

# CITY OF CAMBRIDGE BOARD OF ZONING APPEAL 831 Massachusetts Avenue, Cambridge MA 02139 56 F. THE CITY OF 13 617-349-6100

## **BZA Application Form**

**BZA Number: 159180** 

## **General Information**

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

Special Permit: X

Variance: \_\_\_\_\_

Appeal:

PETITIONER: Deidre Deegan C/O Mahmood Firouzbakht

PETITIONER'S ADDRESS: 7 Crescent Street, Cambridge, MA 02138

LOCATION OF PROPERTY: 7 Crescent St, Cambridge, MA

**TYPE OF OCCUPANCY: 2 family** 

**ZONING DISTRICT: Residence C-1 Zone** 

## **REASON FOR PETITION:**

/Dormer/

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

Construction of dormer to allow for a bathroom to the third floor of a non-conforming dwelling increasing gross floor area and within the rear yard setback.

## SECTIONS OF ZONING ORDINANCE CITED:

- Section: 5.31 (Table of Dimensional Requirements). Article: 5.000
- Article: 8.000 Section: 8.22.2.D (Non-Conforming Structure).
- Article: 10.000 Section: 10.40 (Special Permit).

Original Signature(s):

(Retitioner (s) / Owner)

(Print Name)

Address: Tel. No. E-Mail Address:

6176715534 mahmood.brp@gmail.com

escent

### 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.

)eegan I/We (OWNER) rescent Streef lambridge. Mot Address: State that I/We own the property located at 7-9 (respent which is the subject of this zoning application. Deidre The record title of this property is in the name of \*Pursuant to a deed of duly recorded in the date  $\frac{5}{3}$ , Middlesex South County Registry of Deeds at Book 59166 , Page 444 ; or Middlesex Registry District of Land Court, Certificate No.\_\_\_\_\_ Book Page STGNATURE BY LAND CHNER OR AUTHORIZED THUSTEE, OFFICER OR AGENT\* \*Written evidence of Agent's standing to represent petitioner may be requested. Commonwealth of Massachusetts, County of Mild(r) 2 + The above-name Deilre Deeran personally appeared before me, this M of January, 2022, and made oath that the above statement is true. Notary My commission expires Jule 8, 2023 (Notary Seal) SHAHLA HAGHAYEGHI Notary Public **Commonwealth of Massachusetts** My Commission Expires June 8, 2023 If ownership is not shown in recorded deed, e.g. if by court order, recent deed, or inheritance, please include documentation.

(ATTACHMENT B - PAGE 3)

## **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 <u>7 Crescent St</u>, <u>Cambridge</u>, <u>MA</u> (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 proposed work is consistent with the character and nature of the surrounding neighborhood

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 proposed work does not detrimentally impact congestion, hazard, or change in the established neighborhood character.

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 proposed work does not have a detrimental impact on the continued operation of or development of adjacent uses as permitted in the Zoning Ordinance.

**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 work does not create a nuisance or hazard that is of detriment to the health, safety, and/or welfare of the occupants and citizens of the City as the additional dormer is not a substantial modification to the existing structure and does not create a material change from the current massing and use of the this residence.

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 work does not impair the integrity of the district or adjoining district or otherwise derogate from the intent or purpose of this ordinance as the proposed dormer is consistent with permitted development in this district, consistent with the massing, character and nature of other dwellings in this district. The proposed work is a rational use of a pre-existing non-conforming structure which allows for a continued use of a dwelling structure by growing family.

## \*If you have any questions as to whether you can establish all of the applicable legal

## **BZA Application Form**

## **DIMENSIONAL INFORMATION**

 Applicant:
 Deidre Deegan

 Location:
 7 Crescent St., Cambridge, MA

 Phone:
 6176715534

Present Use/Occupancy: <u>2 family</u> Zone: <u>Residence C-1 Zone</u> Requested Use/Occupancy: 2 family

|   |               | Existing Conditions | Requested<br>Conditions | Ordinance<br>Requirements |        |
|---|---------------|---------------------|-------------------------|---------------------------|--------|
| TOTAL GROSS FLOOR<br>AREA:                                |               | 3208                | 3297                    | 2755                      | (max.) |
| LOT AREA:   |               | 3673                | 3673                    | 5000                      | (min.) |
| RATIO OF GROSS<br>FLOOR AREA TO LOT<br>AREA: <sup>2</sup> |               | .87                 | .9                      | .75                       |        |
| LOT AREA OF EACH<br>DWELLING UNIT                         |               | 1837                | 1837                    | 1500                      |        |
| SIZE OF LOT:  | WIDTH         | 55                  | 55                      | 50                        |        |
|   | DEPTH         | 66                  | 66                      | na                        |        |
| SETBACKS IN FEET:   | FRONT         | 7                   | 7                       | 10                        |        |
|   | REAR          | 10                  | 10                      | 30                        |        |
|   | LEFT SIDE     | 17                  | 17                      | 7.5                       |        |
|   | RIGHT<br>SIDE | 6                   | 6                       | 7.5                       |        |
| SIZE OF BUILDING:   | HEIGHT        | 34.9                | 34.9                    | 35                        |        |
|   | WIDTH         | 35                  | 35                      | na                        |        |
| RATIO OF USABLE<br>OPEN SPACE TO LOT<br>AREA:             |               | 37                  | 37                      | 30                        |        |
| NO. OF DWELLING<br>UNITS:                                 |               | 2                   | 2                       | 2                         |        |
| NO. OF PARKING<br>SPACES:                                 |               | 2                   | 2                       | 2                         |        |
| <u>NO. OF LOADING</u><br><u>AREAS:</u>                    |               | NA                  | NA                      | NA                        |        |
| DISTANCE TO NEAREST<br>BLDG. ON SAME LOT                  |               | NA                  | NA                      | 10                        |        |

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') DIVIDED BY LOT AREA.
- 3. OPEN SPACE SHALL NOT INCLUDE PARKING AREAS, WALKWAYS OR DRIVEWAYS AND SHALL HAVE A MINIMUM

# PROJECT SUMMARY: 7-9 CRESCENT STREET

# ZONING SUMMARY

THIS IS AN EXISTING RESIDENTIAL 2 FAMILY STRUCTURE LOCATED IN A RES C-1 zone.

THE HOUSE IS EXISTING NONCONFORMING FOR LOT SIZE, FAR AND SETBACKS.

THE APPLICATION PROPOSES TO CREATE A NEW DORMER AT THE THIRD FLOOR INCREASING THE NONCONFORMING GFA.

