



# CITY OF CAMBRIDGE

## BOARD OF ZONING APPEAL

831 Massachusetts Avenue, Cambridge MA 02139

617-349-6100

### BZA Application Form

BZA Number: 206411

### General Information

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

Special Permit: \_\_\_\_\_

Variance:   X  

Appeal: \_\_\_\_\_

2023 FEB 14 PM 12:09  
OFFICE OF THE CITY CLERK  
CAMBRIDGE MASSACHUSETTS

**PETITIONER:** George White

**PETITIONER'S ADDRESS:** 9-2 Bellis Circle, Cambridge, MA 02140

**LOCATION OF PROPERTY:** 9 John F. Bellis Circle, Unit 2, Cambridge, MA

**TYPE OF OCCUPANCY:** Storage sheds

**ZONING DISTRICT:** Residence B Zone

**REASON FOR PETITION:**

/ISD decision/

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

To add 2 sheds within the setback and increase gross floor area over allowable amount.

### **SECTIONS OF ZONING ORDINANCE CITED:**

Article: 4.000	Section: 4.21 (Accessory Use).
Article: 5.000	Section: 5.31 (Table of Dimensional Requirements).
Article: 10.000	Section: 10.30 (Variance).

Original  
Signature(s):

  
(Petitioner (s) / Owner)

GEORGE WHITE  
(Print Name)

Address:  
Tel. No.

6175998495

**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 Karen Stevens and George White

(OWNER)

Address: 9-2 Bellis Circle Cambridge MA 02140

State that I/We own the property located at 9-2 Bellis Circle Cambridge MA 02140, which is the subject of this zoning application.

The record title of this property is in the name of \_\_\_\_\_  
George R. White and Karen A. Stevens

\*Pursuant to a deed of duly recorded in the date 8/5/2003, Middlesex South County Registry of Deeds at Book 13693, Page 545; or Middlesex Registry District of Land Court, Certificate No. \_\_\_\_\_  
Book \_\_\_\_\_ Page \_\_\_\_\_.

Karen Stevens

[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

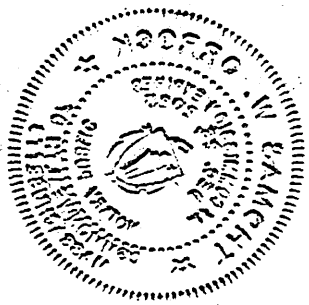
The above-name Karen Stevens + George White personally appeared before me, this 29th of Dec., 2022, and made oath that the above statement is true.

[Signature]

Notary

My commission expires 12/26/2025 (Notary Seal).

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



Supporting Statement For A Variance

2/13/2023

(Attachment to BZA Application Form, BZA Number: 206411)

A) A literal enforcement of Section 4.21 (Accessory Use) and Section 5.31 (Table of Dimensional Requirements) against the sheds at 9 Bellis Circle Unit #2 would deprive the property of proper storage facilities for trash and compost bins, bicycles, yard tools and outdoor furniture. Given the design of the primary structure (which lacks substantial storage, such as a basement) and the layout of the lot, removing the sheds would cause a significant hardship to the residents of 9 Bellis Circle Unit #2.

B) 9-2 Bellis Circle is located on a lot hemmed in by neighboring properties due to it's nature as a non-condominium townhouse. Given the lack of rear egress, placing a storage shed on the driveway portion of the property alleviates the need to move trash receptacles through the home when stored in the rear yard or to leave such receptacles outdoors and unsecured.

C) Desirable relief may be granted without either:

1) Removal of the sheds would require open storage of items on the property, such as bicycles or trash receptacles. Neither shed impinges on public or private access, and both are in keeping with the design and styling of the property.

2) The structures in place do not interfere with access nor impinge on any neighbors or the public. The residents of 9 Bellis Circle Unit #2 have received near-unanimous support from the other residents of Bellis Circle in writing that the sheds are an improvement to the property. The sheds are substantially similar in design, usage, and placement to other storage sheds on neighboring and abutting properties.



E-Mail Address: stonehippo@gmail.com

Date: 2/13/2023

**BZA Application Form****DIMENSIONAL INFORMATION****Applicant:** George White**Present Use/Occupancy:** Storage sheds**Location:** 9 John F. Bellis Circle, Unit 2, Cambridge, MA**Zone:** Residence B Zone**Phone:** 6175998495**Requested Use/Occupancy:** Storage sheds

