



# 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 29<sup>th</sup> 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.

 **THOMAS W. ORROCK**  
Notary Public, Commonwealth of Massachusetts  
My Commission Expires December 26, 2025



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>WIDTH</b>	20		20		20	
	<b>DEPTH</b>	48.5		48.5		48.5	
<b><u>SETBACKS IN FEET:</u></b>	<b>FRONT</b>	8.5		8.5		8.5	
	<b>REAR</b>	14		14		14	
	<b>LEFT SIDE</b>	0		0		0	
	<b>RIGHT SIDE</b>	0		0		0	
<b><u>SIZE OF BUILDING:</u></b>	<b>HEIGHT</b>	28		28		28	
	<b>WIDTH</b>	24		24		24	
	<b>LENGTH</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 STEVEN Date: 2/23/2023  
(Print)

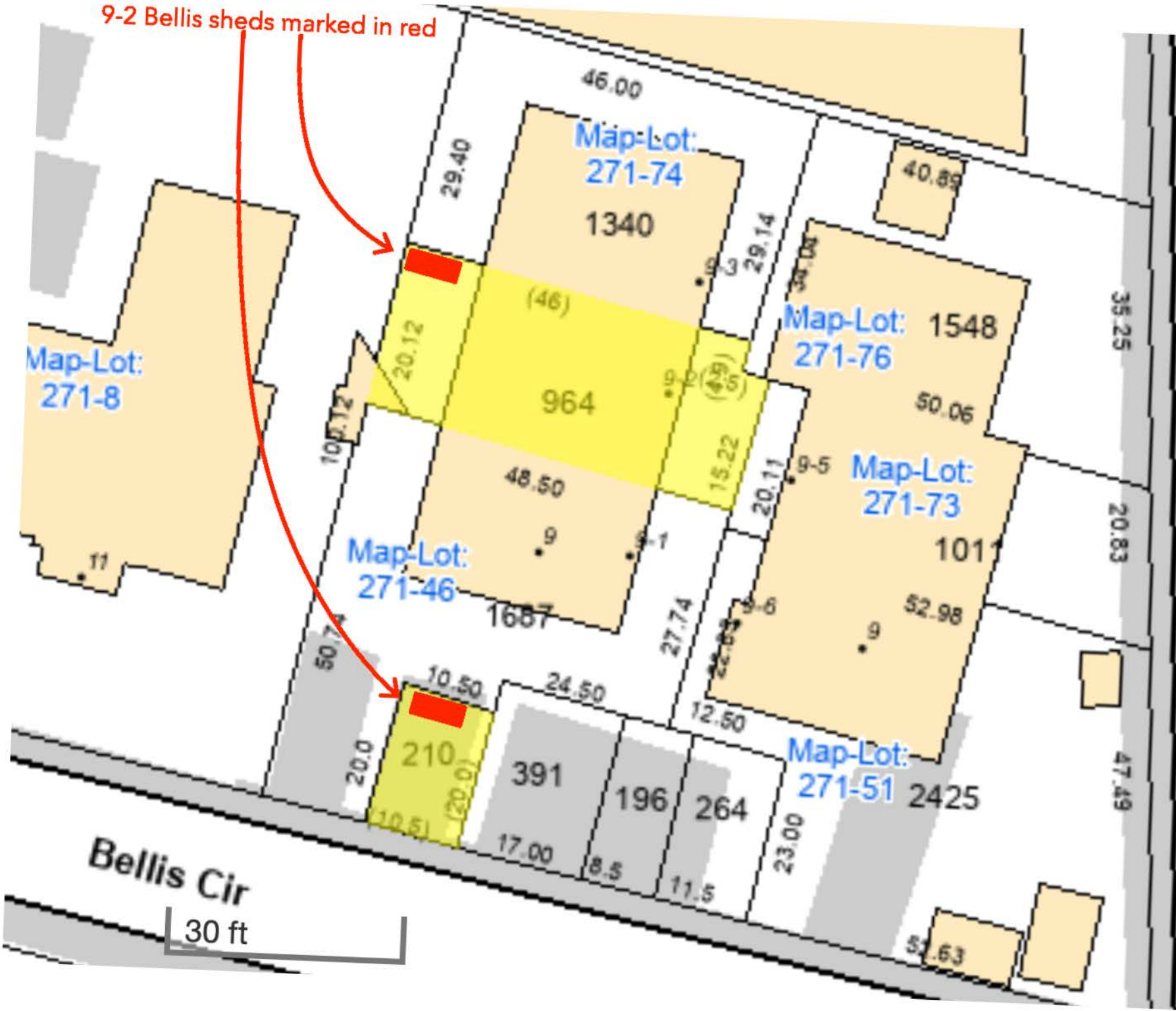
Address: 9 John F. Bellis Circle # 2

Case No. BZA-206411

Hearing Date: 3/9/23

Thank you,  
Bza Members

9-2 Bellis sheds marked in red



132

Sherman St

Bellis Cir

30 ft

**Pacheco, Maria**

---

**From:** Adam Dash <dash@adamdashlaw.com>  
**Sent:** Tuesday, April 18, 2023 2:28 PM  
**To:** Pacheco, Maria  
**Subject:** 9 Bellis Circle, #2

Maria,

I have just been hired by George White and Karen Stevens to represent them as the owners and applicants in case 206411 for 9 Bellis Circle, #2.

As I just got hired, and as it looks like we will be filing a new application with revised plans, I would ask that the matter be continued from its current April 27 BZA meeting date until a later date when the Board is available to take it up. I will appear on April 27 to request the continuance during the meeting.

If you require anything else regarding the continuance, please let me know.

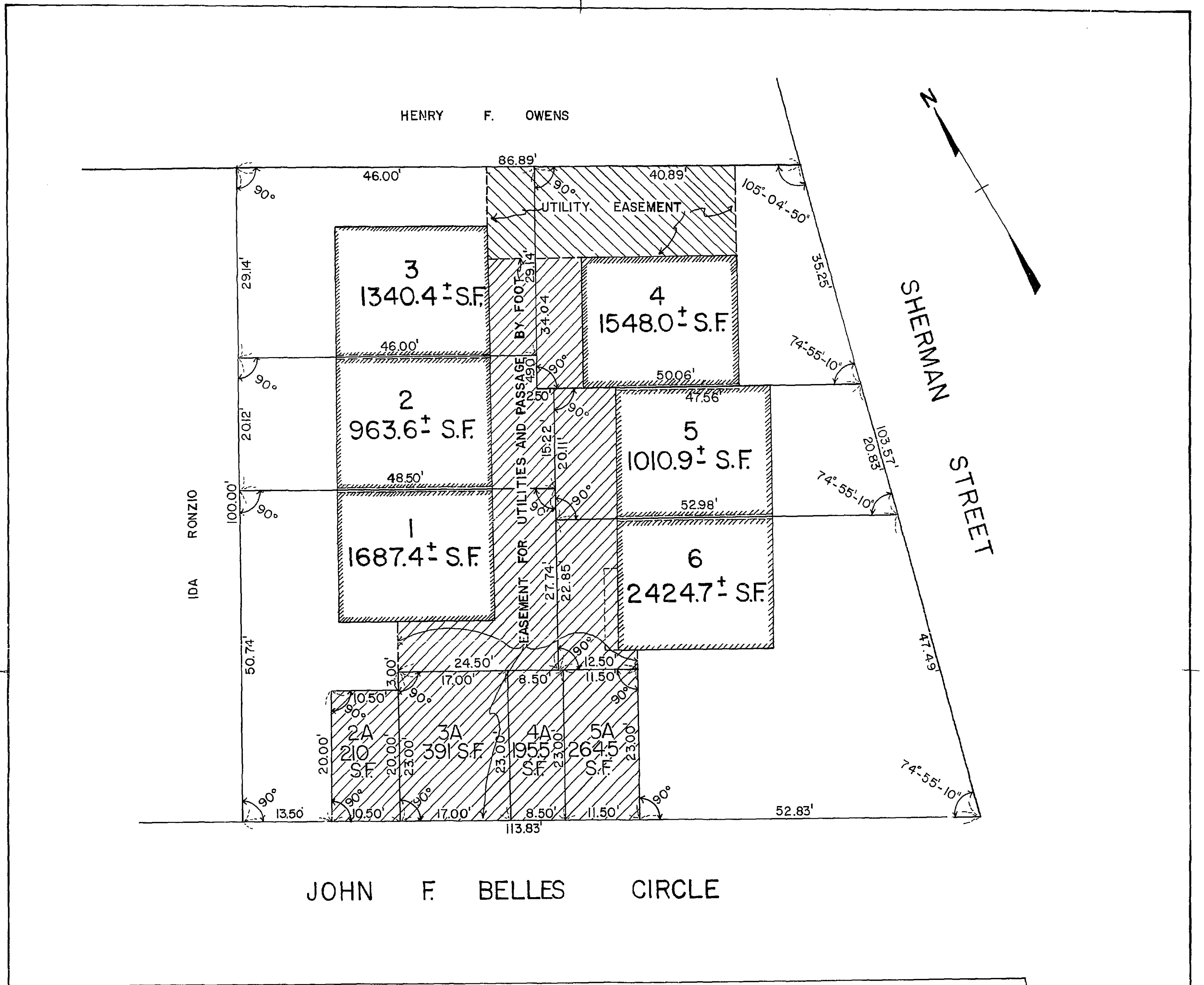
I also have a site plan, which I can upload.

