = 10'-0"

NEW ADDED GFA = 102 SF

Tom & Paige Walsh Residence 73 Fayette Street, Unit 1 Cambridge, MA 02139	 1310 Broadway Somerville, MA 02144	Date:	<h2>C1.0</h2>
		02/29/24	
		04/05/24	

73 Fayette St. Zoning Table		Zone: C-1			
		EXISTING CONDITIONS	REQUESTED DIMENSIONS	ORDINANCE REQUIREMENTS	
TOTAL GROSS FLOOR AREA (G.F.A.)		4779 SF	4881 SF	3,750 SF	Non Conforming (NC)
LOT AREA		3,413	NO CHANGE	5,000	(min.) NC
RATIO OF GROSS FLOOR AREA TO LOT AREA		1.40	1.43	0.75	(max.) NC
LOT AREA FOR EACH DWELLING UNIT (D.U.)		1,138 SF	NO CHANGE	1,500	(min.) NC
SIZE OF LOT	-WIDTH	46'	NO CHANGE	50'	(min.) NC
	-DEPTH	85'	NO CHANGE	-	(min.)
SETBACKS (IN FEET)	-FRONT (Fayette St)	7.9'	NO CHANGE	11.4'	(H+L/4) NC fn(a) Table 5.1 Ch. 31
	-REAR	18.2'	NO CHANGE	20'	(H+L/4) NC fn (c) table 5.1 Ch. 31
	-NORTH SIDE YARD	4.2'	NO CHANGE	7.5'	(H+L/5, 7'-6"min.) NC fn (n) table 5.1 Ch. 31
	-SOUTH SIDE YARD	2.8'	NO CHANGE	7.5'	(H+L/5, 7'-6"min.) NC fn (n) table 5.1 Ch. 31
SIZE OF BLDG.	-HEIGHT	35'10"	NO CHANGE	35'0"	(max.) NC
	-LENGTH	-	NO CHANGE	-	(max.)
	-WIDTH	-	NO CHANGE	-	(max.)
RATIO OF PRIVATE OPEN SPACE TO LOT AREA		0%	NO CHANGE	30%	(min.) NC
NO. OF DWELLINGS		3	NO CHANGE	1	(max.)
NO. OF PARKING SPACES		0	NO CHANGE	1	(min./max.)
NO. OF LOADING AREAS		N/A	NO CHANGE	N/A	(min.)
DISTANCE TO NEAREST BLDG. ON SAME LOT		N/A	NO CHANGE		(min.)

Tom & Paige Walsh Residence 73 Fayette Street, Unit 1 Cambridge, MA 02139	 1310 Broadway Somerville, MA 02144	Date:	Z1.0
		02/29/24	
		04/05/24	



FAYETTE ST.

GENERAL NOTES

1. Field verify all dimensions. Notify Architect immediately of any conditions which vary from the drawings.
2. All dimensions are to the finished face of plaster unless otherwise noted (U.O.N.)
3. All work shall comply with Massachusetts State Building Code 9th edition and all applicable local regulations.

GRAPHIC KEY:

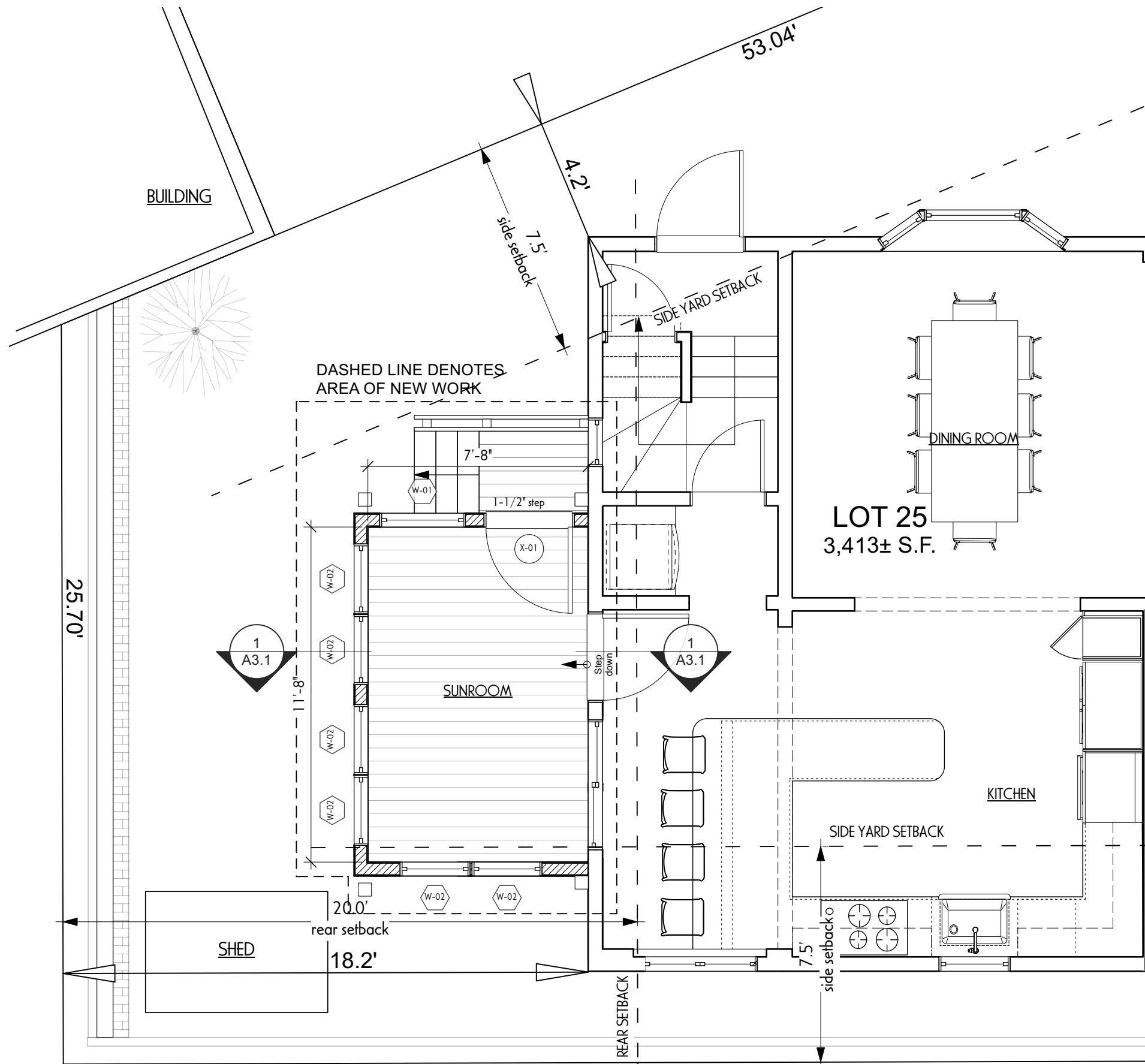
- Existing wall to be removed
- Existing wall to remain
- Existing fixture/finish to be removed
- New wall, typical