		<b><u>Existing Conditions</u></b>	<b><u>Requested Conditions</u></b>	<b><u>Ordinance Requirements</u></b>	
<b><u>TOTAL GROSS FLOOR AREA:</u></b>		1191	1261	1200	(max.)
<b><u>LOT AREA:</u></b>		1173	1173	1173	(min.)
<b><u>RATIO OF GROSS FLOOR AREA TO LOT AREA: <sup>2</sup></u></b>		1.01	1.07	0.5	
<b><u>LOT AREA OF EACH DWELLING UNIT</u></b>		480	480	585	
<b><u>SIZE OF LOT:</u></b>	<b><u>WIDTH</u></b>	20	20	20	
	<b><u>DEPTH</u></b>	48.5	48.5	48.5	
<b><u>SETBACKS IN FEET:</u></b>	<b><u>FRONT</u></b>	8.5	8.5	8.5	
	<b><u>REAR</u></b>	14	14	14	
	<b><u>LEFT SIDE</u></b>	0	0	0	
	<b><u>RIGHT SIDE</u></b>	0	0	0	
<b><u>SIZE OF BUILDING:</u></b>	<b><u>HEIGHT</u></b>	28	28	28	
	<b><u>WIDTH</u></b>	24	24	24	
	<b><u>LENGTH</u></b>	20	20	20	
<b><u>RATIO OF USABLE OPEN SPACE TO LOT AREA:</u></b>		.5	.5	.5	
<b><u>NO. OF DWELLING UNITS:</u></b>		1	1	1	
<b><u>NO. OF PARKING SPACES:</u></b>		1	1	1	
<b><u>NO. OF LOADING AREAS:</u></b>		0	0	0	
<b><u>DISTANCE TO NEAREST BLDG. ON SAME LOT</u></b>		0	5	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.:

wooden storage shed in rear yard ~8.5x4.5 ft



# City of Cambridge

MASSACHUSETTS

## BOARD OF ZONING APPEAL

831 Mass Avenue, Cambridge, MA.  
(617) 349-6100

*2 Bds*

BZA

### POSTING NOTICE – PICK UP SHEET

The undersigned picked up the notice board for the Board of Zoning Appeals Hearing.

Name: KAREN STEVENS Date: 2/23/2023  
(Print)