Best,

Adam Dash, Esq.  
Adam Dash & Associates  
48 Grove Street, Suite 304  
Davis Square  
Somerville, MA 02144  
(617) 625-7373 phone  
(617) 625-9452 fax

This communication is intended only for the use of the individual or entity named as the addressee. It may contain information that is privileged and/or confidential. If you are not the intended recipient, any dissemination, copying or disclosure of this communication is strictly prohibited. If you have received this communication in error, please notify us immediately at (617) 625-7373 or via return Internet e-mail and delete this communication without making any copies.

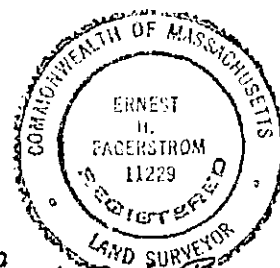




**PLAN OF LAND IN  
CAMBRIDGE, MASS.**

SCALE: 10 FEET TO AN INCH  
DATE: APRIL 9, 1979

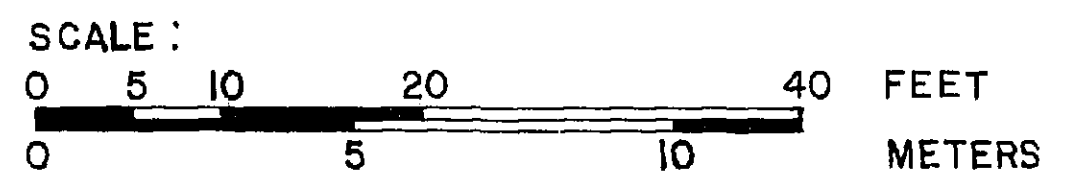
ERNEST H. FAGERSTROM  
REGISTERED LAND SURVEYOR  
NORWELL, MASS.



*Ernest H. Fagerstrom*

NOTE: I CERTIFY THAT THIS PLAN CONFORMS WITH THE RULES AND REGULATIONS OF THE REGISTERS OF DEEDS.

SIGNED *Ernest H. Fagerstrom*



NOTE: TO OBTAIN METERS MULTIPLY FEET BY 0.3048

Middlesex Registry of Deeds, So. Dist.  
CAMBRIDGE, MASS.

Plan Number 438 of 1979  
 Rec'd MAY 18, 1979 at 10:26 a.m.  
 With DEED Doc. No. 163  
DOUGLAS F. BELLES & TRS.  
JOAN LEBACH  
 Recorded, Book 3693 Page 545

Attest: *John F. Fayoull*  
Register

FEE 11.00  
BY *R.*



# City of Cambridge

MASSACHUSETTS

BOARD OF ZONING APPEAL

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

2023 MAR 13 PM 3:17  
OFFICE OF THE CITY CLERK  
CAMBRIDGE, MASSACHUSETTS

## Board of Zoning Appeal Waiver Form

The Board of Zoning Appeal  
831 Mass Avenue  
Cambridge, MA 02139

RE: Case # BZA-206411

Address: 9 John F. Bellis Circle

Owner,  Petitioner, or  Representative: George White  
(Print Name)

hereby waives the required time limits for holding a public hearing as required by Section 9 or Section 15 of the Zoning Act of the Commonwealth of Massachusetts, Massachusetts General Laws, Chapter 40A. The  Owner,  Petitioner, or  Representative further hereby waives the Petitioner's and/or Owner's right to a Decision by the Board of Zoning Appeal on the above referenced case within the time period as required by Section 9 or Section 15 of the Zoning Act of the Commonwealth of Massachusetts, Massachusetts General Laws, Chapter 40A, and/or Section 6409 of the federal Middle Class Tax Relief and Job Creation Act of 2012, codified as 47 U.S.C. §1455(a), or any other relevant state or federal regulation or law.

Date: 3/13/23

[Signature]  
Signature

1 \* \* \* \* \*

2 (10:41 p.m.)

3 Sitting Members: Brendan Sullivan, Wendy Leiserson, Andrea  
4 Hickey, Jim Monteverde, and Slater  
5 Anderson

6 BRENDAN SULLIVAN: The Board will hear Case No.  
7 206411 -- 9 Bellis Circle, Unit 2. Mr. White?

8 GEORGE WHITE: I'm George White of 9 Bellis Circle  
9 #2. Thank you, Mr. Chair and to the Board. I recognize  
10 that this is the last thing of the night, so I'll try and  
11 make this quick so we can all go home, or in my case I'm  
12 already home.

13 So we're asking for a variance for the setback and  
14 for first-floor area for two sheds that we have that were  
15 actually already erected. We had put them up in 2020. The  
16 two sheds that we put up are because the property that we're  
17 at, 9 Bellis Circle No. 2 is a fairly constricted property.  
18 The house itself is pretty small. It doesn't have  
19 sufficient storage inside. It was built in 1977 without any  
20 basement or sort of storage accommodations.

21 The property is actually not a condominium, but  
22 six townhouses that are all joined. Every one of the

1 properties that's here has an outside storage, some of which  
2 are larger and actually closer to property lines than some  
3 of ours. So it's not an uncommon thing here.

4 We put these up because of a few different things.  
5 One, prior to having the sheds, we had no accommodation for  
6 our garbage or compost bins. So we actually often had  
7 problems with things like our current compost bin would end  
8 up with holes chewed in it from animals from the outside.

9 We also had no way to store bicycles. So we built  
10 the shed in front. The shed in the back is to store garden  
11 tools, outdoor furniture and pellets for our wood stove. So  
12 that's the purpose of those two sheds.

13 They are certainly not obstructing anyone's  
14 access. Unfortunately, there is no formal site plan that we  
15 have. And I will say that we would absolutely -- we  
16 followed the advice of our contractor. If we had understood  
17 what we needed to do around this, we probably would have  
18 filed for this variance before building these sheds. But  
19 we're here now.

20 I will also say that the complainant who filed  
21 this originally -- that originally caused this -- doesn't  
22 actually reside on the property, and her complaints about

1 the shed are -- I'm not sure what she's finding -- she  
2 actually moved out of the home. It's empty, has no  
3 residence of any kind and hasn't for over a year now.