# HISTORIC / OVERLAY DISTRICT SUMMARY

THIS PROJECT IS NOT LOCATED WITHIN A HISTORIC NEIGHBORHOOD CONSERVATION DISTRICT, NO REVIEW IS ANTICIPATED

# **DIMENSIONAL FORM**

|  |                    | DIMENSIONAL INF                      | ORMATION                              |  |
|--|--------------------|--------------------------------------|---------------------------------------|--|
| APPLICANT: Deegan                              | n Family           | PF                                   | ESENT USE/OCCUPANO                    | r: 2 FAM RESIDENCE                                   |
| LOCATION: 7-9 Cre                              | escent Street, Car |                                      |                                       | S C-1  |
| PHONE: 617.671.55                              |                    |                                      | CUPANCY: UNCHAN                       | NGED   |
|  |                    | <u>EXISTING</u><br><u>CONDITIONS</u> | <u>REQUESTED</u><br><u>CONDITIONS</u> | <u>ORDINANCE</u><br><u>REQUIREMENTS</u> <sup>1</sup> |
| TOTAL GROSS FLOOR                              | AREA:              | 3208                                 | 3297                                  | 2755 (max.   |
| LOT AREA:                                      |                    | 3673                                 | unchanged                             | 5000 (min.   |
| RATIO OF GROSS FL<br>TO LOT AREA: <sup>2</sup> | OOR AREA           | 0.87                                 | 0.897                                 | 0.75 (max.   |
| LOT AREA FOR EACH                              | DWELLING UNIT:     | 1837                                 | unchanged                             | 1500 (min.   |
| SIZE OF LOT:                                   | WIDTH              | 55                                   | unchanged                             | 50 (min.   |
|  | DEPTH              |                                      | unchanged                             | N/A  |
| <u>Setbacks in</u>                             | FRONT              | 7                                    | unchanged                             | 10' (min.)   |
| Feet:  | REAR               | 10                                   | unchanged                             | 30' (min.  |