Address: 9 John F. Bellis Circle # 2

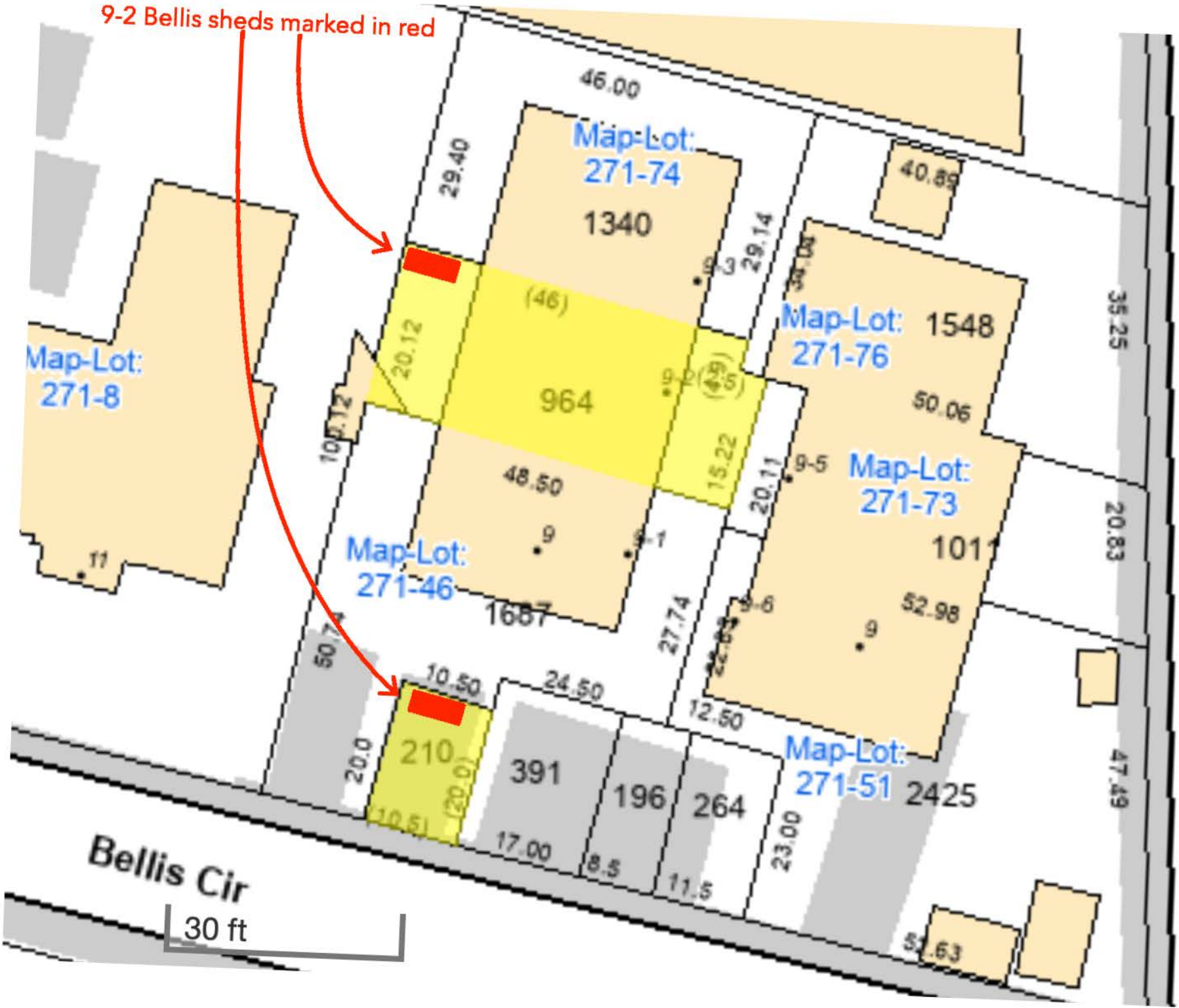
Case No. BZA-206411

Hearing Date: 3/9/23

Thank you,  
Bza Members

Sherman St

9-2 Bellis sheds marked in red



Bellis Cir

30 ft

9 John F. Bellis Circle













Shed Justifcation 9-2 Bellis Circle - January 15, 2023





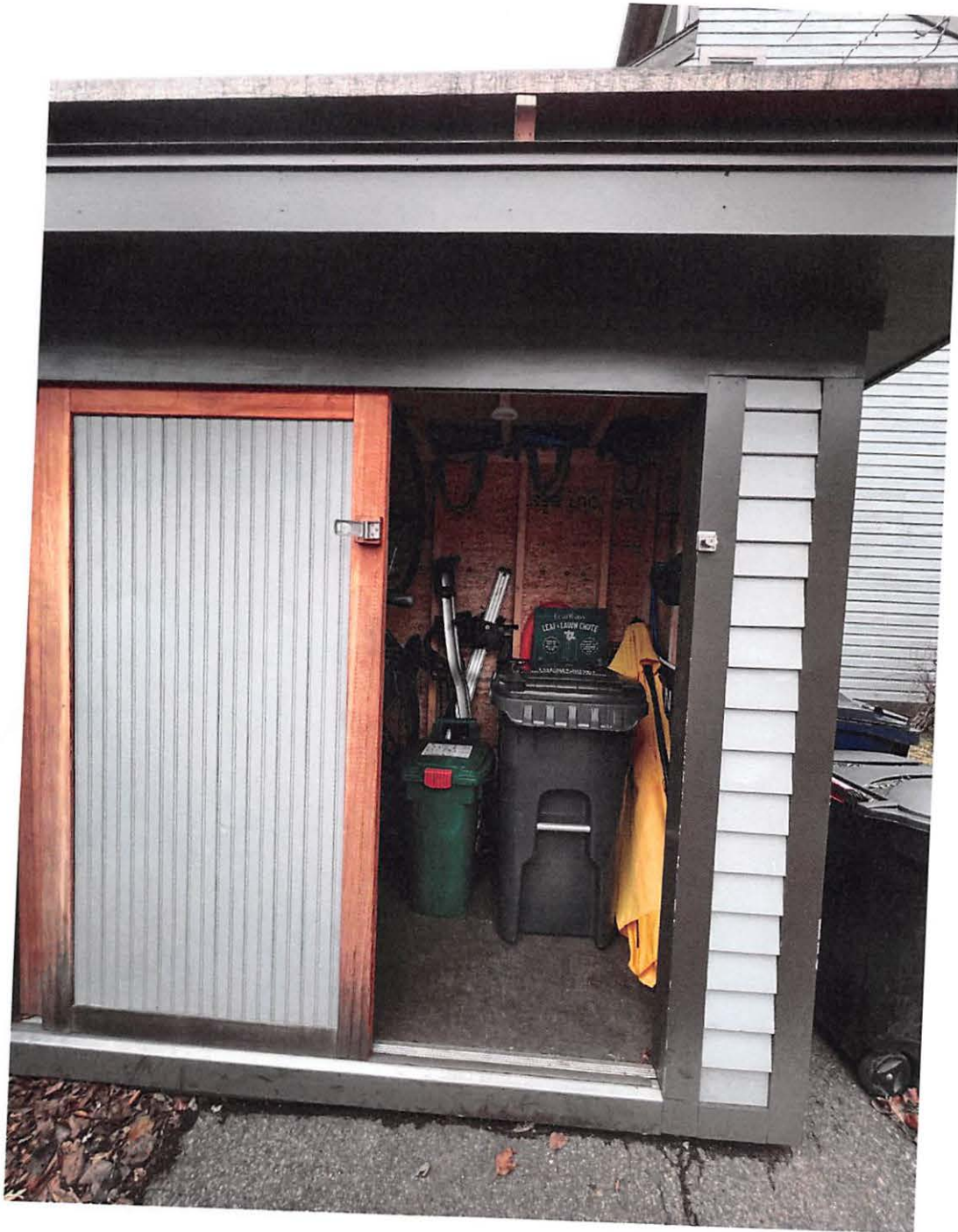












Letter of Support for Shed Additions at 9-2 Bellis Circle

Board of Zoning Appeal

We are writing in support of George White and Karen Stevens, both residing at 9-2 Bellis Circle, Cambridge, MA 02140, in the BZA appeal of the ISD ruling on two storage sheds on their property at 9-2 Bellis Circle.