4 BRENDAN SULLIVAN: Okay. You built the shed in  
5 the rear yard first, is that --

6 GEORGE WHITE: They were built -- they were built  
7 at the same time, actually.

8 BRENDAN SULLIVAN: Okay. And did you build them,  
9 or did you --

10 GEORGE WHITE: Yeah.

11 BRENDAN SULLIVAN: -- use a shed company or a  
12 contractor?

13 GEORGE WHITE: They were built by a contractor,  
14 that's right.

15 BRENDAN SULLIVAN: Okay. And he did not pull any  
16 permits for it?

17 GEORGE WHITE: As far as I know, he did not.

18 BRENDAN SULLIVAN: Okay. I guess one of the  
19 questions we -- and we've been getting a few of these lately  
20 sort of after the fact, after something is done and people  
21 are coming down and asking us to approve it, legalize is --  
22 a question I ask myself is would we have approved the plan -

1 - in this case the storage sheds -- before they were built?  
2 In other words, if the contractor came down to the Building  
3 Department and applied for a permit, they would then look  
4 and say, "No, it's in violation of Zoning, and that it would  
5 have to come before the Board."

6 So that's sort of the question I ask myself is,  
7 "Would we have approved it?" Or "Would I have approved it  
8 before the fact, not the fact that it's there and being  
9 asked to approve it."

10 So anyhow, that's sort of how I address this. But  
11 I also -- are you aware of the letter from Joany Lebach?

12 GEORGE WHITE: I am indeed.

13 BRENDAN SULLIVAN: Okay. Jim Monteverde, your  
14 questions, comments?

15 JIM MONTEVERDE: No questions. Thank you.

16 BRENDAN SULLIVAN: Andrea Hickey?

17 ANDREA HICKEY: Yes. I'd just like to ask the  
18 petitioner whether he's aware of their being any sort of  
19 deed restrictions for changing anything on the outside of  
20 the structure that might prohibit something like this? Are  
21 there any sort of private or design restrictions imposed on  
22 your deed?

1           GEORGE WHITE: So actually that's an interesting  
2 question. And actually, I believe, Andrea, you were our  
3 attorney on our refinance at one point. So hello.

4           ANDREA HICKEY: Oh. Actually, then, that might  
5 disqualify me. So I'll ask Mr. Chair. I don't recall this  
6 case, and if I handled their refinance, it probably would  
7 have been as lender's counsel.

8           GEORGE WHITE: That's correct.

9           ANDREA HICKEY: Yeah. Mr. Chair, shall I  
10 disqualify myself or --

11          BRENDAN SULLIVAN: I would never question your  
12 integrity.

13          ANDREA HICKEY: Okay.

14          BRENDAN SULLIVAN: Or your fairness at all.

15          GEORGE WHITE: And as the petitioner, I don't  
16 object to you -- your participation, just to put it out  
17 there.

18          ANDREA HICKEY: Right. It would be important for  
19 me to know that I did not represent you in your purchase. I  
20 think there's a difference --

21          GEORGE WHITE: That is correct.

22          ANDREA HICKEY: Okay.

1           GEORGE WHITE: I do not believe so.

2           ANDREA HICKEY: Well, if the petitioner and the  
3 Chair are both comfortable with my continuing to sit, I'd be  
4 happy to do so.

5           BRENDAN SULLIVAN: Yes.

6           GEORGE WHITE: So I can now answer your question.

7           ANDREA HICKEY: All right.

8           GEORGE WHITE: So there are deed restrictions  
9 specifically around the color of the exterior of the  
10 buildings should not be changed.

11          ANDREA HICKEY: Mm.

12          GEORGE WHITE: That we shall not change the  
13 external façade of the building or the fence line that  
14 exists. And in fact, we have not. We had to replace the  
15 fence at one point, but we replaced it with exactly the same  
16 configuration.

17                 And no tree that basically existed as of August 7,  
18 1979 that's more than 4" in bulk width would be removed.  
19 Those are the restrictions we had.

20                 So color, change to the façade itself, and then  
21 changes to the fence.

22          UNIDENTIFIED SPEAKER: And they expired 50 years



1 after.

2 GEORGE WHITE: Oh, yeah. And that all expires at  
3 the end of 2029.

4 ANDREA HICKEY: Right. Well, it's not our sort of  
5 job as a Board to be enforcing or not restrictions. I just  
6 -- the question just seemed obvious to me. And --

7 GEORGE WHITE: Mm-hm.

8 ANDREA HICKEY: -- given what you're describing, I  
9 can't even tell if putting up a shed might or might not be a  
10 violation. You know, if the shed was not there as a  
11 structure when these restrictions were imposed, then -- I'm  
12 just at a loss as to how to interpret that.

13 But in any event, I am always troubled by someone  
14 sort of building something and then coming back when they  
15 get caught and saying, "Whoops." So from that perspective,  
16 this troubles me a little bit.

17 And as the Chair said, you know, is this something  
18 that I would have approved if it came to me sort of in due  
19 course? And I'm not there yet where I'd say yes. But I'm  
20 interested in hearing what my colleagues have to say. My  
21 mind certainly is not made up yet. Thank you.

22 BRENDAN SULLIVAN: Something that occurred to me

1 is Mr. White, is this a condominium?

2 GEORGE WHITE: It's not.

3 BRENDAN SULLIVAN: It is not?

4 GEORGE WHITE: It's a single-family.

5 BRENDAN SULLIVAN: So it's a fee simple, and each  
6 unit is independently okay? There's no -- okay.

7 GEORGE WHITE: Yeah.

8 BRENDAN SULLIVAN: Condominium --

9 GEORGE WHITE: That's -- that's -- that's correct.

10 BRENDAN SULLIVAN: Yep. There is no condominium  
11 association. Okay.

12 ANDREA HICKEY: Right.

13 GEORGE WHITE: I'll correct it. That's awfully  
14 confusing for people because it was built in 1978; now  
15 there's no condominium.

16 ANDREA HICKEY: Right. But there is a common  
17 scheme sort of restriction imposed with respect to the sort  
18 of how the houses look from the outside. And Mr. White is  
19 correct in terms of sort of color and making changes to the  
20 structure. There are some restrictions with respect to the  
21 respective fee simple townhouse owners.

22 BRENDAN SULLIVAN: Okay.

1           GEORGE WHITE: And also, I'll just point out that  
2 you can see that it's actually, as shown on the GIS map  
3 here, there actually are several shed structures in there.

4           You know, and I absolutely -- if we had  
5 understood, I think we were naïve in our conversations with  
6 our contractor. If we had understood, we would have  
7 actually done exactly what the Chair suggested before, which  
8 is to have brought this before the Board beforehand, which I  
9 think would absolutely have had to have happened, based on  
10 what we understand about how we are in violation of the  
11 current codes.

12           BRENDAN SULLIVAN: Okay. I mean, I notice the  
13 existing sheds that are on the corner of Sherman Street and  
14 Bellis Circle and they're awful. It's the poster child of  
15 what sheds should not be -- where they should not be and  
16 what they should look like. But anyhow.

17           Slater Anderson, any questions or comments at this  
18 time?

19           SLATER ANDERSON: No comments.

20           BRENDAN SULLIVAN: Wendy Leiserson, any questions  
21 or comments?

22           WENDY LEISERSON: I'm just curious what the

1 dimensions of the sheds are? Because I notice that they are  
2 higher than the fence.

3 And I guess that goes to my question of whether I  
4 would have approved this particular design. It seems very  
5 noticeable. It's -- they're not -- they're not small for  
6 the purposes that they were built for, at least by  
7 appearance in the photos. So I'm --

8 GEORGE WHITE: Yeah.

9 WENDY LEISERSON: -- curious. Yeah.

10 GEORGE WHITE: Well, yeah. So they're -- their  
11 dimensions, I believe, are roughly 10' x 4' x 8.5'. They're  
12 not as large as they look. Those are wide angle shots, so  
13 they do look very large.