|  | LEFT SIDE          | 17                                   | unchanged                             | MP (7.5' MI (min.                                    |
|  | RIGHT SIDE         | 6                                    | unchanged                             | MP (7.5' MI (min.                                    |
| SIZE OF BLDG.:                                 | HEIGHT             | 34.9;                                | unchanged                             | 35' (max.  |
|  | LENGTH             |                                      | see dwgs                              | N/A  |
|  | WIDTH              |                                      | see dwgs                              | N/A  |
| RATIO OF USABLE C                              | PEN SPACE          |                                      |                                       |  |
| TO LOT AREA: $\frac{3}{}$                      |                    | 37%                                  | unchanged                             | 15% (min.  |
| NO. OF DWELLING UNITS:                         |                    | 2                                    | unchanged                             | 2 (max.  |
| NO. OF PARKING SPACES:                         |                    | 2                                    | unchanged                             | I PER DL (min./max                                   |
| NO. OF LOADING AREAS:                          |                    | N/A                                  | N/A                                   | N/A (min.  |
| DISTANCE TO NEAREST BLDG.<br>ON SAME LOT:      |                    | N/A                                  | see dwgs                              | H+H/6 (min.  |

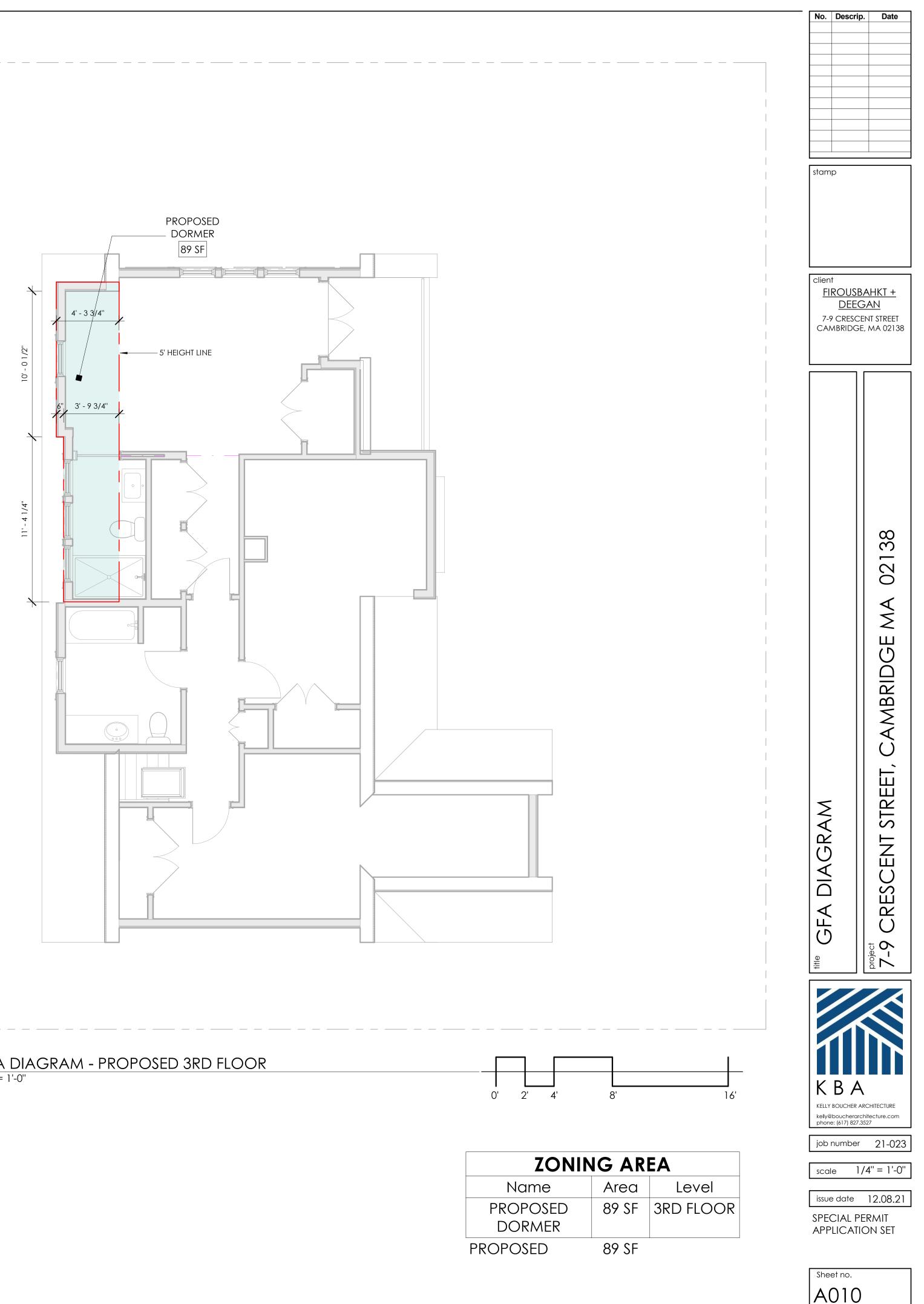
Describe, where applicable, other occupancies on same lot, the size of adjacent buildings on same lot, and type of construction proposed, e.g.; woodframe, concrete, brick, steel, etc.

wood frame structure and an existing garage 2 car garage

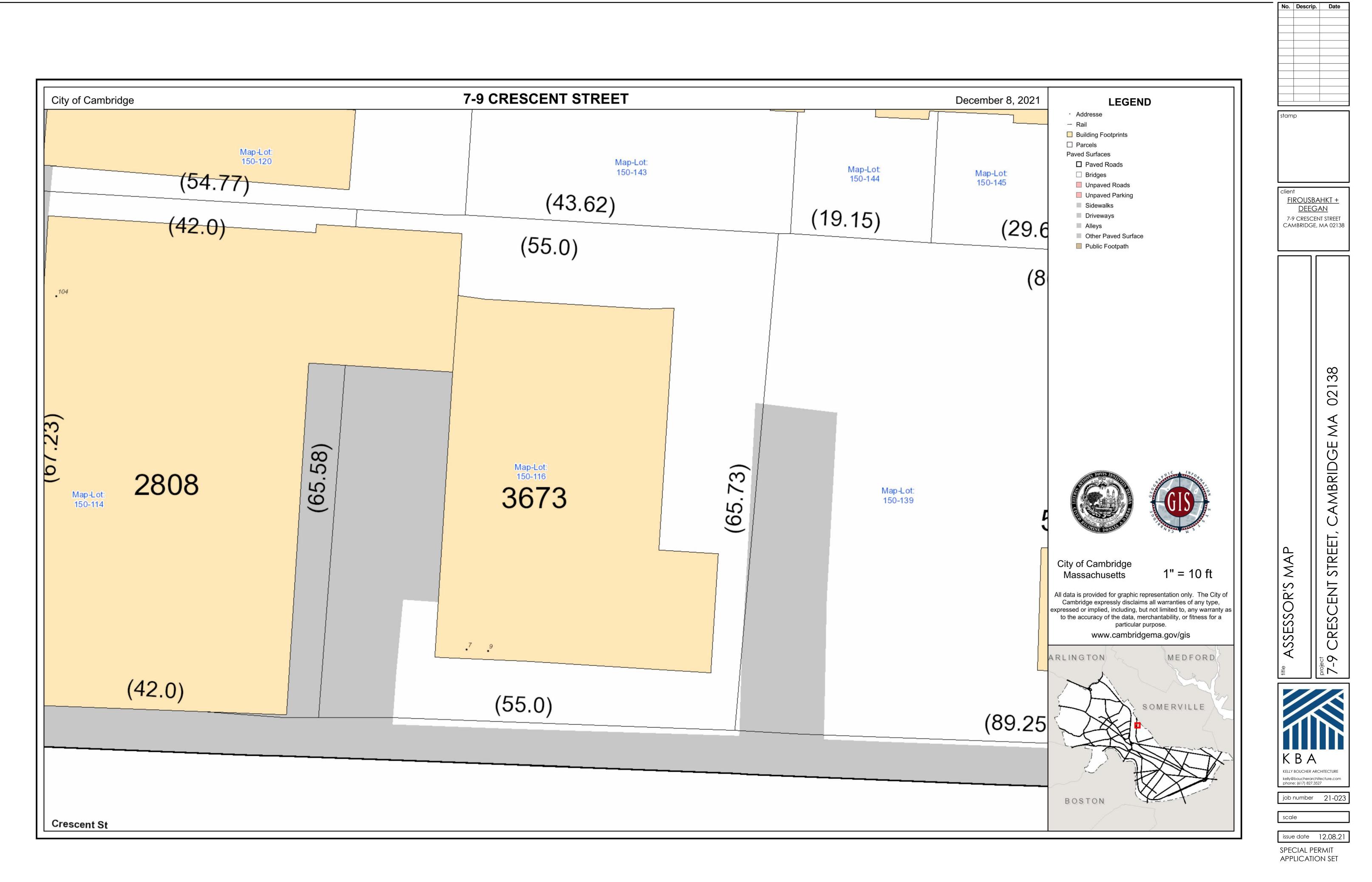
1. SEE CAMBRIDGE ZONING ORDINANCE ARTICLE 5.000, SECTION 5.30 (DISTRICT OF DIMENSIONAL REGULATIONS). 2. TOTAL GROSS FLOOR AREA (INCLUDING BASEMENT 7'-0" IN HEIGHT AND ATTIC AREAS GREATER THAN 5') DIVIDED BY LOT AREA. 3. OPEN SPACE SHALL NOT INCLUDE PARKING AREAS, WALKWAYS OR DRIVEWAYS AND SHALL HAVE A MINIMUM DIMENSION OF 15'.