DRAWINGS BASED ON SURVEY FROM:
ROBER SURVEY
 1072A MASSACHUSETTS AVENUE
 ARLINGTON, MA 02476
 (781) 648-5533

1 Proposed Floor Plan
 Scale: 1/8" = 1'-0"

NEW ADDED GFA = 102 SF

<p>Tom & Paige Walsh Residence 73 Fayette Street, Unit 1 Cambridge, MA 02139</p>		<p>Date: 02/29/24 04/05/24</p>	<p>A1.0</p>
	<p>1310 Broadway Somerville, MA 02144</p>		



DASHED LINE DENOTES AREA OF NEW WORK

LOT 25
3,413± S.F.

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GRAPHIC KEY:

- Existing wall to be removed
- Existing wall to remain
- Existing fixture/finish to be removed
- New wall, typical

1 Proposed Floor Plan
Scale: 1/4" = 1'-0"

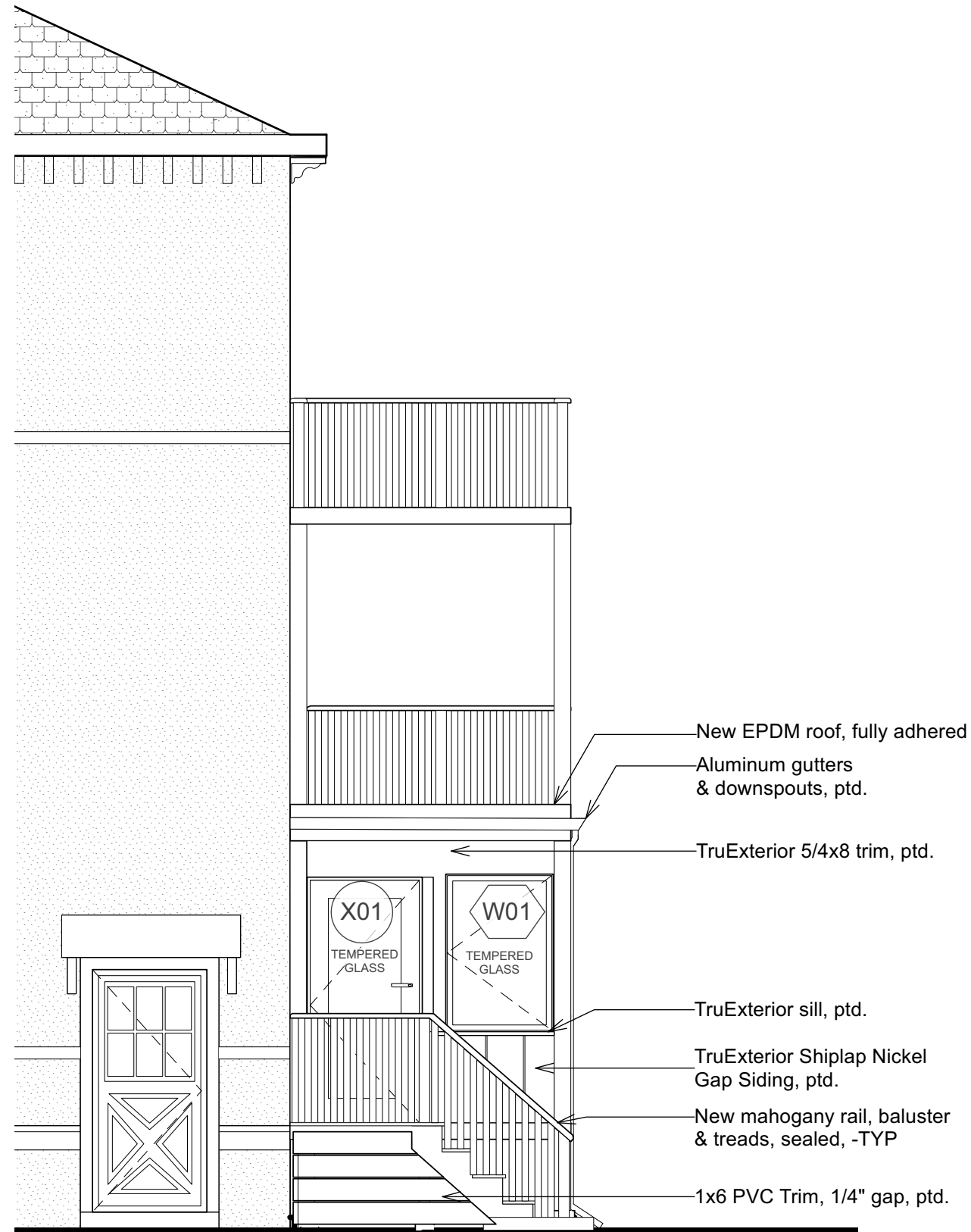
<p>Tom & Paige Walsh Residence 73 Fayette Street, Unit 1 Cambridge, MA 02139</p>	<p>EvB Design </p> <p>1310 Broadway Somerville, MA 02144</p>	Date:	A1.1
		02/29/24	
04/05/24			