14 The reason for the height of them is that the --  
15 because the shed in the front stores both bicycles and the  
16 garbage or refuse and compost bins, it's -- we store the  
17 bikes vertically. So it's not -- there's no other way to do  
18 it in that space that's there.

19 It's also kind of an odd lot. It's actually two  
20 separate parcels. There's space at the front of the house  
21 and the driveway that's there in addition to where the  
22 primary structure sits.

1 BRENDAN SULLIVAN: So on the map that's being  
2 shown now, where it says, "210," and where the front shed is  
3 in the parking area, are those two spots for your unit?

4 GEORGE WHITE: Yeah. There's one spot for our  
5 unit there, where that says, "210." That's correct.

6 BRENDAN SULLIVAN: It's just one -- it's one unit.  
7 Okay. One square?

8 GEORGE WHITE: Yeah, yeah, it's -- yeah, it's one  
9 -- it's one parking space at that spot. There's actually  
10 four parking spaces at the front of the property. Well,  
11 depending on how you look at it.

12 Yeah, there you go. So that's -- that is the --  
13 that is the parking space in question.

14 BRENDAN SULLIVAN: Okay. All right. Wendy,  
15 anything else at this time?

16 WENDY LEISERSON: No, not at this time. Thank  
17 you.

18 BRENDAN SULLIVAN: All right. Let me open it to  
19 public comment. Any member of the public who wishes to  
20 speak should now click the button that says, "Participants,"  
21 and then click the button that says, "Raise hand."

22 If you are calling in by phone, you can raise your

1 hand by pressing \*9 and unmute or mute by pressing \*6, and  
2 you will have up to three minutes in which to speak.

3 OLIVIA RATAY: Joany Lebach?

4 JOANY LEBACH: Yes. Joany Lebach, 9 Bellis  
5 Circle, Unit 1, Cambridge. Can you hear me?

6 BRENDAN SULLIVAN: Yes.

7 JOANY LEBACH: Okay. Because most of everything I  
8 couldn't hear, there was a big echo. But what I am kindly  
9 and very importantly requesting is that that big shed be  
10 taken down, and that nothing be put in its place.

11 We have flowerbeds that greet us and the trees and  
12 birds that greet us when we go in and out. And now you see  
13 from my property and when you walk into the property this  
14 big shed. I felt that George was not honest with me. And  
15 my goodwill is no longer there.

16 I now want nothing there, big little or small. It  
17 was so they -- he could get his barrels, his garbage barrels  
18 so he wouldn't have to take them in and out of the house.  
19 But the other people in the middle unit, they do that.  
20 Nobody has -- he still keeps his barrels there, even though  
21 he built this 7' shed. Mostly it's too big.

22 And I want -- it's rotting my fence. I brought in

1 an outside contractor. It's rotting the fence because the  
2 snow -- the sun doesn't get in between the fence and the  
3 shed, and it just -- the snow just hangs there. And it's  
4 rotting my roses.

5 I love my garden. I love my home. I love my  
6 oasis and my refuge. And this is a blight. I can't -- when  
7 I'm in the house, all I see is the shed when I eat there, or  
8 if I do my work, because that's where I do my work because  
9 it's -- I used it as an office in my home.

10 And basically, I see this thing. George kept  
11 saying, "You're going to love it. You're going to love it."  
12 I'm going to -- I'm going to put flowers on it. I'm going  
13 to put plants on it." I said, "George, I don't want it.  
14 You took it from your yard, where you were looking at it and  
15 you gave it to me. What makes you think I would love it?  
16 That -- that was crazy to me.

17 "No, you're going to love it, you're going to love  
18 it. And anything you need; I can help you. I can help  
19 you." Which is very kind. And I appreciate that. But this  
20 goes too far. This is a boundary violation. And I -- it  
21 blocks the trees, it blocks the sun, it blocks the birds.

22 I used to see -- the birds used to come and land

1 on the fence. And they would practice their flying, and  
2 then they'd fall into the yard. And that's not happening  
3 now. It's -- it's like condo city.

4 BRENDAN SULLIVAN: Thank you.

5 JOANY LEBACH: And so, this -- I -- George has  
6 made three illegal structures. The other -- he took the one  
7 down and put it in front of me. When he had one that looked  
8 out on him, I didn't say anything. This is absolutely  
9 unacceptable on every level.

10 I spoke to his other neighbors. They don't mind  
11 it. So I have -- but I have enough goodwill and I am not --  
12 don't believe in retribution. I just don't want him hurting  
13 my view, making me unhappy, hurting my property value. It  
14 hurts my property value.

15 I'm 76, and I don't want this stress. And -- and  
16 it was a false pretense. He should take his barrels and put  
17 them in and out of the house like everybody else does, or in  
18 their yard.

19 BRENDAN SULLIVAN: Okay. Thank you. Thank you  
20 for calling in. Okay. Anybody else?

21 There is correspondence -- a letter of support.

22 "We are writing in support of George White and



1 Karen Stevens, both residing at 9-2 Bellis Circle. We are  
2 residents of Bellis Circle and believe that the sheds in  
3 question should be allowed to stand. They are enhancements  
4 to the property in keeping with the style of the existing  
5 home structure and are appropriate additions to the  
6 residents in the neighborhood.

7 "Katie Giraldi and William Giraldi, 39A Bellis  
8 Circle."

9 There's also Anthony Keefe and Rachel Cane, Sonia  
10 Perez and Roger Berry -- I'm sorry, Sonia Perez-Villanueva  
11 and Roger Berry, Jonathan Haber and Magdalena Georgieva at  
12 11 Bellis Circle.

13 And that is the sum and substance of any  
14 correspondence. I will close the public comment portion of  
15 it.

16 Let me chime in here that when I first went there,  
17 there was a car parked in front of the shed at the front,  
18 and there was that -- you know, part of it was hanging over  
19 the sidewalk by, you know, the bumper part of it. So the  
20 shed is exactly 15'7" from the curb to the front of the  
21 shed.

22 And I personally don't like it there. I think it

1 is an eyesore. You know, it's probably a very nice design  
2 or what have you, but I just don't think it belongs there.  
3 What about if it were on the other side of the fence on the  
4 right eye property, or on your yard?

5 GEORGE WHITE: All right --

6 BRENDAN SULLIVAN: In other words, not being so --

7 GEORGE WHITE: Sorry, was that question directed  
8 at me? I'm sorry, I missed that.

9 BRENDAN SULLIVAN: I'm sorry?

10 GEORGE WHITE: Sorry. I wasn't sure if that was a  
11 question directed at me or not.

12 BRENDAN SULLIVAN: Yeah. In other words, if you  
13 just took it and put it on the other side of the fence, so  
14 that it's not visible from the public way?

15 GEORGE WHITE: So the other side of the fence is  
16 Ms. Lebach's property.

17 BRENDAN SULLIVAN: Oh, okay.

18 GEORGE WHITE: So just to be clear, we're the  
19 middle unit. So one of the things that was said earlier is  
20 actually untrue. Every other property on the 9 Bellis plot  
21 has Street access. We are the only ones that do not. So  
22 all the property -- all three of the townhouses that are on

1 the Sherman Street side have rear-gate access to the street.

2 The property at the end actually has a second --  
3 so has a side yard at the base, the top of the property, and  
4 can actually pull their barrels around from the side. They  
5 have a shed over there that they can pull around.

6 We are the only ones who would have to actually  
7 pull our barrels through the house if we kept them in the  
8 rear yard. Otherwise, we have to keep them in the front  
9 yard or keep them exposed on the street.

10 So I understand the -- the -- the concern about  
11 the shed. I don't know if there was anyone else who  
12 complained about it. Ms. Lebach has complained that it  
13 blocks her view or it blocks the birds. I'm not sure what  
14 she means. We have feeders in our back yard, and we see  
15 birds every day.