# **BZA APPLICATION FORM**

| ge |  |
|----|--|
|    |  |
|    |  |
|    |  |

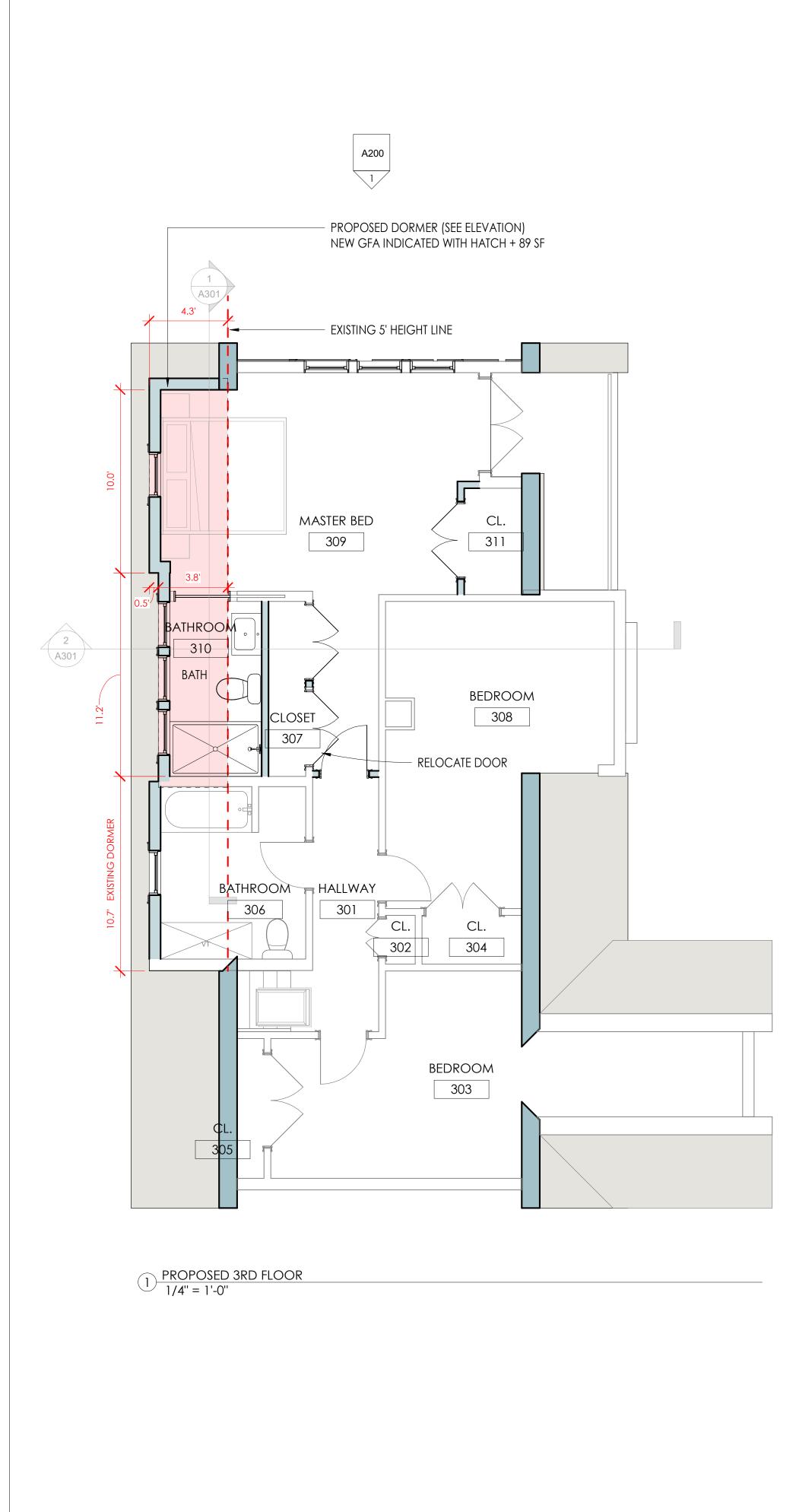


## GFA DIAGRAM - PROPOSED 3RD FLOOR 1/4" = 1'-0"

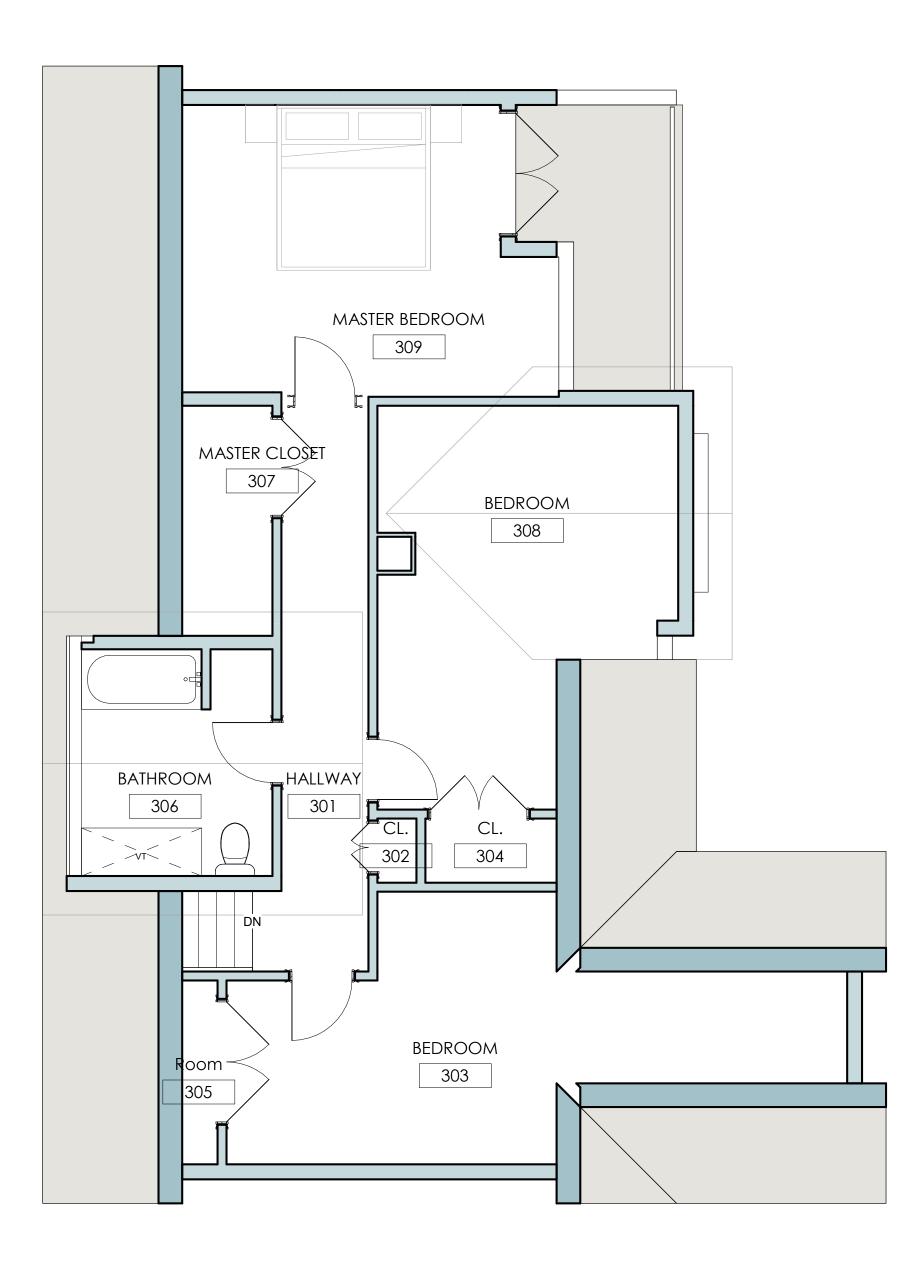


2/8/2021 6:51:02 PN

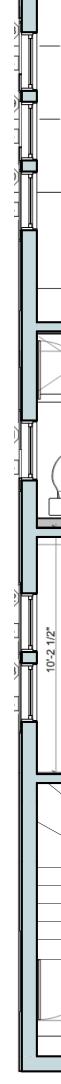
Sheet no.

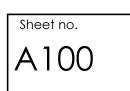


2/8/2021 6:51:02 PM



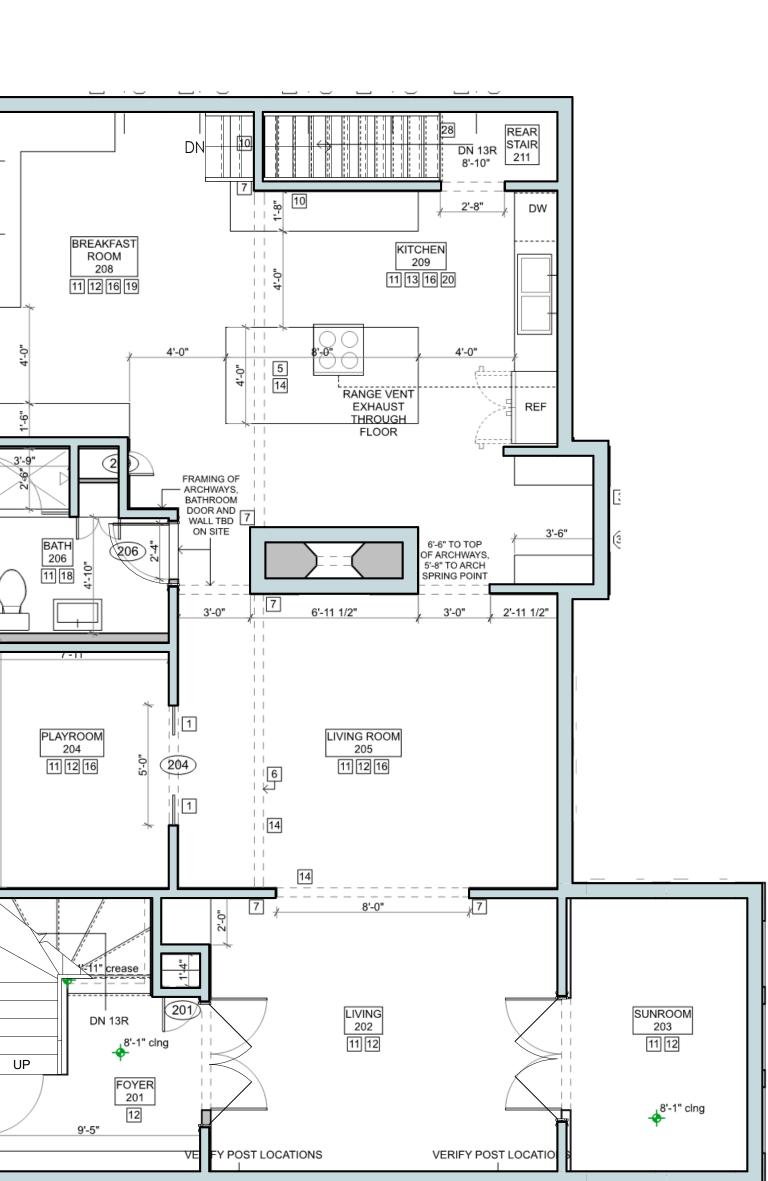
2 EXISTING 3RD FLOOR 1/4" = 1'-0"