We are residents of Bellis Circle and believe that the sheds in question should be allowed to stand. They are enhancements to the property, in keeping with the style of the existing home structures, and are appropriate additions to the residence and the neighborhood.

Sincerely,

Katie Giraldi  
William Giraldi  
39A Bellis Circle

Anthony Keefe and Rachel Cane

9-6 Bellis Circle, Cambridge MA 02140

Sonia Pérez-Villanueva & Roger Berry

37 Bellis Circle, Cambridge, MA, 02140.

Jonathan Haber and Magdalena Georgieva

11 Bellis Circle

(Note: Additional signatures forthcoming, multiple neighbors have expressed support -GRW)





## CITY OF CAMBRIDGE

INSPECTIONAL SERVICES DEPARTMENT 831 MASS. AVE.  
CAMBRIDGE, MASSACHUSETTS 02139 (617) 349-6100

Ranjit Singanayagam  
Commissioner

December 1, 2022

BY REGULAR MAIL AND CERTIFIED MAIL – RETURN RECEIPT REQUESTED

9 John F. Bellis Circle

Unit #2

Cambridge, MA 02140

RE: Illegal Sheds at 9 John F. Bellis Circle, Cambridge, MA

Dear Mr. White & Mrs. Stevens,

We are in receipt of complaints regarding two storage sheds located in the rear yard and front yard setbacks at 9 John F. Bellis Circle (please see attached photos). These sheds violate Article 4.21 (Accessory Uses) of the Cambridge Zoning Ordinance and Article 5.31 (Dimensional Requirements). A shed must be 5ft from the property line, 10ft from the principal structure and the property must have excess gross floor area for the shed.

Please remove the offending structure immediately. If you fail to comply with this order, further steps may be taken, including court action and/or fines of up to \$300 per day, pursuant to Article 9, Section 9.16 of the Cambridge Zoning Ordinance. You have the right to appeal this decision to the Board of Zoning Appeal within 30 days from the date of this letter.

If you have questions, please call me at (617) 349-6110. Thank you for your attention to this matter.

Sincerely,

A handwritten signature in dark ink, appearing to read "Olivia Ratay".

Olivia Ratay

Zoning Specialist



To whom it may concern,

We believe that the shed structures we have erected at 9-2 Bellis Circle should be allowed to remain for accessory use.

We are long-time occupants of the property at 9-2 Bellis Circle, having purchased the home in 2003. Neither shed is used for lodging, they do not exceed 25% of the gross floor area of the property for a town home structure, nor 15% of the total lot area. They are closer to the property line than permitted under Article 4.21 of the Cambridge Zoning Ordinance (and one of the structures may be closer to the primary building than permitted). However, we believe that the structures are similar in their placement, dimensions, and styling to other storage structures in the neighborhood that have been permitted or are not the subject of complaint. In addition, we believe that the sheds do not significantly increase the GFA of the property, given the rules for town homes.

There are two shed structures on the property. Neither shed has a foundation and they are not permanent building structures.

The first, located at the end of our driveway, is used for the storage of bicycles and bicycle equipment, plus enclosed storage for trash and compost bins. Our property is a middle town house, with no direct street frontage beyond the driveway space. The front of our lot provides no space for the storage of trash, recycling, or compost containers, and there is no other accommodation available, as the 9 Bellis Circle townhouses are not a condominium and have no shared facilities. Prior to putting up the shed, we had to store our bins in the open, which is both unsightly and made them vulnerable to scavengers. In fact, our city-issued compost bin was damaged by a raccoon or squirrel before we had then shed (they chewed through the top). We also had no other location for secure bicycle storage prior to erecting the shed. Due to the small size and location of our lot, building a shed that enabled vertical storage of our bicycles is ideal.

The second shed is used for tool storage only. Although it is closer to the property line and our primary structure than specified by code, we believe that it is vital to provide this additional storage. The design of our town home does not provide enough storage and due to its design (an open space without a basement) it is not possible to increase the storage capacity with the main structure.

Shed Justifcation 9-2 Bellis Circle - January 15, 2023

In addition, the sheds have been designed to accommodate green roof surfaces that provide as much green space as the footprint of the sheds themselves.

Outside of the single complaint, for a neighbor who is an abutter but does not typically reside at their property, we have received strong support from the other residents of Bellis Circle in our request to retain the sheds, as-is and without modification. In addition to the note of support attached when our appeal was filed, we have gotten additional verbal and written support from others on our block. We have received comments that the structures in questions "are the best looking sheds on the street" and an enhancement to the property. Having these sheds are vital to our ability to remain in our home and as residents of Cambridge, and we ask for permission to retain them.