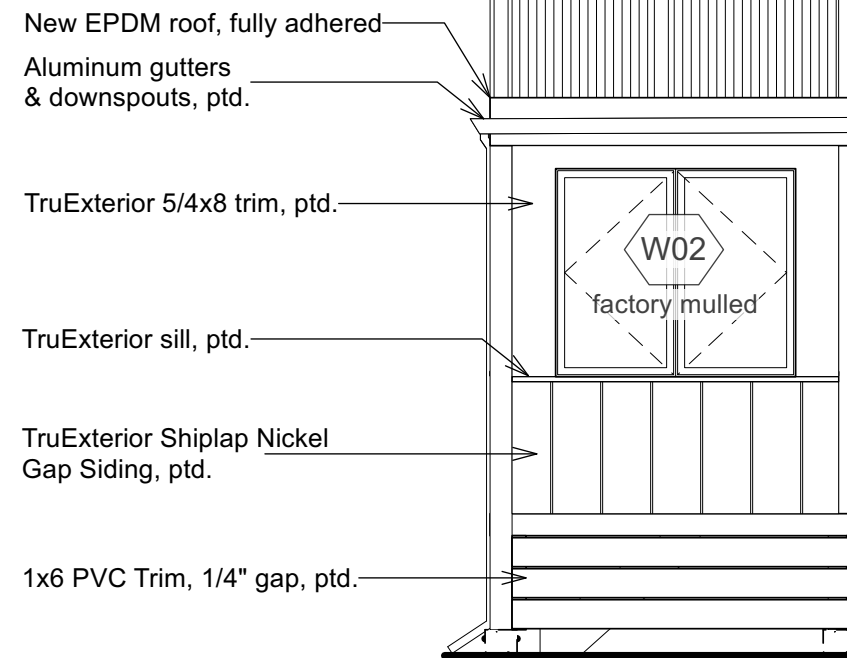
- New deck over P.T. sleepers w/pads on new EPDM roof
- New EPDM roof, fully adhered
- Aluminum gutters & downspouts, ptd.
- TruExterior 5/4x8 trim, ptd.
- TruExterior sill, ptd.
- TruExterior Shiplap Nickel Gap Siding, ptd.
- 1x6 PVC Trim, 1/4" gap, ptd.

1 Proposed Back Elevation
Scale: 1/4" = 1'-0"

<p>Tom & Paige Walsh Residence 73 Fayette Street, Unit 1 Cambridge, MA 02139</p>	<p>EvB Design </p> <p>1310 Broadway Somerville, MA 02144</p>	Date:	A2.1
		02/29/24	
		04/05/24	