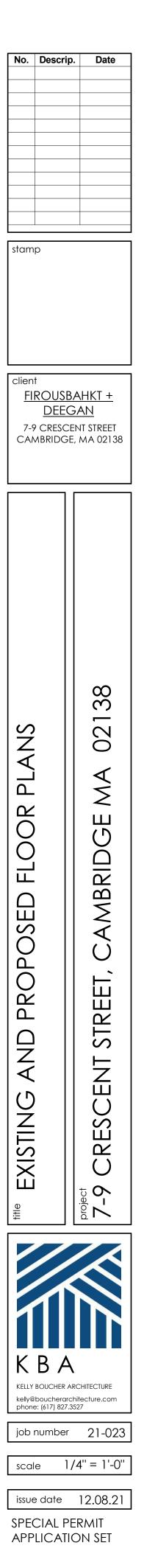


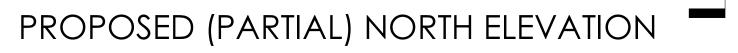


# NO CHANGES PROPOSED TOLOWER LEVELS (FIRST OR SECOND FL PLANS)

3 EXISTING 2ND FLOOR 1/4" = 1'-0"

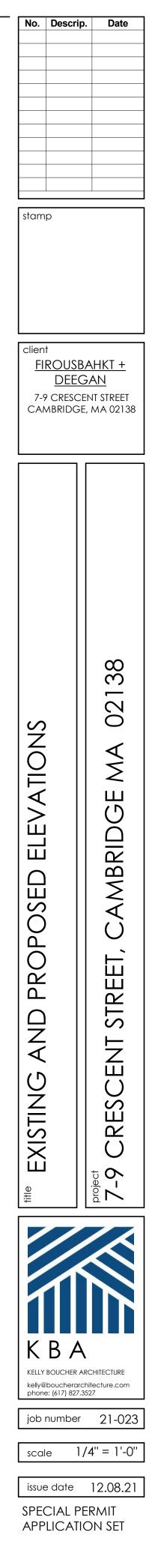


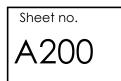


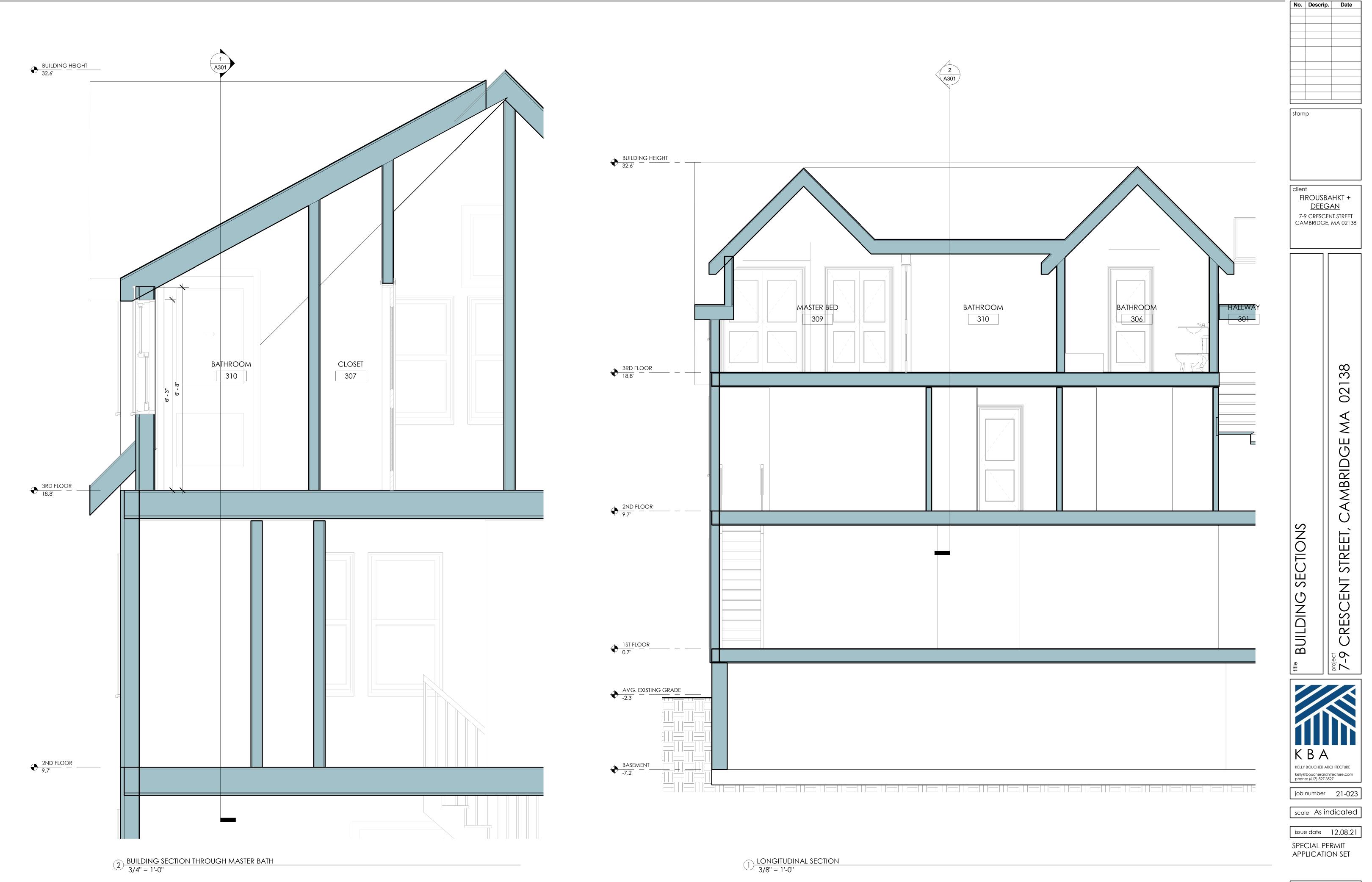


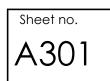


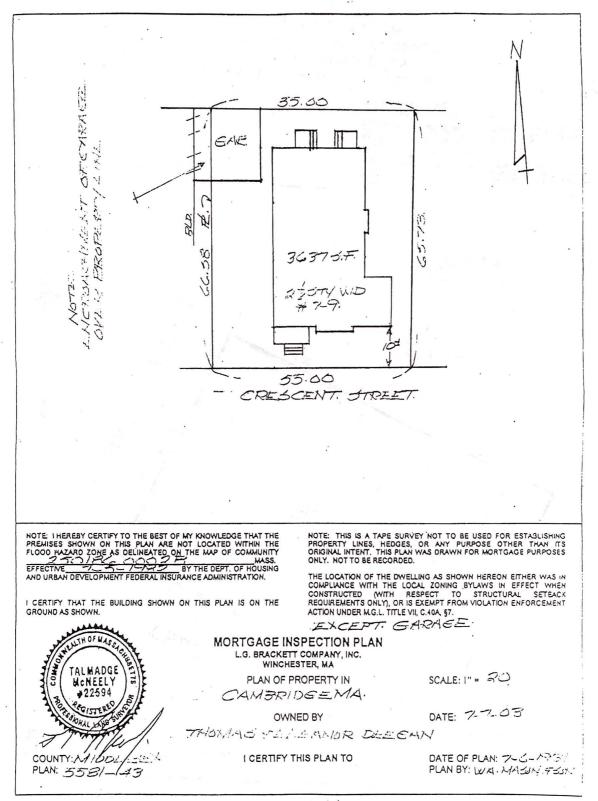
# EXISTING NORTH ELEVATION







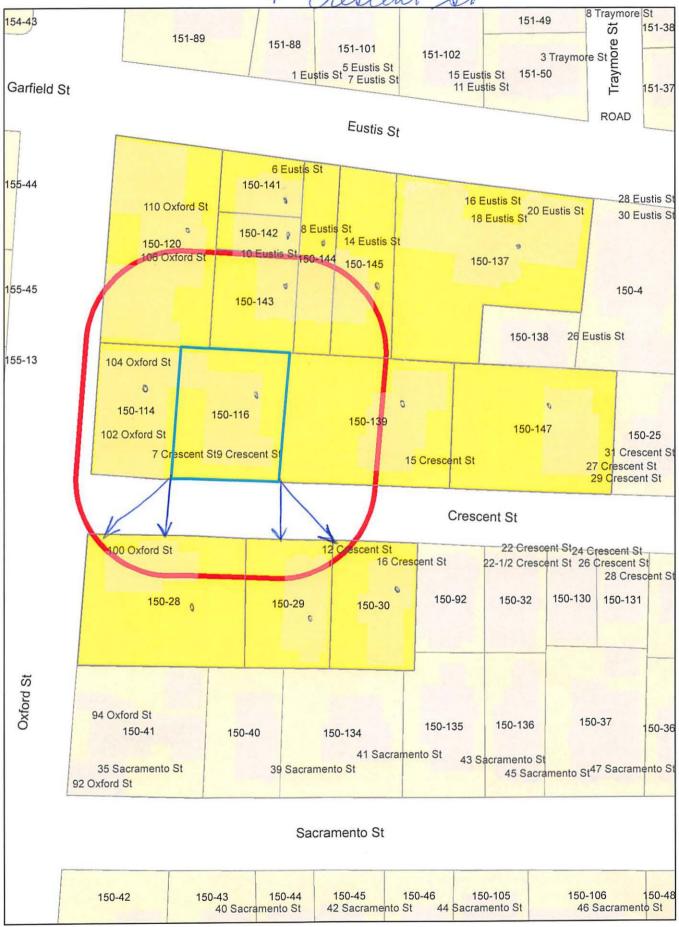




03-1066.



7 Crescent It



150-28 BERMAN, JEFFREY S. & JANICE WALKER 100 OXFORD ST CAMBRIDGE, MA 02138

150-120 THE RB FAMILY LIMITED PARTNERSHIP C/O THE BANKER REAL ESTATE CO GENERAL PARTNER 14A ELIOT ST CAMBRIDGE, MA 02138

150-147 GOULD, DEBORAH LEE 29 CRESCENT ST CAMBRIDGE, MA 02138-1907

150-143 NEELEY, WILLIAM LAWRENCE JR., & TSEDAL BEYENE NEELEY 10 EUSTIS ST CAMBRIDGE, MA 02140

150-114 102-104 OXFORD STREET LLC 46 DEPOT ST. NO. 1 MILFORD, MA 01757 7 Crescent St.