Sincerely, George White and Karen Stevens 9-2 Bellis Circle, Cambridge, MA 02140



Shed Justifcation 9-2 Bellis Circle - January 15, 2023





Shed Justifcation 9-2 Bellis Circle - January 15, 2023









Shed Justifcation 9-2 Bellis Circle - January 15, 2023



Shed Justifcation 9-2 Bellis Circle - January 15, 2023



## **Exhibit "A"**

### **Legal Description**

**Loan No:** 32948048

**Mortgagor:** Karen A. Stevens and George R. White

**Lender:** Countrywide Home Loans

**Property:** 9 Bellis Circle, #2, Cambridge, Massachusetts 02140

A Certain parcel of Land in Cambridge, Middlesex County, Massachusetts, with the improvements thereon, being shown as Lot 2 on a plan entitled "Plan of Land in Cambridge, Mass." dated April 9, 1979 by Ernest H. Fagerstrom, Registered Land Surveyor, which Plan is recorded with the Middlesex South Registry of Deeds, in Book 13693, Page 545, being more precisely bounded and described as follows:

SOUTHERLY by Lot 1 on said pla., forty-eight and 50/100 (48.50) feet;

WESTERLY by land of Ida Ronzio, Twenty and 12/100 (20.12) feet;

NORTHERLY by Lot 3 on siad plan, forty-six (46) feet;

EASTERLY by Lot 4 on siad plan, Four and 90/100 (4.90) feet;

NORTHERLY by said Lot 4, Two and 50/100 (2.5) feet;

EASTERLY by Lot 5 on said plan, Fifteen and 22/100 (15.22) feet.

Containing, according to said plan, 963.6 +/- square feet fo land.

A certain parcel of land in Cambridge, Middlesex County, Massachusetts, being shown as Lot 2A on said Plan, being more particularly bounded and described according to said Plan as follows:

SOUTHERLY by John F. Bellis Circle, Ten and 50/100 (10.50) feet;

WESTERLY by Lot 1 on said plan, Twenty (20) feet;

NORTHERLY by said Lot 1, Ten and 50/100 (10.50) feet; and

EASTERLY by Lot 3A on said Plan, Twenty (20) feet.

The premises are conveyed subject to an easement to maintain, repair and replace utility lines as shown on said plan, for the benefit of Lot 1, Lot 3, Lot 4, Lot 5 and Lot 6, Lot 3A, Lot 4A and Lot 5A on said Plan, subject to an easement by foot as shown on said plan, for the benefit of said Lot 1, said Lot 3, said Lot 4, said Lot 5, said Lot 6, said Lot 3A, said Lot 4A and said Lot 5A, and subject to a permanent easement to maintain any slight encroachment, if any, which any part of the building located on said Lot 1 or on said Lot 3 may have on said Lot 2.

The premises are conveyed subject to an easement to maintain, repair and replace utility lines as shown on said Plan over said Lots 1, 3, 4, 5, 6, 3A, 4A and 5A; together with an easement right for passage by foot, as shown on said Plan over said Lots 1, 3, 4, 5, 6, 3A,4A and 5A; and together with a right to



maintain any slight encroachment, if any, which any part of the building located on said Lot 2 may have unto said Lot 1 or onto said Lot 3.

The entry onto any lot shown on said Plan for the purpose of exercising the easement, right to maintain, repair and replace utility lines is accompanied by an obligation to restore that portion of the Lot which is entered upon and which is disturbed by the exercise of such right to its condition immediately prior to such entry.