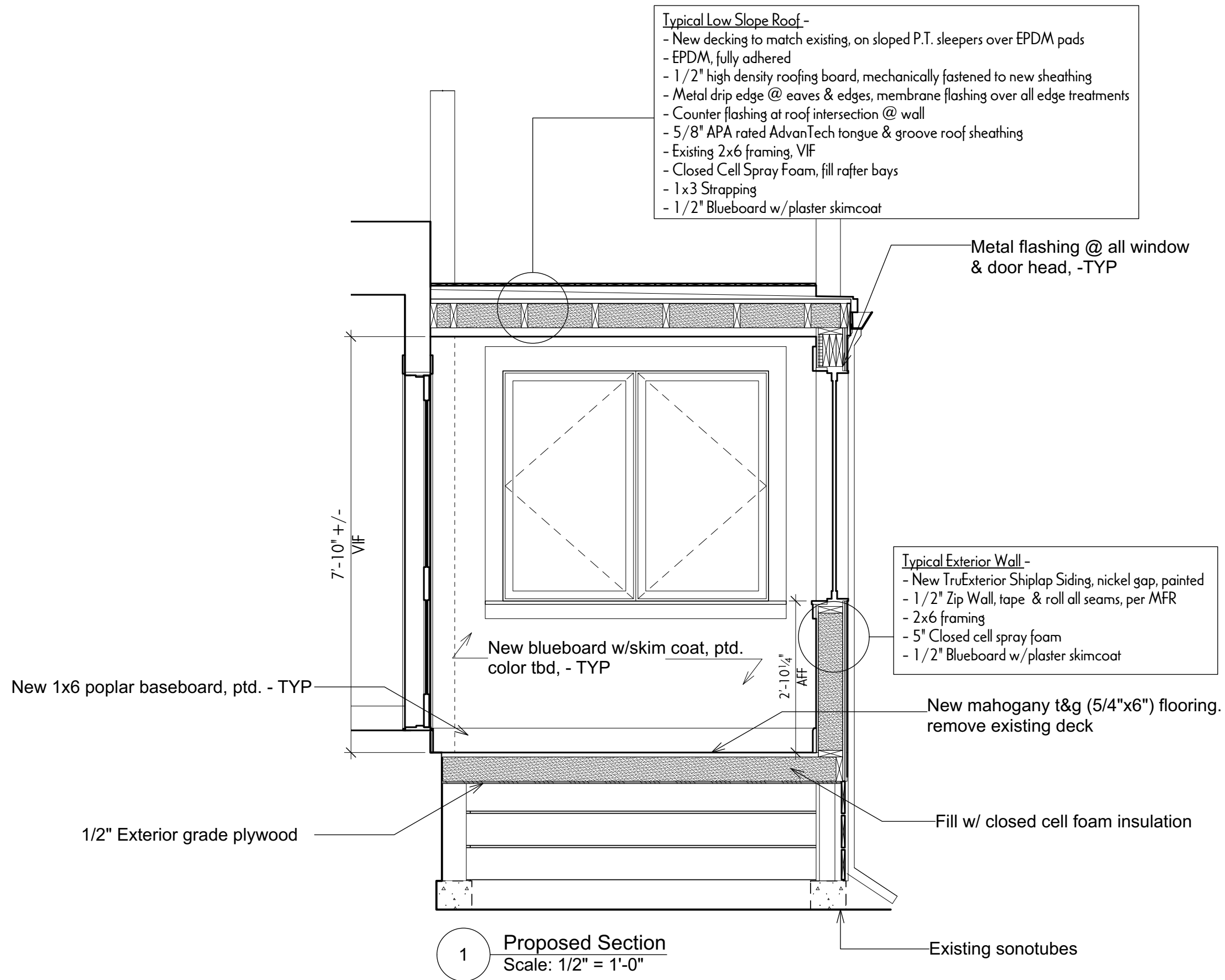


1 Proposed Right Elevation
Scale: 1/4" = 1'-0"

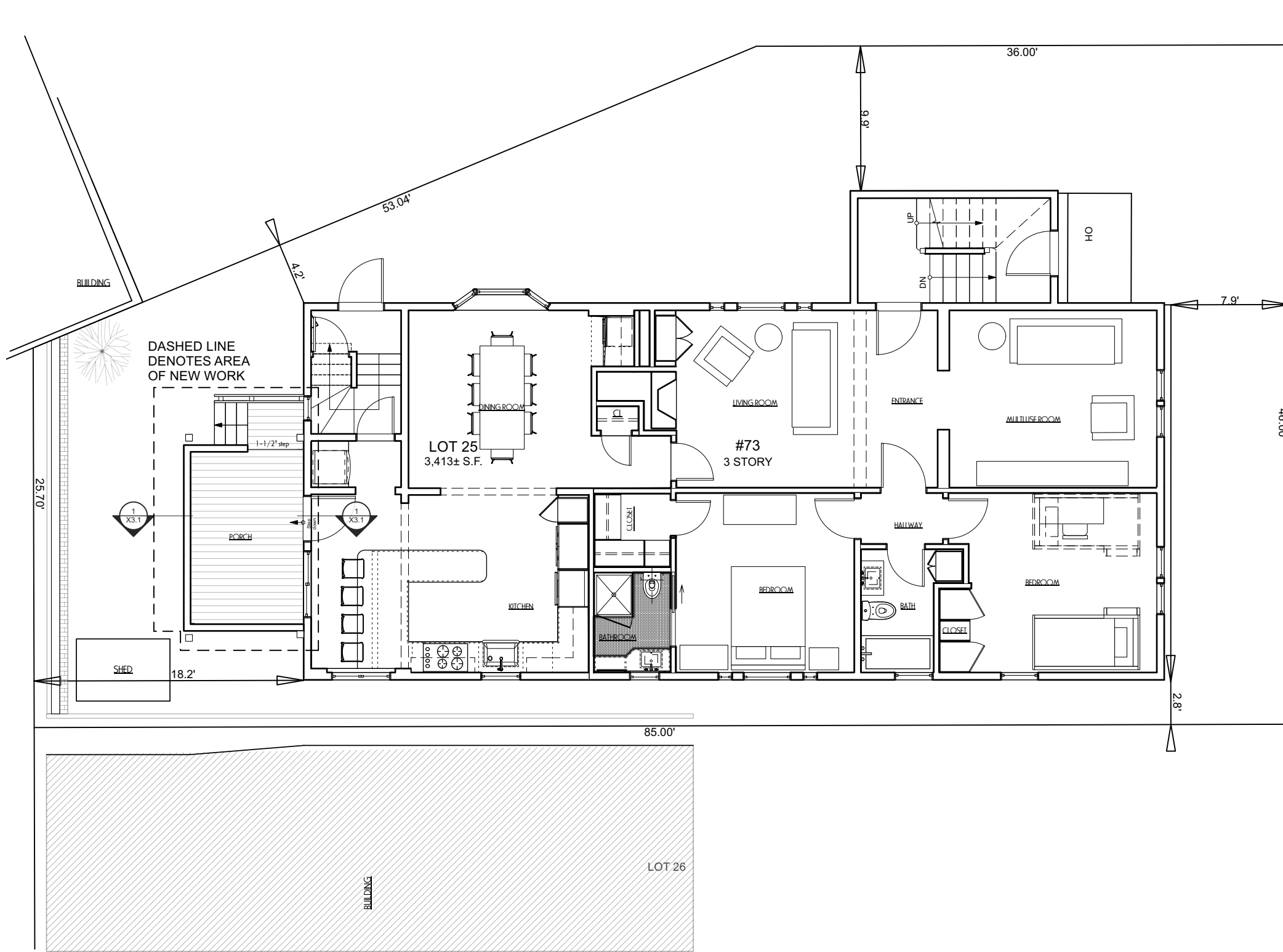


2 Proposed Left Elevation
Scale: 1/4" = 1'-0"

Tom & Paige Walsh Residence 73 Fayette Street, Unit 1 Cambridge, MA 02139	EvB Design 1310 Broadway Somerville, MA 02144	Date:	A2.2
		02/29/24	
		04/05/24	



Tom & Paige Walsh Residence 73 Fayette Street, Unit 1 Cambridge, MA 02139	EvB Design 1310 Broadway Somerville, MA 02144	Date:	A3.1
		02/29/24	
		04/05/24	







FAYETTE ST.

GENERAL NOTES

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3. All work shall comply with Massachusetts State Building Code 9th edition and all applicable local regulations.

GRAPHIC KEY:

-  - Existing wall to be removed
-  - Existing wall to remain
-  - Existing fixture/finish to be removed
-  - New wall, typical