150-29 KRIEGSMAN, SUZANNE A. & HITESH P. TRIVEDI 12 CRESCENT STREET CAMBRIDGE, MA 02138

150-137 BANKER, ROBERT TRUSTEE C/O THE BANKER REAL ESTATE CO 14A ELIOT STRRET CAMBRIDGE, MA 02138-3728

150-139 FRANK, JOHN R. , TRUSTEE OF 15 CRESCENT STREET TRUST. 15 CRESCENT ST CAMBRIDGE, MA 02138

150-145 GILBOA, RAN 14 EUSTIS ST CAMBRIDGE, MA 02140

150-142 HUANG, ANDREW CHRISTINA WOO 8 EUSTIS ST CAMBRIDGE, MA 02140

MAHMOOD FIROUZBAKHT 7 CRESCENT STREET CAMBRIDGE, MA 02138

150-116 DEEGAN, DEIDRE A. 7-9 CRESCENT ST CAMBRIDGE, MA 02138

150-141 VANCE, ELIZABETH O'CONNOR & JASON C. INNES 6 EUSTIS STREET CAMBRIDGE, MA 02138

150-144 EAGLE VERNON A XUEMEI ZHAI 12 EUSTIS ST CAMBRIDGE, MA 02141

150-30 BLOOMSTEIN, WILLIAM W. & APARNA AGRAWAL, TRUSTEE 18 CRESCENT ST CAMBRIDGE, MA 02138

## Deegan – Firouzbakht 7 Crescent Street Cambridge, MA 02138

March 4, 2022

## Dear Members of the Board of Zoning Appeal,

In connection with our application to the Board (case no. BZA-159180), we are providing this cover letter to give background to this request and provide helpful information for the Board's consideration. The house at 7-9 Crescent Street was built by Deidre's great grandfather, James Macklin, who was a local florist. Multiple generations of her family have grown up in this house, including Deidre, her mom, and now our two kids. Currently, Deidre's father lives on the first floor and we live on the second and third floor. We plan and hope for this home to stay with our family for many more years. In order to make our apartment more comfortable for future years ahead, we would like to add an additional bathroom and modest living space to our third floor.

In 2018, we submitted a request for a Variance to the Board in case No. BZA-017006-2008 to undertake this work. After hearings held on September 27, 2018 and October 4, 2018, the Board approved our request as amended. Due to various unforeseen life and health circumstances, we were not able to start construction and the approval granted has since expired. We are now in a position to undertake the work and are submitting the request originally submitted to the Board in September 2018. Since 2018, there have been some developments which we thought helpful to note in considering the original proposal.

In 2018, certain Board members expressed concerns about the length of the addition we originally proposed given the connector piece in between the two gable ends. Since we described this work as the addition of a "dormer", the dormer guidelines were raised as a reason to reduce the length of the proposed addition. In a recent meeting with the Commissioner, we received clarification that the work we are proposing is more accurately described as an "addition" and not a "dormer". We apologize for not making this correction to the description of our application. The meeting with the Commissioner happened after we had already filed this recent application. The updated plans submitted to the Board do reflect this change in terminology.

In 2018, our application required a Variance from the Board. As you are likely aware, the Ordinance has since been amended and the relief we require now is a Special Permit. Notwithstanding the above discussion regarding the description of the work, our application as submitted satisfies the legal requirements for a Special Permit to be granted.

We appreciate the Board's continued attention and time spent on our application.

Sincerely,



Deidre Deegan Mahmood Firouzbakht

## PROJECT SUMMARY: 7-9 CRESCENT STREET

## **ZONING SUMMARY**

THIS IS AN EXISTING RESIDENTIAL 2 FAMILY STRUCTURE LOCATED IN A RES C-1 ZONE.

THE HOUSE IS EXISTING NONCONFORMING FOR LOT SIZE, FAR AND SETBACKS.

THE APPLICATION PROPOSES TO CREATE A NEW ADDITION AT THE THIRD FLOOR INCREASING THE NONCONFORMING GFA.

## HISTORIC / OVERLAY DISTRICT SUMMARY

THIS PROJECT IS NOT LOCATED WITHIN A HISTORIC NEIGHBORHOOD CONSERVATION DISTRICT, NO REVIEW IS ANTICIPATED

## **DIMENSIONAL FORM**

| APPLICANT                                 | <ul> <li>Deegan Family</li> <li>n: 7-9 Crescent Street, Cambridge MA</li> </ul> |            |                               | PRESENT USE/OCCUPANCY: 2 FAM RESIDENCE |               |                           |       |  |
|---|---|------------|-------------------------------|--|---------------|---------------------------|-------|--|
|   |   |            |                               |  |               |                           |       |  |
| PHONE: 617.671.5543                       |   |            | REQUESTED USE/OCCUPANCY: UNCH |  | UNCHANG       | IANGED                    |       |  |
|   |   |            | EXISTING<br>CONDITIONS        | REQUE<br>CONDI                         | TIONS         | ORDINANCE<br>REQUIREMENTS |       |  |
| TOTAL GROSS FLOOR AREA:                   |   | 3208       | 3297                          |  | 2755          | (max.                     |       |  |
|   |   | 3673       | unchanged                     |  | 5000          | (min.                     |       |  |
| RATIO OF G                                |   | OOR AREA   | 0.87                          | 0.897                                  |               | 0.75                      | (max. |  |
| LOT AREA FOR EACH DWELLING UNIT:          |   | 1837       | unch                          | anged                                  | 1500          | (min.                     |       |  |
| SIZE OF LC                                |   | WIDTH      | 55                            | unch                                   | anged         | 50                        | (min. |  |
|   |   | DEPTH      |                               | unch                                   | anged         | N/A                       |       |  |
| <u>Setbacks in</u><br>Feet:               | FRONT   | 7          | unchanged                     |  | 10'           | (min.)                    |       |  |
|   | REAR  | 10         | unch                          | anged                                  | 30'           | (min.                     |       |  |
|   | LEFT SIDE   | 17         | unch                          | anged                                  | MP (7.5' MI   | (min.                     |       |  |
| SIZE OF BLDG, :                           |   | RIGHT SIDE | 6                             | unch                                   | anged         | MP (7.5' MI               | (min. |  |
|   |   | HEIGHT     | 34.9;                         | unch                                   | anged         | 35'                       | (max. |  |
|   |   | LENGTH     |                               | see d                                  | wgs           | N/A                       |       |  |
|   |   | WIDTH      |                               | see dwgs                               |               | N/A                       |       |  |
| RATIO OF U                                |   | PEN SPACE  | -                             |  |               | in succes                 |       |  |
| TO LOT AREA: ")<br>NO. OF DWELLING UNITS: |   | 37%        | unch                          | anged                                  | 15%           | (min.                     |       |  |
|   |   | 2          | unchanged                     |  | 2             | (max.                     |       |  |
| NO. OF PARKING SPACES:                    |   | 2          | unch                          | anged                                  | I PER DU (mir | n./max                    |       |  |
| NO. OF LOA                                | DING AR   | EAS:       | N/A                           | N/A                                    |               | N/A                       | (min. |  |
| DISTANCE TO NEAREST BLDG.                 |   | N/A        | see dwgs                      |  | H+H/6         | (min.                     |       |  |