16 But I also know that her complaint about it  
17 blocking her vision makes no sense. She complains about the  
18 house on map lot 20718, because it blocks her view. That  
19 house has been there for at least 25 years, and she still  
20 complains about that house.

21 So I understand her concerns. And, you know, I'm  
22 certainly willing to talk to her about how we can remediate

1 it if she feels that's it's damaging her fence or anything  
2 like that. She hasn't actually brought that up to me.

3 But I, you know, in short, we do actually have one  
4 of these sheds sitting in our back yard, that's the second  
5 shed. We see it. We're happy with it.

6 I guess the other question I have to say is if the  
7 shed that is in the front of the house becomes an issue,  
8 could we at least have a variance, the variance applied to  
9 the rear shed, so that we can retain that one?

10 BRENDAN SULLIVAN: Well, that's a separate  
11 application, obviously. Let me, you know -- and again, the  
12 Board has heard this many times from me, but regarding her  
13 comments -- and I will cite Blackman v. the Board of Appeals  
14 of Barnstable, where the Massachusetts Supreme Judicial  
15 Court has ruled that the Court has said repeatedly that the  
16 power to vary the application of a zoning ordinance --  
17 variance -- must be sparingly exercised, and only in rare  
18 instances and under exceptional circumstances peculiar in  
19 their nature -- with -- due regard to the main purpose of a  
20 zoning ordinance, is to preserve the property rights of  
21 others.

22 And I think what she's asking us to do is to

1 uphold the ordinance and to preserve her property rights.

2 So that's sort of the sum and substance of my thought.

3 Jim Monteverde, what is your thought?

4 JIM MONTEVERDE: I have no further comments.

5 BRENDAN SULLIVAN: Andrea Hickey?

6 ANDREA HICKEY: Well, with respect to the shed  
7 that is in the parking area, the way I'm looking at that is  
8 that the existence of the shed takes up enough area such as  
9 to make the parking spot nonconforming. There's not enough  
10 area there for that to be a legal parking space.

11 And that, I guess, is evidenced by, Mr. Chair,  
12 your noticing a car parked there that was sort of hanging  
13 off the back.

14 How deep is that shed? How much does it eat into  
15 the 20-foot length of that parking space, Mr. White, if you  
16 know?

17 GEORGE WHITE: It does not significantly eat into  
18 that space. We designed it so that it would actually sit  
19 above. But I understand the concern.

20 ANDREA HICKEY: So do you know how deep it is at  
21 all, the shed?

22 GEORGE WHITE: The shed itself? I believe it's 4'

1 at the bottom, yes.

2           ANDREA HICKEY: All right. So if it was 4' and  
3 the length of that space is 20, then I think we don't have -  
4 - we no longer have a conforming parking space.

5           BRENDAN SULLIVAN: Well, again, what I did,  
6 Andrea, is measure from the curb --

7           ANDREA HICKEY: Mm.

8           BRENDAN SULLIVAN: -- to the shed. It's 15'7".  
9 So that answers that question as to it is not a legal  
10 parking space.

11           ANDREA HICKEY: Right. So I think that that is a  
12 problem. And the sheds being so close to the fence -- it's  
13 a real issue, not only from the neighbors' perspective, but  
14 in the event there was a fire or something. It concerns me.  
15 Again, I haven't made up my mind, but I'll -- I'll withhold  
16 any further comment at the moment.

17           BRENDAN SULLIVAN: Slater, any comments?

18           SLATER ANDERSON: Yeah, two comments. The -- so  
19 the toolshed -- it does look at least on the notice that,  
20 you know, to add two sheds. So the two sheds are addressed  
21 in the application. The one in the back doesn't seem to be  
22 one that's under dispute.

1           What we're focused on is this one that's in the  
2 parking area in the front. Is that -- is that -- at least  
3 from the -- the neighbor in Unit 9-1, her complaint is about  
4 the one in the front. She's not really seeing the one in  
5 the back. So --

6           GEORGE WHITE: That is my understanding. But --

7           SLATER ANDERSON: Okay. So -- just so let's --  
8 I'm going to leave the one in the back for now for a second.  
9 The one in the front, it -- you know, there are some photos  
10 that are included with -- it the package that's available.

11           The view from 9-1 where you can see, you know, the  
12 shed hanging over the fence and yeah, so there is some view  
13 impact there. There's the parking impact.

14           The other observation is that, you know, the City  
15 does have a bike storage ordinance. And there are -- you  
16 know, there is parameters. This exceeds those parameters,  
17 because I've looked at them myself for my property in  
18 Cambridge.

19           So, you know, I have trouble with the shed in the  
20 front. I have less trouble with the one in the back,  
21 because I don't think anyone's really disputing it. I mean,  
22 I think it should have had a permit --





1                   GEORGE WHITE: Mm-hm.

2                   SLATER ANDERSON: -- I get that. You know, I'm  
3 not going to totally blame you on that one. The contractor  
4 should have known better. So I'm concerned about the shed  
5 in the front. That's what I'll say.

6                   BRENDAN SULLIVAN: Wendy, your thoughts?

7                   WENDY LEISERSON: I -- yes. I think I see the  
8 hardship for the petitioner in the sense of not having an  
9 easy way to access the street with his trash and compost  
10 bins. So I'm satisfied there was a reason why he needed a  
11 shed --

12                   GEORGE WHITE: Mm-hm.

13                   WENDY LEISERSON: -- especially with the rodent  
14 problem. I too have had broken compost bins. But this does  
15 seem to -- what bothers me is the size of the shed, and how  
16 impactful it is visually.

17                   So I think that my -- while I see the hardship,  
18 but I would be willing to sort of entertain some kind of  
19 structure there for the protection of the garage bins and  
20 even some bicycle storage, that just -- I have trouble with  
21 the particular structure.

22                   BRENDAN SULLIVAN: One of the issues is, of

1 course, with the lack of a certified plot plan. I'm not  
2 exactly sure. If we could pull this plan up, Olivia? Is  
3 what is shaded in yellow, is that your property?

4 GEORGE WHITE: Correct.

5 BRENDAN SULLIVAN: And where it says, you know,  
6 "Map Lot 27146 and 1687" that is all in white, that is not  
7 your property?

8 GEORGE WHITE: That is correct.

9 BRENDAN SULLIVAN: So that's why the shed can't be  
10 put over onto the other side, so that --

11 GEORGE WHITE: That's correct.

12 BRENDAN SULLIVAN: -- so she's basically looking  
13 out, and then she sees this -- the top section of the shed  
14 there?

15 GEORGE WHITE: That's correct.

16 BRENDAN SULLIVAN: Yeah. Well, again, I think  
17 she's asking us to enforce the zoning ordinance, to protect  
18 her property rights. So I would not support the shed.

19 Jim, your thought?

20 JIM MONTEVERDE: I would not support the sheds  
21 either.

22 BRENDAN SULLIVAN: All right. Let me make a

1 motion, then.

2           ANDREA HICKEY: Mr. Chair, it's Andrea Hickey  
3 speaking.

4           BRENDAN SULLIVAN: Yep.

5           ANDREA HICKEY: Could we be a little more clear  
6 with respect to not supporting one shed, the other shed or  
7 not supporting both sheds? I have much less of a problem,  
8 as does Mr. Anderson, I believe, with the shed in the back.  
9 Although I don't love it, I think I can live with it -- than  
10 I do with the shed in the front.

11           BRENDAN SULLIVAN: Okay.

12           ANDREA HICKEY: So I think we need to be clear  
13 when we're sort of framing our vote whether we're talking  
14 about approving or not one or both.

15           WENDY LEISERSON: And Mr. Chair, I do wonder,  
16 though, is there any way to approve or to act on this motion  
17 without precluding the petitioner from an alternative  
18 solution to the trash or a smaller shed or some kind of  
19 structure to protect the trash in that spot? Or is that  
20 beyond our scope?