DRAWINGS BASED ON SURVEY FROM:
 ROBER SURVEY
 1072A MASSACHUSETTS AVENUE
 ARLINGTON, MA 02476
 (781) 648-5533

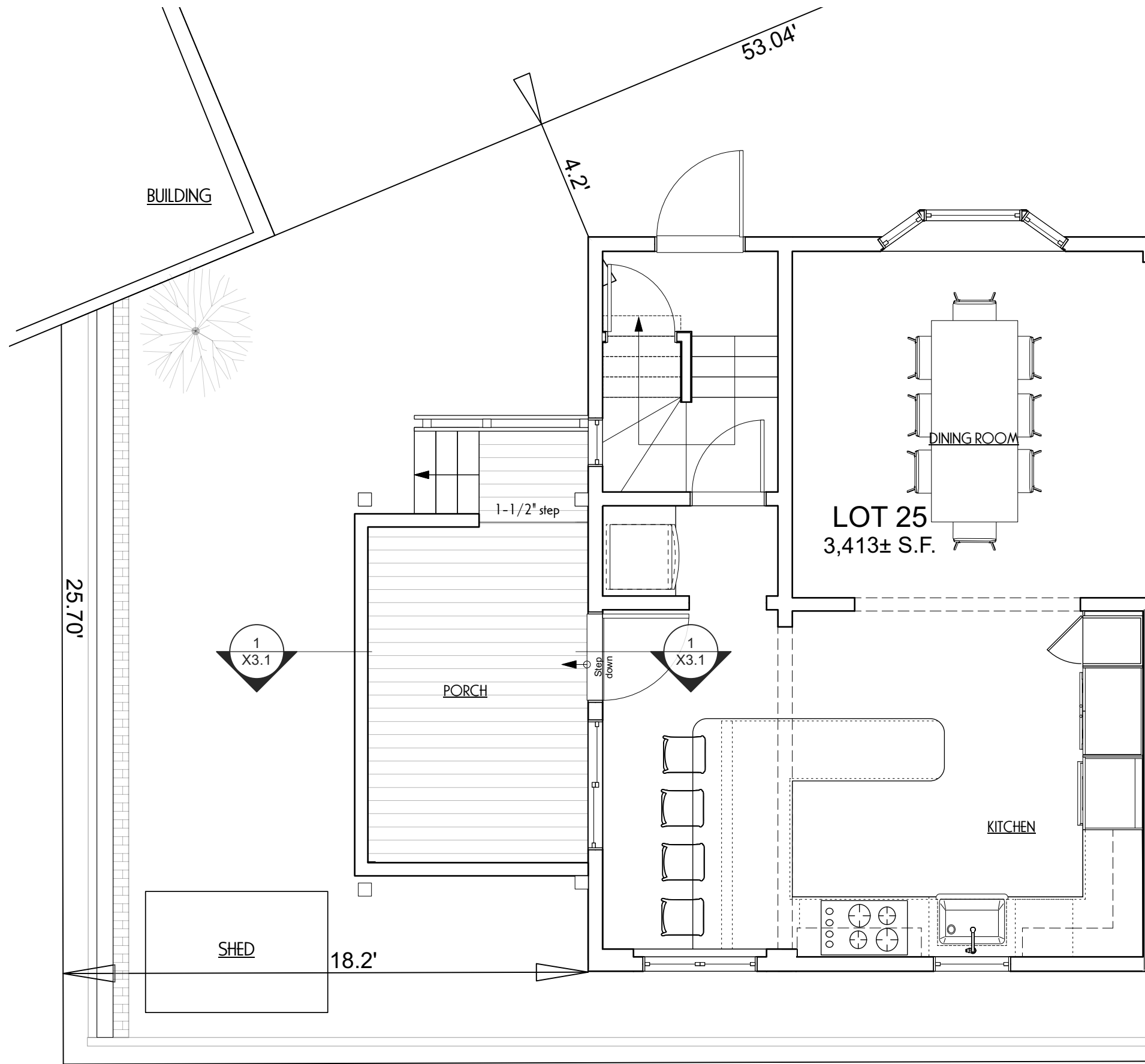
1 Existing Floor Plan
 Scale: 1/8" = 1'-0"

Tom & Paige Walsh Residence
 73 Fayette Street, Unit 1
 Cambridge, MA 02139

EvB Design
 1310 Broadway
 Somerville, MA 02144

Date:
02/29/24
04/05/24

X1.0



GENERAL NOTES

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GRAPHIC KEY:

- Existing wall to be removed
- Existing wall to remain
- Existing fixture/finish to be removed
- New wall, typical

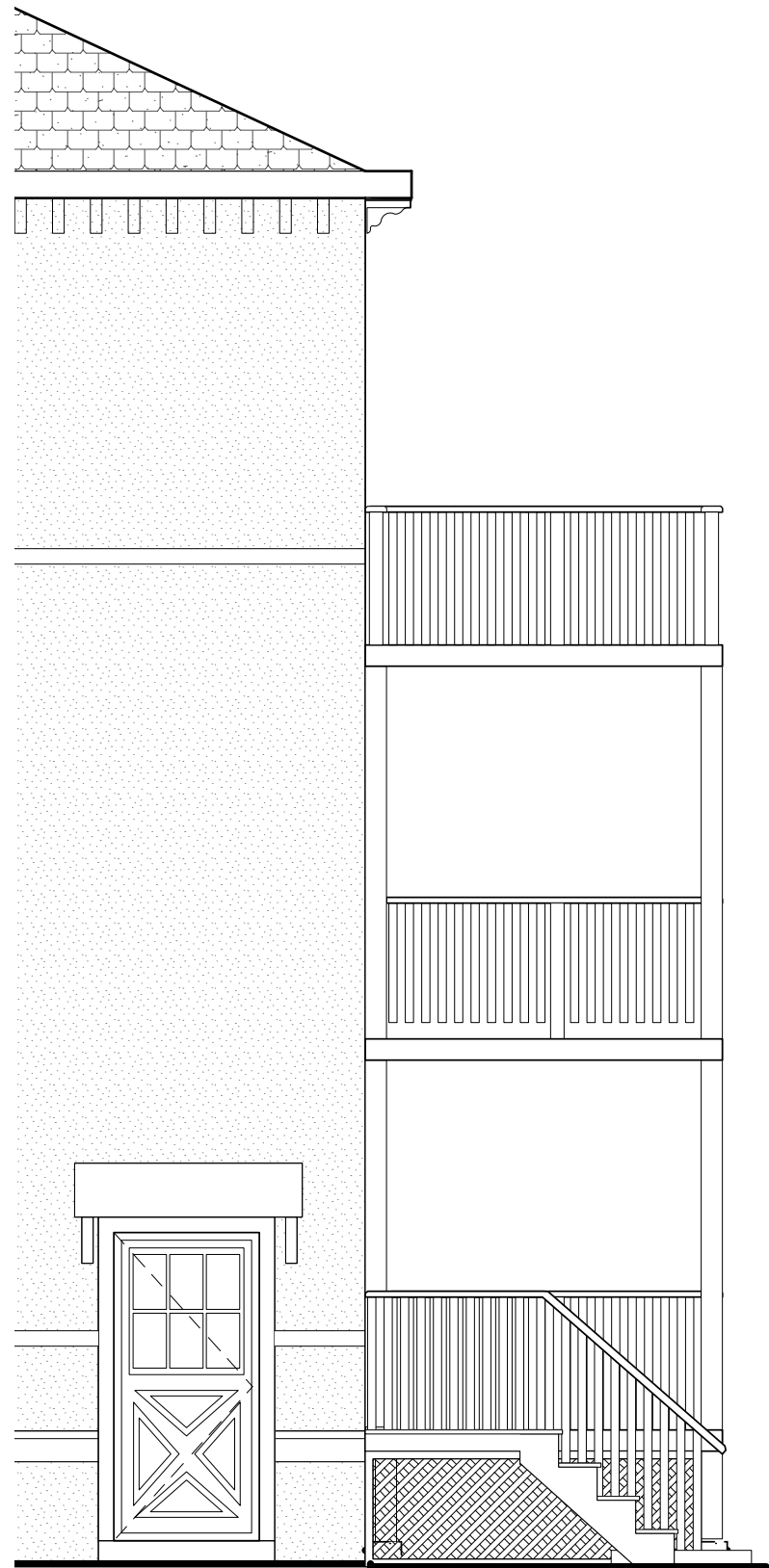
1 Existing Floor Plan
Scale: 1/4" = 1'-0"