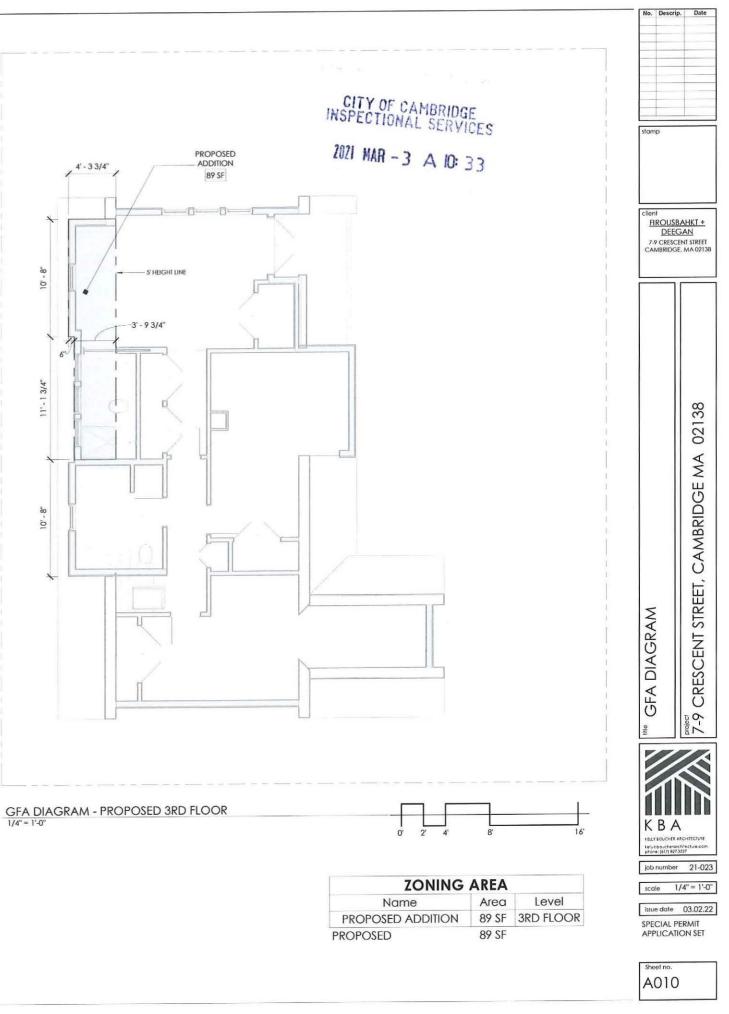
BZA APPLICATION FORM

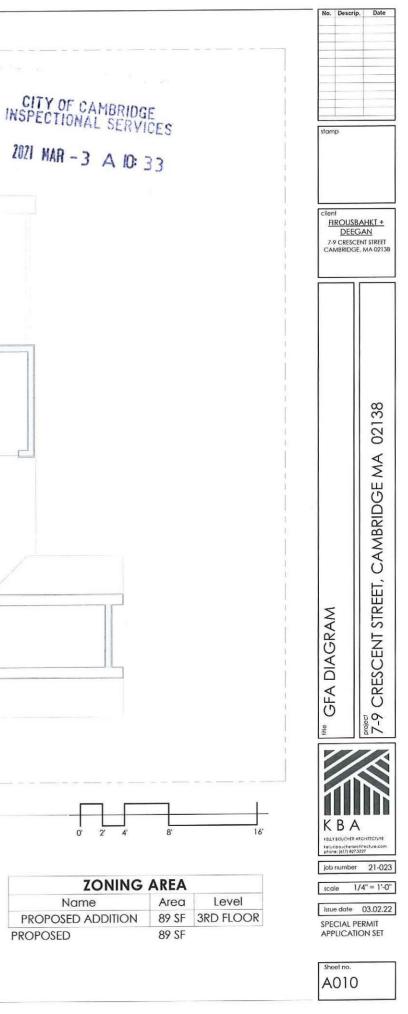
Describe, where applicable, other occupancies on same lot, the size of adjacent buildings on same lot, and type of construction proposed, e.g.; woodframe, concrete, brick, steel, etc.

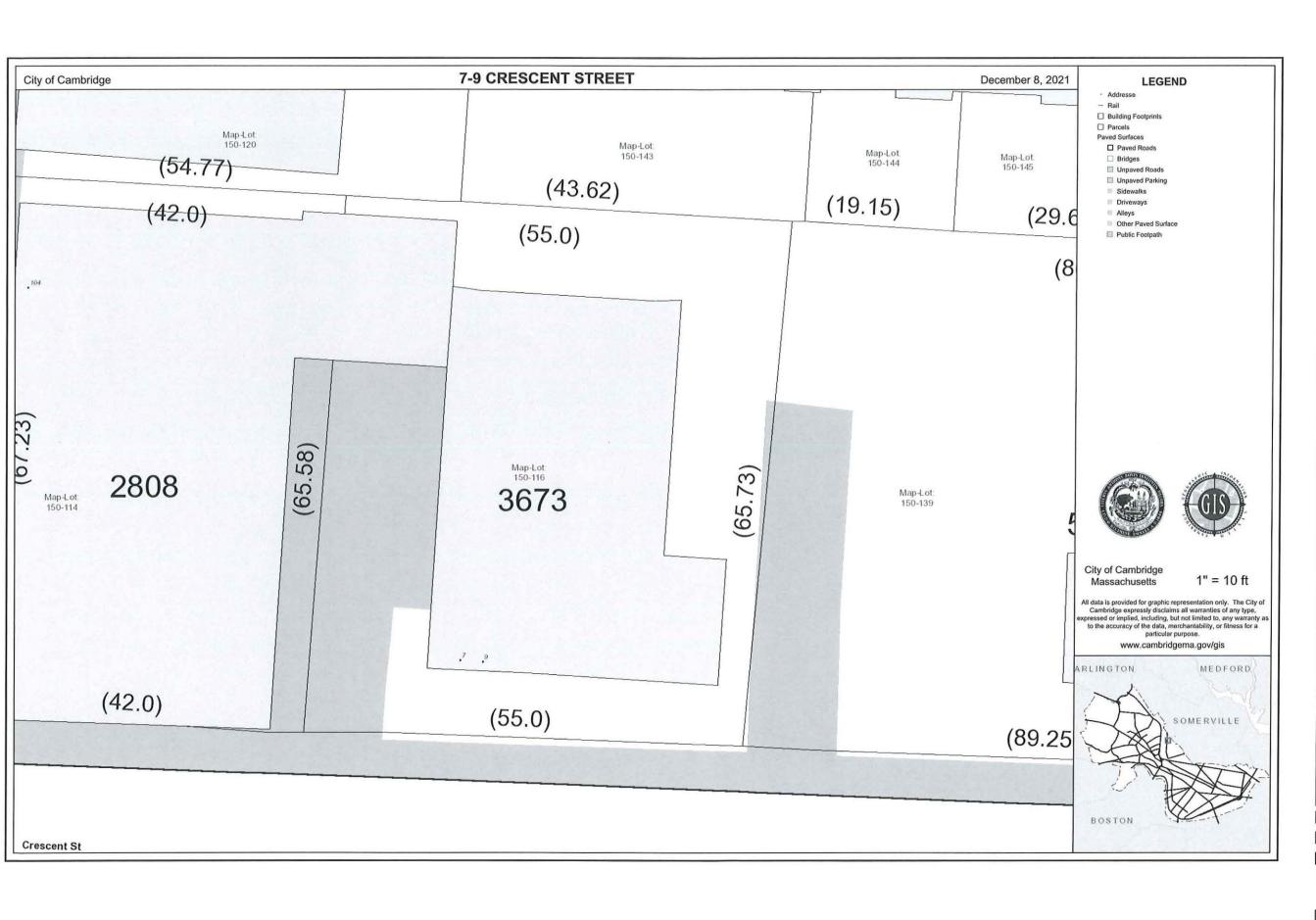
| wood frame structure an | d an existing garage 2 car garage |
|-------------------------|-----------------------------------|
|-------------------------|-----------------------------------|

1. SEE CAMBRIDGE ZONING ORDINANCE ARTICLE 5.000, SECTION 5.30 (DISTRICT OF DIMENSIONAL See Granning Example and Contract Instruct Interest Provided Actional A

(ATTACHMENT B - PAGE 4)