21           BRENDAN SULLIVAN: In -- well, we're talking two  
22 locations. So in which -- are we talking the front one, in

1 the --

2 WENDY LEISERSON: I'm talking about the one, yeah,  
3 in the front.

4 GEORGE WHITE: Yeah.

5 WENDY LEISERSON: I mean, he needs to bring his  
6 trash -- he needs to have place to put his trash, you know?  
7 Near the curb. So I'm just wondering is there a way if  
8 we're -- if the problem is the one in the driveway, is there  
9 something we could decide that would not preclude him from  
10 some other storage solution there? That's all.

11 SLATER ANDERSON: I believe there's a by right  
12 option if it's under six feet height that you can do  
13 something like that. I'm not certain, but I had that  
14 conversation at one point with someone in the Inspectional  
15 Services. But Brendan, maybe you know.

16 BRENDAN SULLIVAN: Well, the minute you put any  
17 structure there, then you are creating a nonconforming  
18 parking spot. Right now, it's a conforming parking spot.

19 SLATER ANDERSON: Okay. That's a --

20 BRENDAN SULLIVAN: So any structure there is going  
21 to now trigger that we have created a nonconforming parking  
22 space. And so I guess -- again, Mr. White, when you parked

1 your car in the front parking area, then in order to get to  
2 your front door, you walk to the left and then --

3 GEORGE WHITE: To the right.

4 BRENDAN SULLIVAN: You walk to the --

5 GEORGE WHITE: So --

6 BRENDAN SULLIVAN: -- right. And so, your front  
7 door is -- and again, see this is the problem with not  
8 having a certified plot plan. It's very difficult --

9 GEORGE WHITE: Okay.

10 BRENDAN SULLIVAN: -- to --

11 GEORGE WHITE: But my front door, if you look  
12 where it says, "1522" in the center there --

13 BRENDAN SULLIVAN: Yes.

14 GEORGE WHITE: That is my front yard, which you  
15 can see has -- basically because of the way this was  
16 designed -- and this is thanks to the 1970s, right? -- they  
17 basically took this existing plot and broke it up into six  
18 separate plots.

19 We have an easement across our property to allow  
20 the folks in the next property, that 1340 basically, to gain  
21 access, as well as the folks in the -- to the right of that  
22 to gain access.

1           So basically, they have an easement across our  
2 property. There's a walkway that goes there. There is no  
3 front yard to this house at all. Not really. It's  
4 basically a bit of planting area and a walkway.

5           So we cross over that -- right where your mouse is  
6 currently, that is actually the walkway where we cross over  
7 an easement to be able to access the front of our home. And  
8 then we're also crossing what's currently listed as 391, 196  
9 and 264 as parking spaces.

10           So there's a whole -- it's just chopped up,  
11 basically, to make this house fit or these townhouses fit,  
12 they chopped up the properties. We even had wacky things  
13 like until about five years ago, we were actually paying two  
14 separate tax bills to the city, one for the main property  
15 and one for the parking space.

16           And the City finally decided to adjoin them as one  
17 property for taxes. It's just a -- it's just a nightmare of  
18 a property from that.

19           So I understand Ms. Lebach's current problem with  
20 the shed in the front. I would ask, as was asked before, if  
21 there's -- if we can preclude the idea that there be no  
22 object there. I mean, obviously, we'll have to go back and

1 file for another variance and figure out what the new plan  
2 would be, but I -- it would be an incredible hardship for us  
3 to have to go back to the situation of essentially culling  
4 our garbage cans through our home to be able to bring them  
5 out -- or alternatively leaving out front, where they're  
6 essentially open to rodents and racoons and other animals. I  
7 mean, our compost bin clearly has holes in the top of it,  
8 because they are chewed through.

9 BRENDAN SULLIVAN: Yeah.

10 WENDY LEISERSON: Is there any space in this area  
11 marked "15.22" to have a small coverage -- you know,  
12 structure?

13 GEORGE WHITE: Not really. That's where the --  
14 there's a -- there's no space there for that. But that's  
15 where the gas meter is and the exhaust for the heating  
16 system.

17 WENDY LEISERSON: I see.

18 SPEAKER UNIDENTIFIED: And the condenser for the  
19 air conditioner.

20 GEORGE WHITE: Yeah.

21 ANDREA HICKEY: And if there's an if there's an  
22 easement there to allow that 1340 lot in the back to pass

1 and repass, you may not have the right to block that area.

2           GEORGE WHITE: Yeah. It's just a -- it's just a  
3 frankly difficult situation.

4           ANDREA HICKEY: Yeah. I mean, my colleague, Ms.  
5 Leiserson really articulated for me your real need to have a  
6 place to put your trash that's out near the street. I get  
7 that now. But I think the problem is that it makes the  
8 parking nonconforming.

9           Mr. Chair, if the parking spot now is 20' long, I  
10 believe a parking space could be 18' and still be  
11 conforming? Does anyone on the Board -- can anyone chime in  
12 on that? The size for a compact space?

13           JIM MONTEVERDE: Yeah. It could be a compact  
14 space. I think the -- one of the illustrations we saw  
15 before with the child care center --

16           ANDREA HICKEY: Yeah.

17           JIM MONTEVERDE: -- those compact spaces were 16.5  
18 long.

19           ANDREA HICKEY: All right.

20           JIM MONTEVERDE: If I recall correctly. So --

21           ANDREA HICKEY: So maybe there is a possibility if  
22 the depth of the shed could be sort of reduced --



1           GEORGE WHITE:   Reduced?   Yeah.

2           ANDREA HICKEY:  -- so that the parking doesn't  
3 become nonconforming.  Maybe that's something to think  
4 about.  We couldn't act on that tonight, because it's not  
5 part of what you've presented.

6           GEORGE WHITE:  Mm-hm.

7           ANDREA HICKEY:  But --

8           JIM MONTEVERDE:  Right.

9           GEORGE WHITE:  No, understood.  No, we would  
10 absolutely file a new petition to do that.

11          ANDREA HICKEY:  Or perhaps --

12          BRENDAN SULLIVAN:  How about if we --

13          ANDREA HICKEY:  -- maybe if we -- or take a  
14 continuance and --

15          JIM MONTEVERDE:  Right.

16          BRENDAN SULLIVAN:  Yeah, well --

17          ANDREA HICKEY:  -- a different plan.  That's what  
18 I was going to say.  Why don't we do a continuance --

19          JIM MONTEVERDE:  Yep.

20          BRENDAN SULLIVAN:  And let Mr. White absorb and --  
21 all that has been said, possibly come up with an alternative  
22 plan?  The storage shed, obviously, too, I think, can't be

1 more than 6' high. So, again, you may not be able to store  
2 the bicycles --

3 GEORGE WHITE: Mm-hm.

4 BRENDAN SULLIVAN: -- you know, totally vertically  
5 or what have you. But so the option is that you're going to  
6 wind up with no shed there.

7 So let me -- why don't we do this, why don't we  
8 continue this matter until 04/27, which is the first  
9 available date? Will that give you enough time to put  
10 something together?

11 GEORGE WHITE: Yeah. I believe that will give us  
12 sufficient time to --

13 BRENDAN SULLIVAN: So that's a month and a half.

14 GEORGE WHITE: Yeah. We'll contact an architect  
15 or someone to help us to get a site plan that actually  
16 reflects it properly.

17 BRENDAN SULLIVAN: All right. And again, if you  
18 have to continue beyond that -- I mean, right now you're --  
19 I mean, you're going to be able to use what's there. So --  
20 but anyhow --

21 GEORGE WHITE: Yeah.

22 BRENDAN SULLIVAN: Let me mark this up. Let me

1 continue this matter. Again, Jim, Andrea, Slater and Wendy,  
2 are you available on April 27?