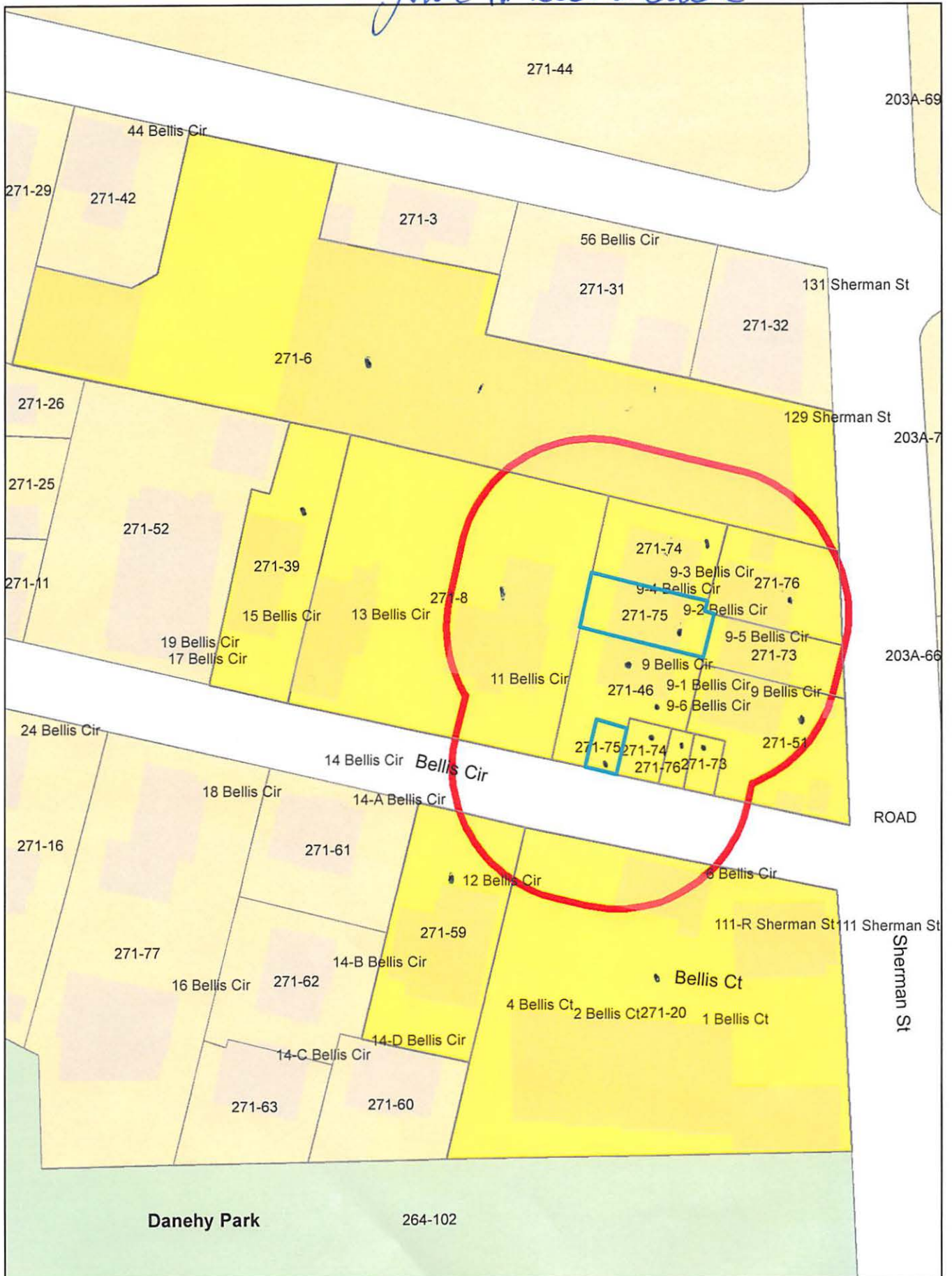
There is hereby imposed on Lot 2 for the benefit of said Lots 1, 3, 4, 5 and 6, with the following restrictions which shall expire fifty (50) years from August 7, 1979:

1. The color of the exterior of the buildings shall not be changed;
2. No tree existing on August 7, 1979, more than four inches in calibre, shall be cut down, if living;
3. No fence shall be erected on any portion of Lot 2, over which there exists the easement for passage by foot referred to above; and
4. No change shall be made in the exterior façade of the building located on said Lot 2.

For title reference see deed at Book 28797, Page 30.

Being the same premises conveyed to the herein named mortgagor (s) by deed recorded with Middlesex South Registry of Deeds herewith.