<p>Tom & Paige Walsh Residence 73 Fayette Street, Unit 1 Cambridge, MA 02139</p>	<p>EvB Design </p> <p>1310 Broadway Somerville, MA 02144</p>	Date:	X1.1
		02/29/24	
04/05/24			

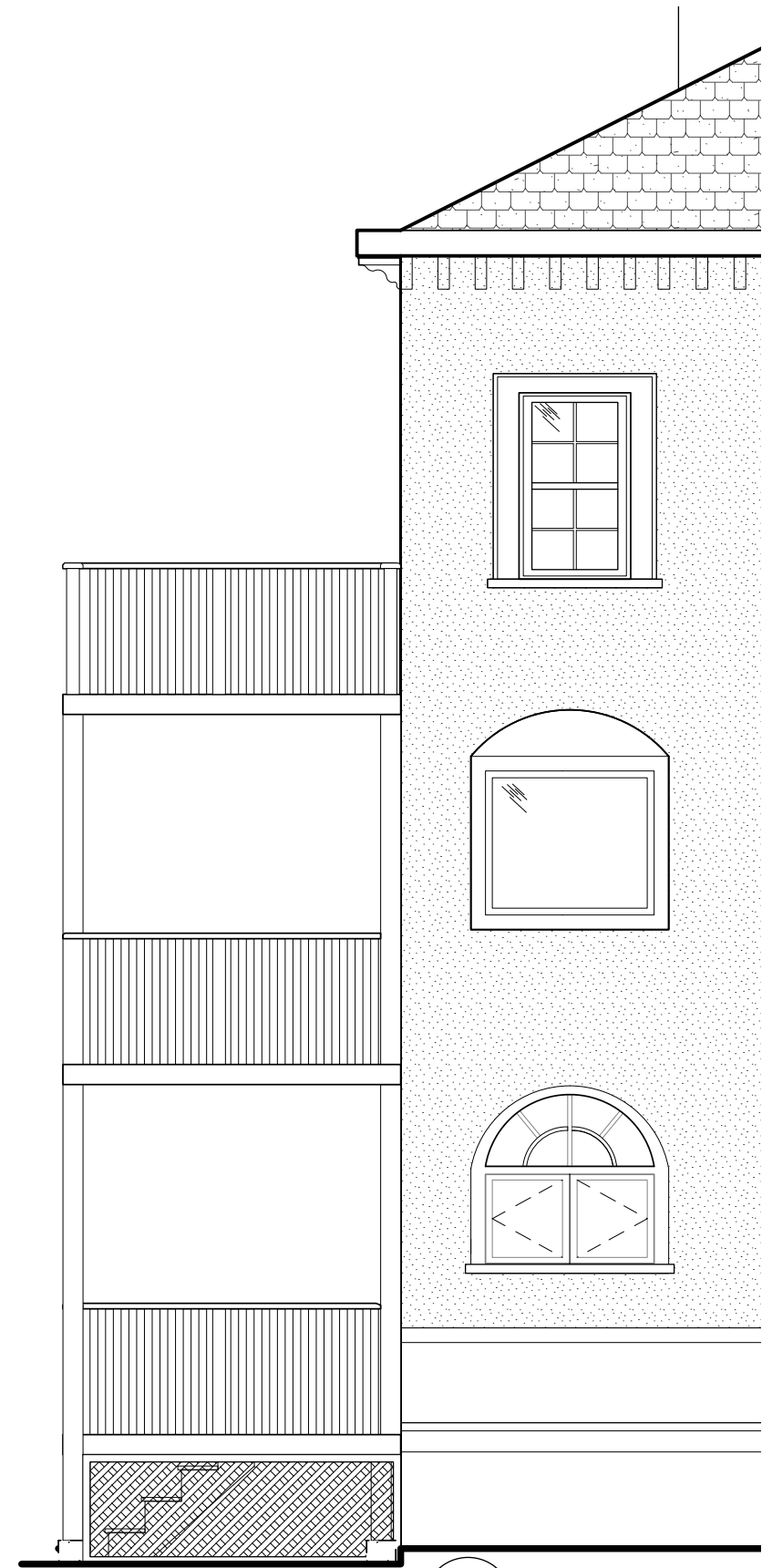


1 Existing Back Elevation
Scale: 1/4" = 1'-0"

Tom & Paige Walsh Residence 73 Fayette Street, Unit 1 Cambridge, MA 02139	EvB Design  1310 Broadway Somerville, MA 02144	Date:	X2.1	
				02/29/24
				04/05/24