3 JIM MONTEVERDE: Yes.

4 BRENDAN SULLIVAN: Yes to Jim. Yes to Andrea, I  
5 think?

6 ANDREA HICKEY: Yes, I am available. And while I  
7 have the mic for a quick second, just a suggestion, Mr.  
8 White: you probably don't need a whole new plan drawn. I  
9 think your deed probably references a recorded plan that you  
10 can get at the Registry of Deeds. So --

11 GEORGE WHITE: Okay. Excellent. Thank you.

12 ANDREA HICKEY: -- just take a look at that.

13 GEORGE WHITE: Thank you. We'll look into that.

14 ANDREA HICKEY: Mm-hm.

15 GEORGE WHITE: And if we need to request a further  
16 continuance, would we just do that prior to that date?

17 BRENDAN SULLIVAN: Yes. You should let us know as  
18 quickly as possible.

19 GEORGE WHITE: Okay.

20 BRENDAN SULLIVAN: So -- and Slater, you're  
21 available on the 04/27?

22 SLATER ANDERSON: Yes.

1           BRENDAN SULLIVAN: Okay. So let me make a motion,  
2 then, to continue this matter to April 27, 2023 at 6:00 p.m.  
3 on the condition that the petitioner change the posting  
4 signs, as there are two of them --

5           GEORGE WHITE: Mm-hm.

6           BRENDAN SULLIVAN: -- to reflect the new date of  
7 April 27, 2023, and the time at 6:00 p.m. Any new  
8 submittals that are not currently in the folder pertaining  
9 to this particular case be submitted by 5:00 p.m. on the  
10 Monday prior to the April 27 hearing.

11           I would also ask the petitioner to sign a waiver  
12 to the statutory requirement for a hearing and a decision to  
13 be rendered thereof.

14           GEORGE WHITE: Mm-hm.

15           BRENDAN SULLIVAN: Such waiver can be obtained by  
16 either -- through Maria Pacheco or by Olivia. And I would  
17 ask that, today being Thursday, that it be returned no later  
18 than one week from tonight too. So they will e-mail it to  
19 you, you sign it and send it back to either Olivia or Maria.  
20 And that can be in the file. So that's the only other  
21 conditions to sign that waiver.

22           On the motion, then, to continue this matter, Jim

1 Monteverde?

2 JIM MONTEVERDE: In favor.

3 BRENDAN SULLIVAN: Andrea Hickey?

4 ANDREA HICKEY: Yes, in favor.

5 BRENDAN SULLIVAN: Slater Anderson?

6 SLATER ANDERSON: In favor.

7 BRENDAN SULLIVAN: Wendy Leiserson?

8 WENDY LEISERSON: In favor.

9 BRENDAN SULLIVAN: Yes.

10 [All vote YES]

11 BRENDAN SULLIVAN: Five affirmative votes; this  
12 matter is continued to April 27, 2023 at 6:00 p.m. All  
13 right. See you then.

14 GEORGE WHITE: Thank you, members of the Board.

15 WENDY LEISERSON: Thank you.

16 GEORGE WHITE: See you all in a month and a half.

17 ANDREA HICKEY: Goodnight, everyone. Thank you.

18 BRENDAN SULLIVAN: Goodnight. Stay well. So you  
19 got Bellis Circle, as well. Okay.

20 [11:20 p.m. End of Proceedings]

21

22

9 John F. Bellis Circle







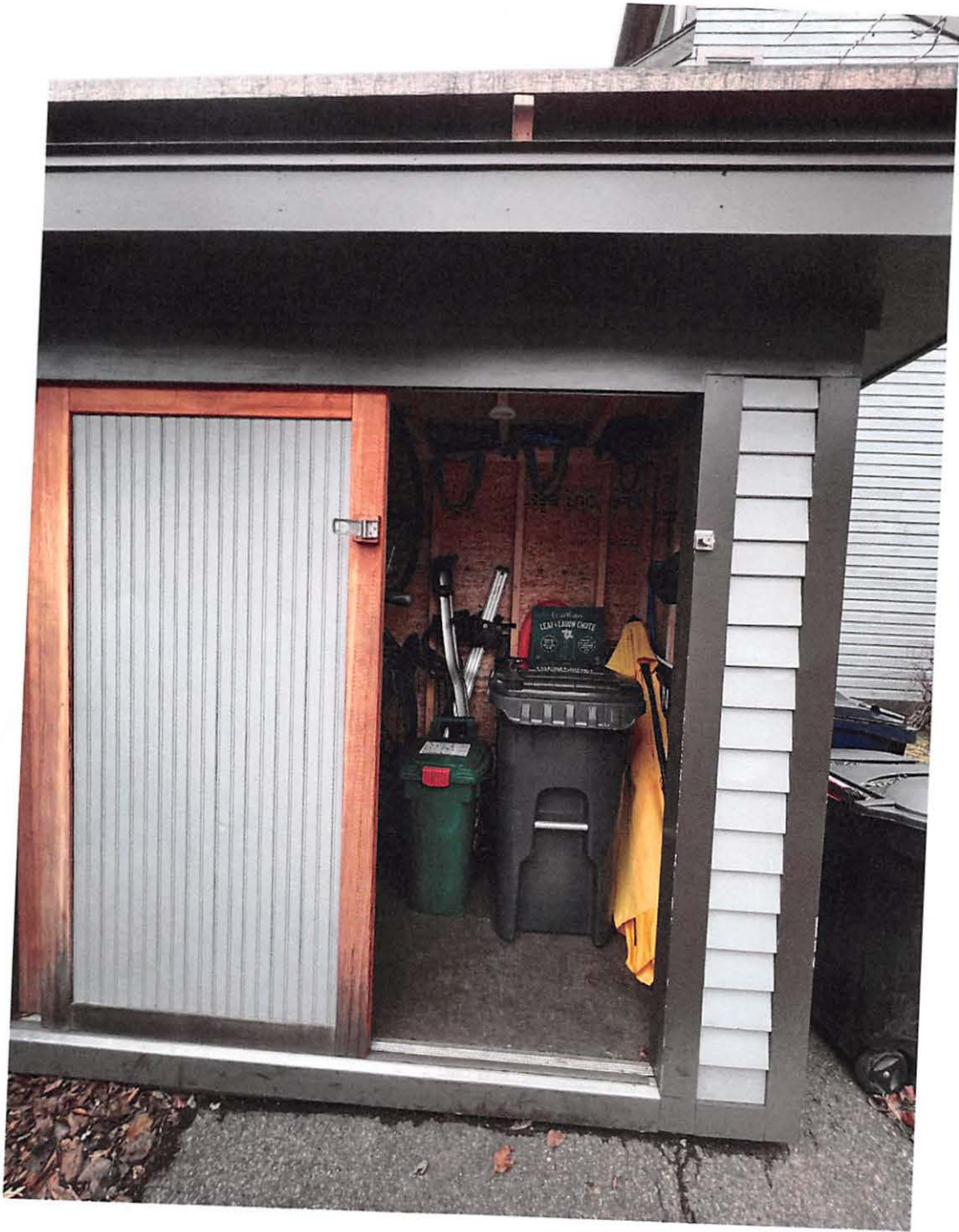












Letter of Support for Shed Additions at 9-2 Bellis Circle

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 Girdali  
William Girdali  
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 black ink, appearing to read "OR" or similar initials.