9 John to Bellis Circle





9 John F. Bellis Cir Petitioner

271-6  
CAMBRIDGE MONTESSORI SCHOOL, INC.  
161 GARDEN STREET  
CAMBRIDGE, MA 02138

271-20  
KIM, JENNIFER Y. & LAWRENCE K. KIM  
1 BELLIS CT. UNIT A  
CAMBRIDGE, MA 02140

271-75  
WHITE, GEORGE R. & KAREN A. STEVENS  
9 JOHN F. BELLIS CIRCLE  
CAMBRIDGE, MA 02140

271-20  
KERAMARIS, JOHN & NICHOLAS KERAMARIS  
111 SHERMAN ST., #F  
CAMBRIDGE, MA 02140

271-39  
HARRIS, EUGENE N. & ESTHER K. HARRIS  
15 BELLIS CIR  
CAMBRIDGE, MA 02140

271-46  
LEBACH, JOAN  
9 BELLIS CIR. UNIT #1  
CAMBRIDGE, MA 02140

271-20  
GILL, RICHARD J. & SUZAN E. WOLPOW  
111 SHERMAN ST UNIT E  
CAMBRIDGE, MA 02140

271-51  
KEEFE, ANTHONY D.  
9-6 BELLIS CIR  
CAMBRIDGE, MA 02140

271-20  
ROWLANDS, DAVID JOHN &  
MARIANNA PAPASPYRIDONOS  
2 BELLIS COURT  
CAMBRIDGE, MA 02140

271-20  
SUN, GERALD & TING FENG  
111 SHERMAN STREET UNIT C  
CAMBRIDGE, MA 02138

271-20  
WEITZMAN, CATHERINE EZELL AND  
ARTHUR J. WEITZMAN  
4 JOHN F. BELLIS CT  
CAMBRIDGE, MA 02140

271-74  
LEEDS, MATTHEW  
9-3 BELLIS CIRCLE  
CAMBRIDGE, MA 02140-3207

271-8  
HABER JONATHAN MAGDALENA GEORGIEVA  
11-13 BELLIS CIR - UNIT 11  
CAMBRIDGE, MA 02140

271-59  
MAHMOODABADI, SINA ZAREI  
HANIEH AKBARIROMANI  
12 BELLIS CIRCLE  
CAMBRIDGE, MA 02140

271-8  
NAKAYAMA, TOMOKO,  
TRS THE TOMOKO NAKAYAMA LIV TRUST  
13 BELLIS CIR UNIT 2  
CAMBRIDGE, MA 02140

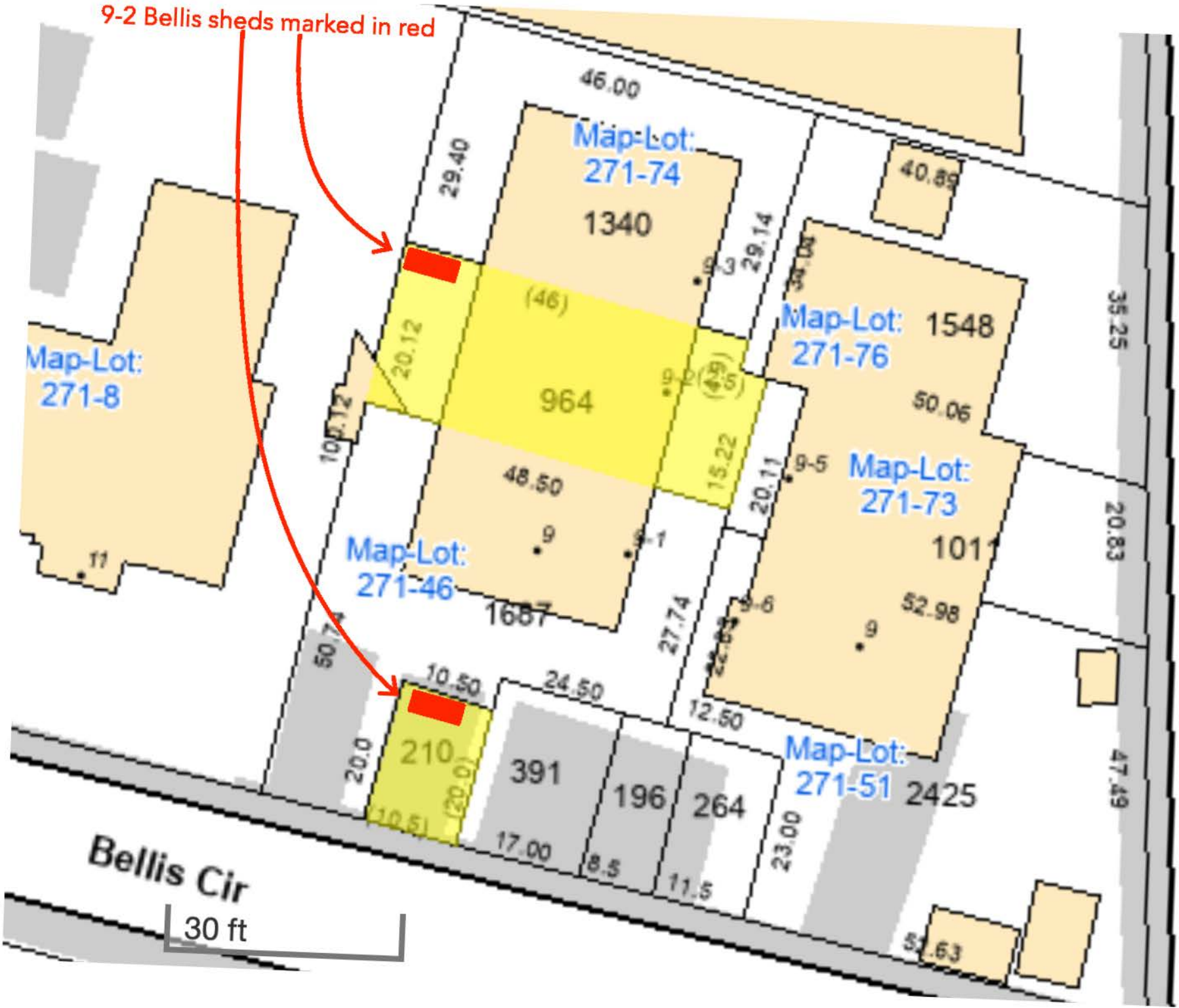
271-8  
CHEN, JULIA YI MIN NICHOLAS  
NOPADON TANTISUJJATHAM  
11-13 BELLIS CIR UNIT 13/1  
CAMBRIDGE, MA 02140

271-76  
MARGO, DANIEL & JOHN FUHRER  
9-4 BELLIS CIR  
CAMBRIDGE, MA 02140

271-73  
SLEIMAN, PATRICK & DARCY SOPER  
9-5 BELLIS CIR  
CAMBRIDGE, MA 02140

Sherman St

9-2 Bellis sheds marked in red



Bellis Cir

30 ft



## Pacheco, Maria

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**From:** Ratay, Olivia  
**Sent:** Monday, February 27, 2023 8:18 AM  
**To:** Pacheco, Maria  
**Subject:** FW: March 9, '23 Zoning Variance

Letter of opposition for 9 John F Bellis Circle

Regards,

Olivia Ratay  
Zoning Specialist  
Inspectional Services  
617-349-6110

**From:** Joany Lebach <[joanylebach@yahoo.com](mailto:joanylebach@yahoo.com)>  
**Sent:** Saturday, February 25, 2023 7:27 PM  
**To:** Ratay, Olivia <[oratay@cambridgema.gov](mailto:oratay@cambridgema.gov)>  
**Subject:** Fwd: March 9, '23 Zoning Variance

Please put in the Cambridge records and please kindly make a hand held copy for all the board members as well an email for them to acquaint and easily review.