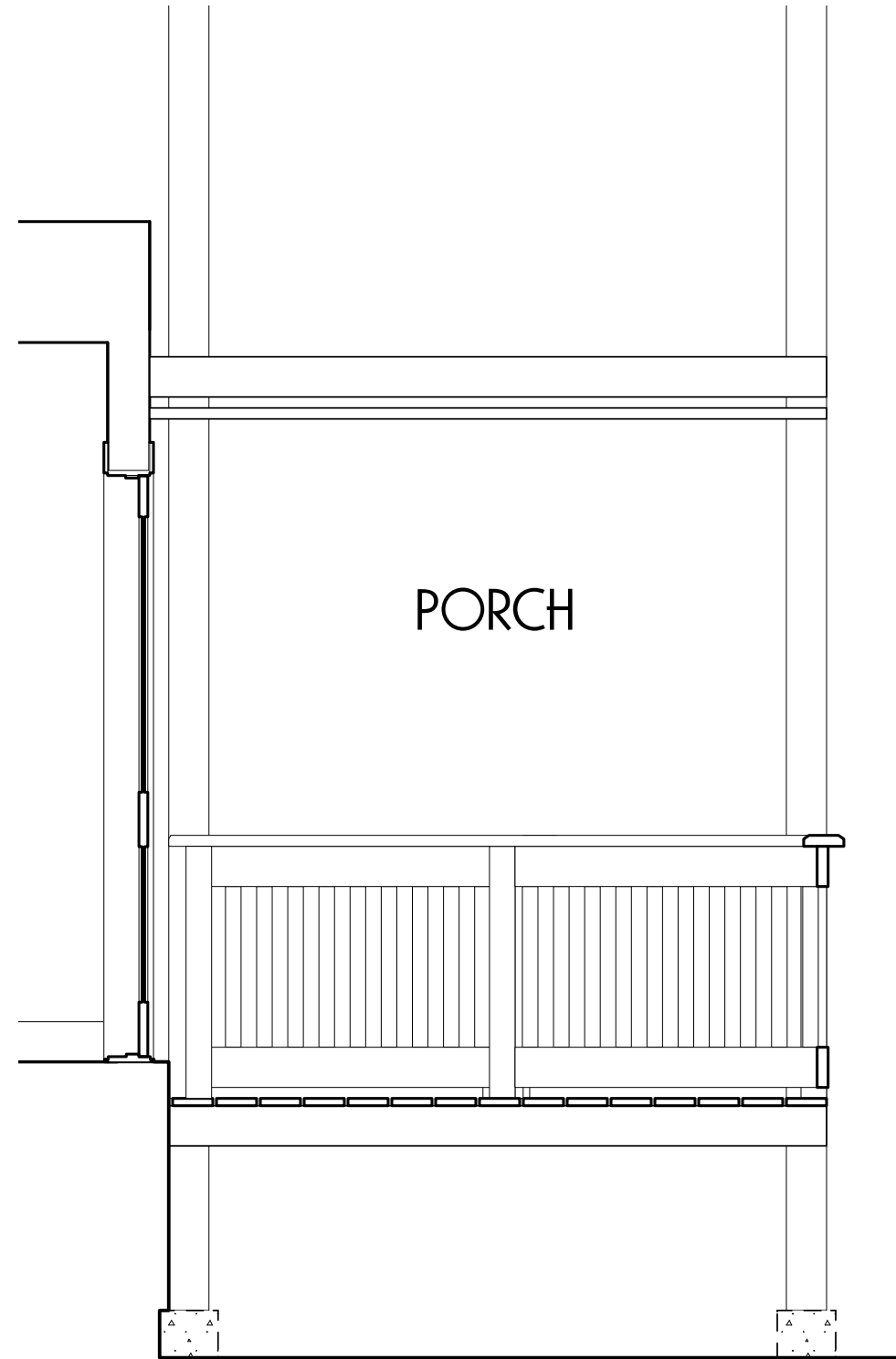


1 Existing Right Elevation
Scale: 1/4" = 1'-0"



2 Existing Left Elevation
Scale: 1/4" = 1'-0"

Tom & Paige Walsh Residence 73 Fayette Street, Unit 1 Cambridge, MA 02139	EvB Design  1310 Broadway Somerville, MA 02144	Date:	<h1>X2.2</h1>
		02/29/24	
		04/05/24	



1 Existing Section
Scale: 1/2" = 1'-0"

Tom & Paige Walsh Residence 73 Fayette Street, Unit 1 Cambridge, MA 02139	EvB Design  1310 Broadway Somerville, MA 02144	Date:	<h1>X3.1</h1>
		02/29/24	
		04/05/24	



73 Fayette Street - views from the street





73 Fayette Street - views from the right hand side
(northeast facade)





73 Fayette Street - views of the rear porch





73 Fayette Street - views of the rear porch





Mid Cambridge Neighborhood Conservation District Commission

831 Massachusetts Avenue, Cambridge, Massachusetts 02139
Telephone: 617 349 4683 TTY: 617 349 6112
E-mail: histncds@cambridgema.gov
www.cambridgema.gov/historic/districtsHistoricProperties/midcambridgencd

Tony Hsiao, *Chair*, Lestra Litchfield, *Vice Chair*
Monika Pauli, Charles Redmon, Katinka Hakuta, *Members*
Nan Laird, Catherine Tice, *Alternates*

CERTIFICATE OF NON-APPLICABILITY

Property: 73 Fayette Street

Applicant: Edrick vanBeuzekom

The Mid Cambridge Neighborhood Conservation District Commission hereby certifies, pursuant to Chapter 2.78, Article III, Section 2.78.140-270 of the Code of the City of Cambridge and the order establishing said district that the work described below does not involve any activity requiring issuance of a Certificate of Appropriateness or Hardship:

Enclose rear porch, not visible from public way.

Permit #263613

All improvements shall be carried out as shown on the plans and specifications submitted by the applicant, except as modified above. Approved plans and specifications are incorporated by reference into this certificate.

This certificate is granted upon the condition that the work authorized herein is commenced within six months after the date of issuance. If the work authorized by this certificate is not commenced within six months after the date of issuance or if such work is suspended in significant part for a period of one year after the time the work is commenced, such certificate shall expire and be of no further effect; provided that, for cause, one or more extensions of time for periods not exceeding six months each may be allowed in writing by the Chair.