Olivia Ratay

Zoning Specialist





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

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









## **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 onto 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.

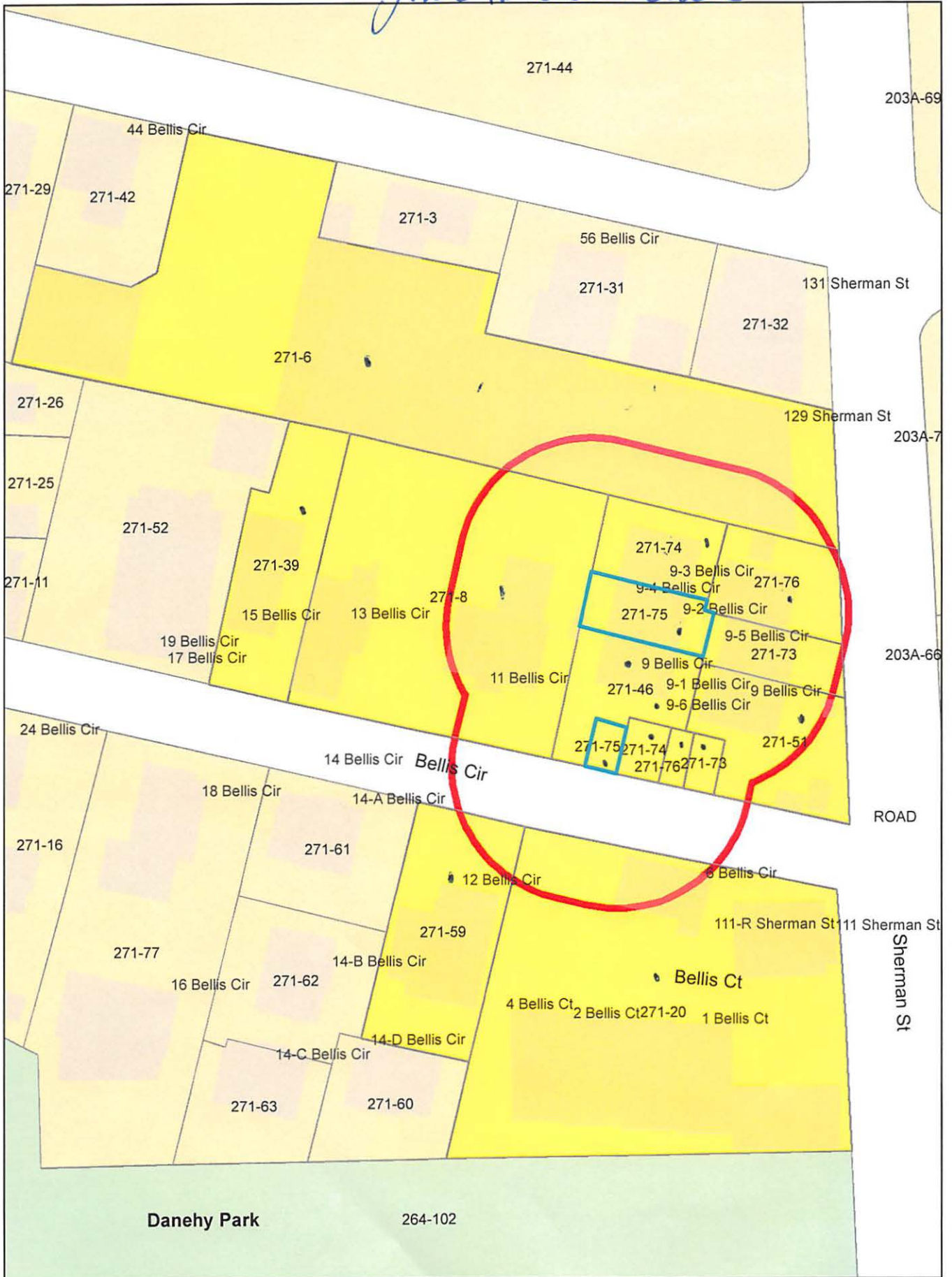
There is hereby imposed on Lot 2 for the benefit of said Lots 1, 3, 4, 5 and 6, with the following restrictions which shall expire fifty (50) years from August 7, 1979:

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 FA 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

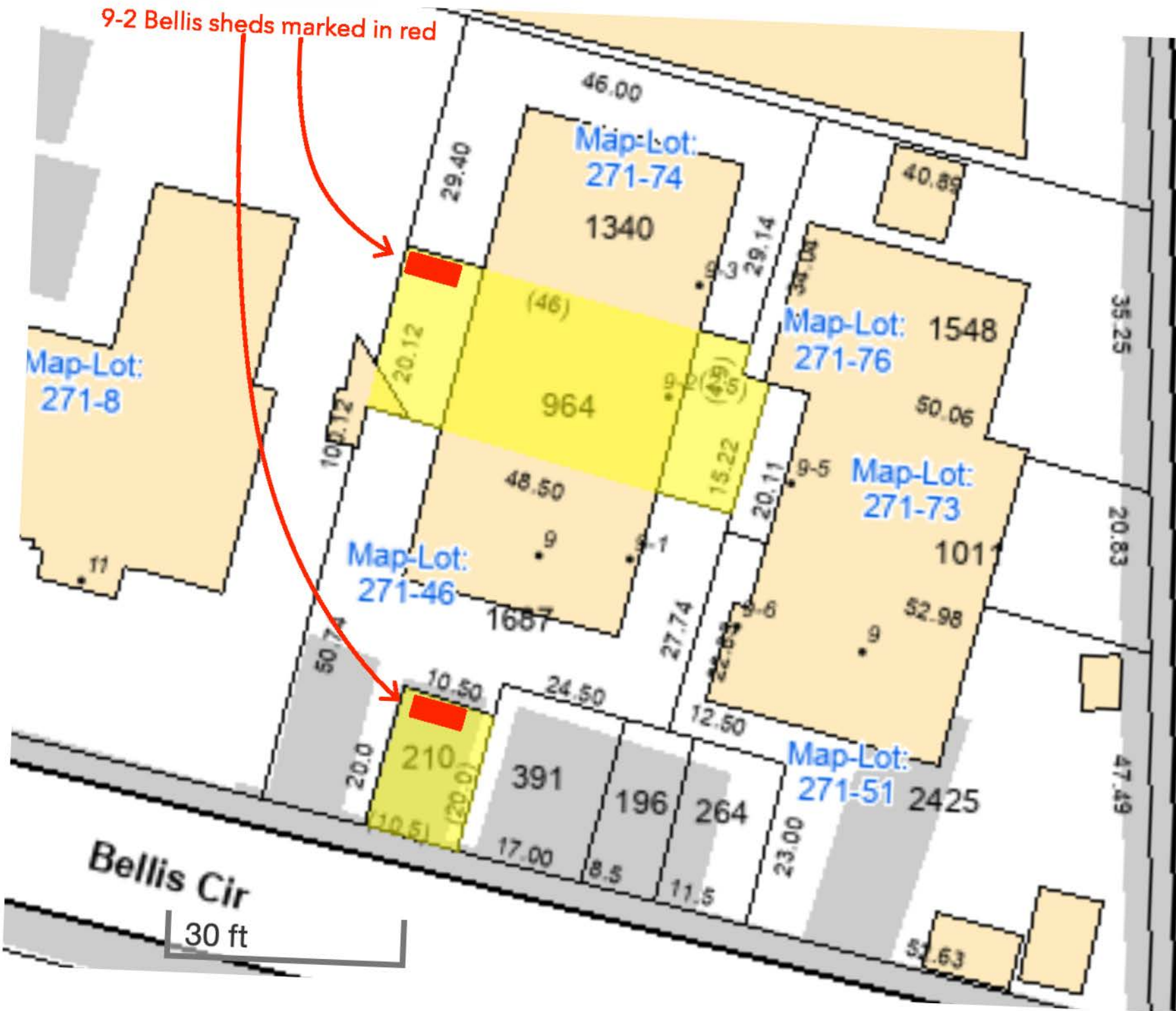
271-8  
NAKAYAMA, TOMOKO,  
TRS THE TOMOKO NAKAYAMA LIV TRUST  
13 BELLIS CIR UNIT 2  
CAMBRIDGE, MA 02140

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

9-2 Bellis sheds marked in red



132

Sherman St

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









secured ADT