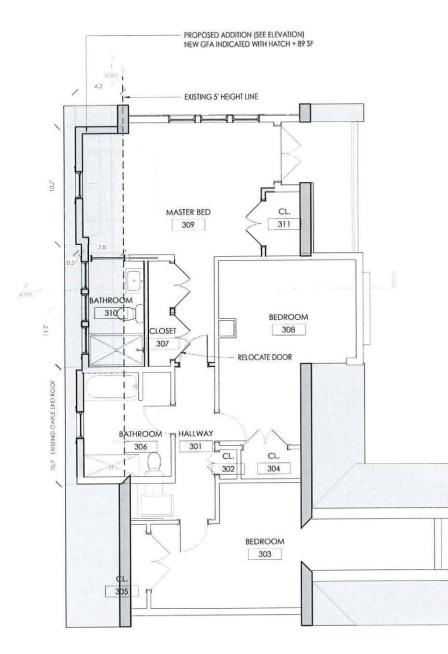






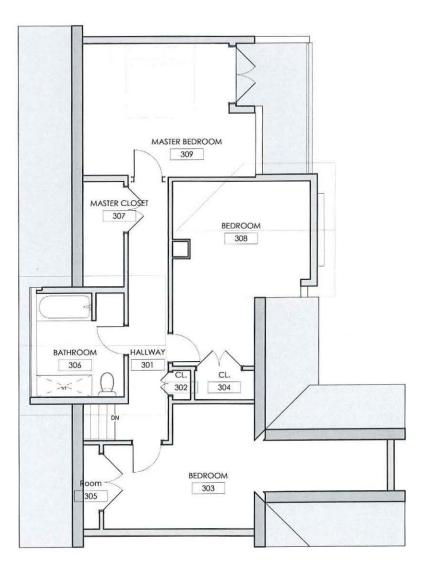
/2022 12:09:47 PM

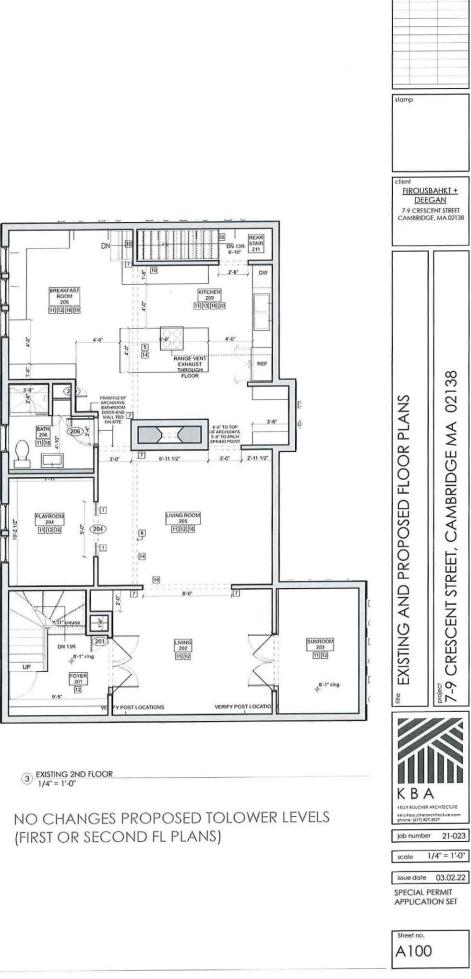
| No.                   | Descr | ip,     | Date                                    |
|-----------------------|-------|---------|---|
|                       | -     |         |   |
|                       |       |         |   |
|                       |       |         |   |
|                       |       |         |   |
|                       |       |         |   |
|                       |       |         |   |
| stam                  | D     |         |   |
| sion                  | þ     |         |   |
|                       | DEE   | GA      | HKT +<br>NN<br>I STREET<br>MA 02138     |
| I IIII ASSESSOR'S MAP |       | project | 7-9 CRESCENT STREET, CAMBRIDGE MA 02138 |
|                       |       | 1       | ECT.4F                                  |
| job nu<br>scale       | imber |         | 21-023                                  |
| SPEC<br>APPLI         | AL PE | RN      | AIT<br>SET                              |
| Sheet<br>A0           |       |         |   |



1) PROPOSED 3RD FLOOR 1/4" = 1'-0"

2 EXISTING 3RD FLOOR 1/4" = 1'-0"



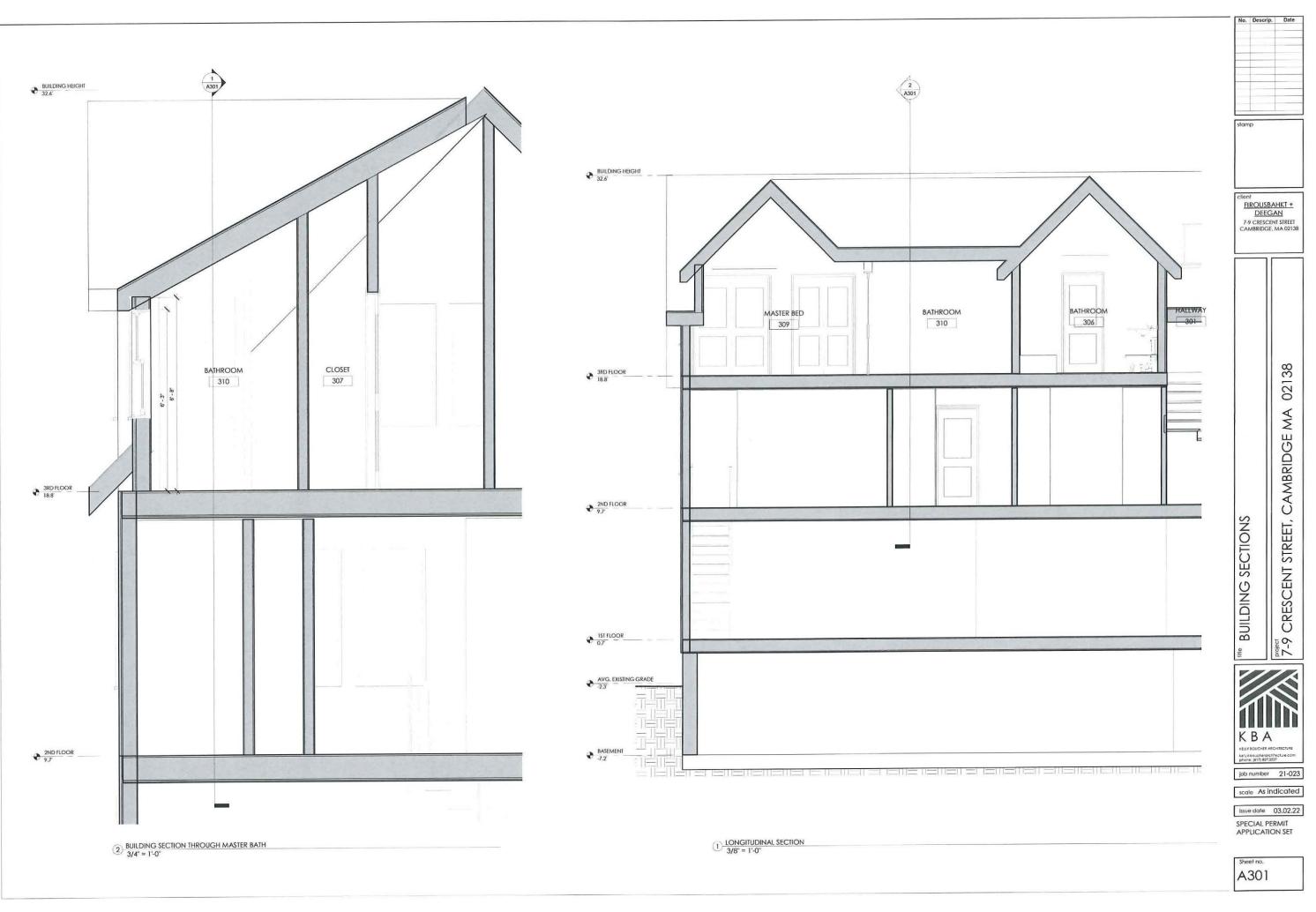


. Descrip.



2022 12:09:50







# 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: (Print)            | Date: 2(16/12 |
|--------------------------|---------------|
| Address: 7 Crescent Star | et.           |
| Case No. B7A - 159180    | Ŷ             |
| Hearing Date: 3/10/22    | 21<br>2       |

Thank you, Bza Members