Many thanks Olivia!!!

Sincerely,  
Joan Lebach

Sent from my iPhone

Begin forwarded message:

**From:** Joany Lebach <[joanylebach@yahoo.com](mailto:joanylebach@yahoo.com)>  
**Date:** February 25, 2023 at 5:19:19 PM MST  
**To:** Joan Lebach <[joanylebach@yahoo.com](mailto:joanylebach@yahoo.com)>  
**Subject:** March 9, '23 Zoning Variance

To: The Board of Zoning of Cambridge,

After a 2 yr. search in Boston and Cambridge, I was thrilled to have a Purchase and Sale for: 9 Bellis Circle Unit 1

Cambridge, Ma. 02140! I had interviewed many property owners who had used the builders: Bell and Fandetti and used my \$5,000. childhood savings to add extra windows on the south side of my home, plus bricked the driveway and built a fence for privacy.

As it took a yr. to build it, I was there 3-4 times a week, having 30 ft. windows and light were and are my highest criteria!!! I have Seasonal Affective Disorder and light, seeing the sky, trees and birds is very important to me!!! Every blade of grass, every rose bush, and every lilac bush is planted by me and I am attached to my little sanctuary!!!

I bought my home in 1978 and moved into it in 1979! I am the only original owner out of 6 units.

When my neighbor George White and Karen Stevens built a huge shed in their backyard, though it hurt my view, when I was in my garden, and hurt my property value, I said nothing, in order to be a good neighbor.

When George asked if he could build a small shed to keep off his unsightly 2 garbage cans, that we all can see every day, I said only if it was for that, a bike and that's it!

It had to be tiny. He asked if he could take down out mutual fence to get supplies back and forth. He promised

me he would supervise, ever day and be there, as he works from home. I said that nothing could be on my grass or in my flower beds. He agreed to only put items on my driveway only!!!

As I spend time in Colorado, as there 320 days of light there, my gardner called as a witness, to tell me that my yard, flower beds and the art in my yard where "trashed!!!!"

He said there was wood, nails, building and roofing debris everywhere and the grass was dug up and not cleaned up!!!! He said there were big wholes in the grass and it was a rat and mice!

I got home to a shock of how big this shed was! He still has kept his garbage barrels outside this shed! George kept saying, "You will love it!" I insisted that I don't love it as it blocks my view of the light, sky, trees and birds!!!! All these 45 yrs. I sit at my desk, dinning room table work and eat there. It's my happy place! George said he was going to put plants on the roof of the shed and "I would love it." I said I hated it and it had to be taken down completely!!! What George did was to take down the big shed that hurt his garden view to Hurt my garden view!!!!!!

He never paid the gardner to clean up my yard nor paid for the broken art.

When George asked if he could take down our mutual fence again and go through my yard to build something else in his yard, I said absolutely Not!! If he were to do so, he would be Tress-passing and illegal , as there's a sign on the corner of my building saying: NO TRESSPASSING!!!

I came home from Co. and George had taken down our mutual fence and was going through my garden to bring back and forth building materials for another big shed on another side of his yard. That neighbor dint object and that's not my business.

I hired a contractor to let me know for certainty that his illegal huge shed was not only blocking my view, but toooo close to my fence and was going to continue to ROT

my fence and continue to ROT the roots of my roses!!!! The gardner said the same thing! This shed is also hurting my property value!!!

I would kindly request from the Cambridge Zoning Board to Not allow any variance as he no longer had any credibility and has destroyed any good will with me!!!

He has repeatedly not been truthful or trustworthy, despite his outward demeanor!!!! .

This shed was illegally put up without a permit and I would beg u to not allow anything of any size to be in front of his parking space but my fence!!!

I am going to be 76 yrs. Old in March, have Leukemia and don't need this anxiety and stress!!!! It's not healthy for me!!!

I will sadly not be able to attend the meeting. I am severely dyslexic and am not good with technology! I've tried zoom and it doesn't click in most of the time. Olivia and her partner have been so kind, caring and helpful in giving me information as to my request that I can ask for NO Variance be granted!!!!

I will stand by with my cell phone for her to call or FaceTime me if the zoom doesn't work and if I can't listen in to the proceedings, as I may have difficulty with the mute and unmute.

Thank u for ur help and consideration!!!

Sincerely,

Joan Lebach

George then asked if he could take down

Sent from my iPhone