Case Number: MC 6991

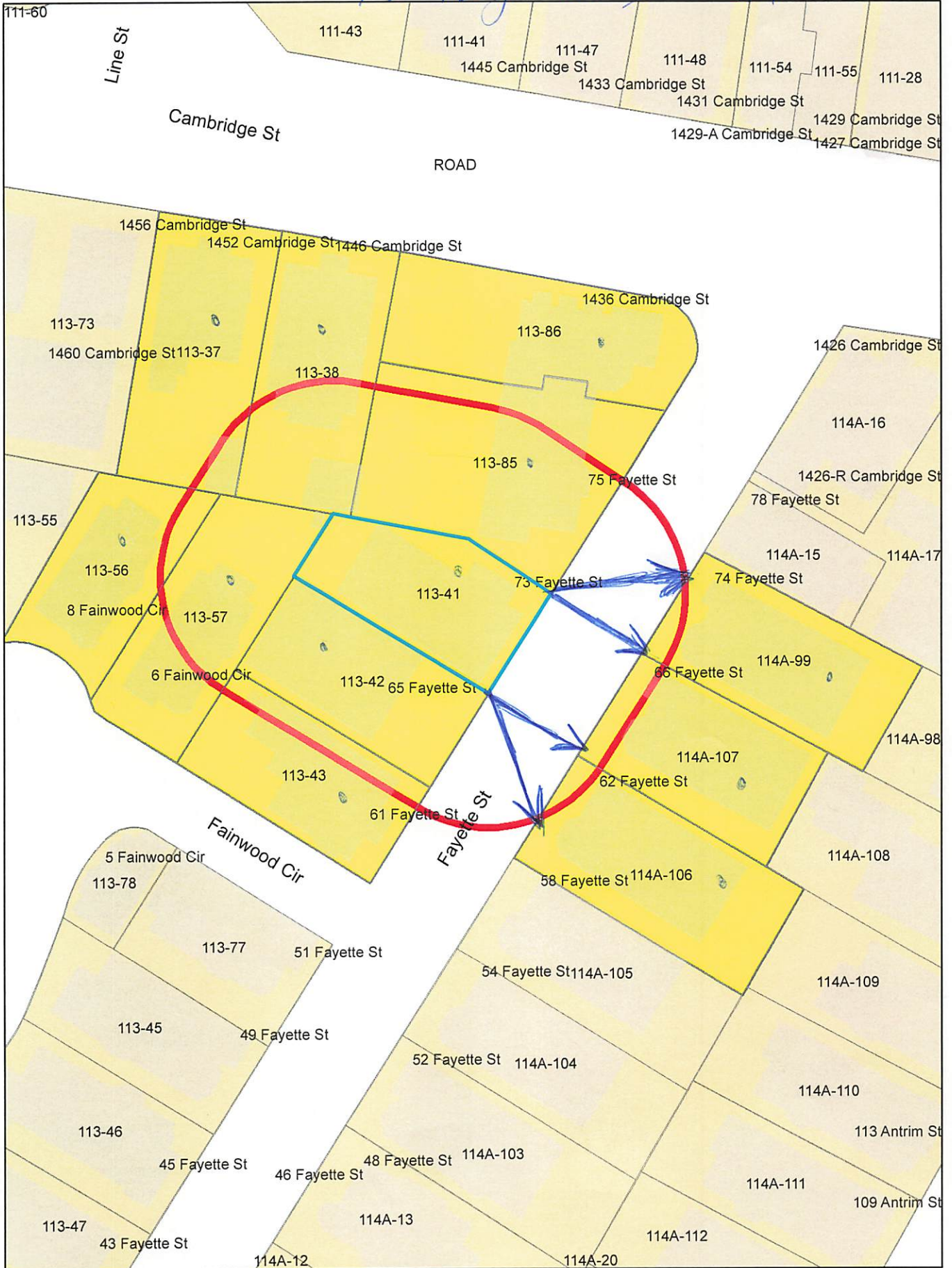
Date of Certificate: April 16, 2024

Attest: A true and correct copy of decision filed with the offices of the City Clerk and the Cambridge Historical Commission on April 16, 2024.

By Tony Hsiao/aac, Chair

Twenty days have elapsed since the filing of this decision. No appeal has been filed ____ .
Appeal has been filed ____ . Date _____ City Clerk:

73 Fayette St #1



73 Fayette St #1

Petitioner

113-37
BROWN, PHILLIP M. & SHEILA M. O'KEEFE
1452 CAMBRIDGE ST.
CAMBRIDGE, MA 02139-1197

113-41
ROONEY, EDWARD S. III &
MAGGIE E. PARTILLA
73 FAYETTE ST - UNIT 3
CAMBRIDGE, MA 02139

EDRICK VANBEUZEKOM, ARCHITECT
1310 BROADWAY - SUITE 200
SOMERVILLE, MA 02144

113-43
61 FAYETTE, LLC
61 FAYETTE ST
CAMBRIDGE, MA 02139

113-85
FOSTER, SUSAN KELLY
75 FAYETTE ST - UNIT 2
CAMBRIDGE, MA 02139

113-85
THORMANN, M. JOAN
75 FAYETTE ST - UNIT 3
CAMBRIDGE, MA 02139

113-41
BLACKMORE, JOSIAH H.
73 FAYETTE ST - UNIT 2
CAMBRIDGE, MA 02139

113-85
FOULIS, DEAN J. & JILL MARTYN
75 FAYETTE ST - UNIT 1
CAMBRIDGE, MA 02139

114A-106
SPINOS, CONSTANCE,
TR. OF FAYETTE 62 REALTY TRUST
C/O ELAINE PITENIS
2828 N. ATLANTIC AVE STE UNIT 806
DAYTONA BEACH, FL 32118

113-56
ARZOUMANIAN, SEVAG H. &
ALIK ARZOUMANIAN
8 FAINWOOD CIR - UNIT 3
CAMBRIDGE, MA 02139

113-57
YILMAZ, GAMZE &
CHRISTOPHER BURNS PARLATO
6 FAINWOOD CIR - UNIT 2
CAMBRIDGE, MA 02139

113-56
MENG, FRANK
8 FAINWOOD CIR - UNIT 2
CAMBRIDGE, MA 02139

114A-99
SCHAUDT, BARRY
74 FAYETTE ST, UNIT 1
CAMBRIDGE, MA 02139

114A-99
VIG, TARUN & ROZY VIG
74 FAYETTE ST UNIT 2
CAMBRIDGE, MA 02139

113-57
CHEN, DANIEL C.R. & TRACY ELLICE Y CHEN
210 COMMON ST
BELMONT, MA 02478

113-86
FEINER, ALAN R. & ROBERT G. TODD
1436 CAMBRIDGE ST - UNIT 2
CAMBRIDGE, MA 02139

113-86
FEINGOLD, DANIEL LOUIS &
AGUS DARWANTO
1436 CAMBRIDGE ST - UNIT 1
CAMBRIDGE, MA 02139

113-41
WALSH, TOMAS R. & ELIZABETH P. WALSH
73 FAYETTE ST - UNIT 1
CAMBRIDGE, MA 02139

113-38
ROQUERRE TIESHUN
1446 CAMBRIDGE ST
CAMBRIDGE, MA 02139

114A-99
KOTLER, DANA H
TRS DANA H KOTLER 2018 REVOCABLE TR
74 FAYETTE ST - UNIT 3
CAMBRIDGE, MA 02139

114A-107
DARLING, GRACE ALBERT T. DARLING, TRS
66 FAYETTE ST
CAMBRIDGE, MA 02139

113-56
ONEIL, MAUREEN
8 FAINWOOD CIR - UNIT 1
CAMBRIDGE, MA 02139

113-57
SONG, KUN & YAN ZHOU
6 FAINWOOD CIR - UNIT 3
CAMBRIDGE, MA 02139

113-42
CARL-FREDRIK WESTIN
65 FAYETTE ST
CAMBRIDGE, MA 02138