



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

2020 JAN 24 AM 10:53
OFFICE OF THE CITY CLERK
CAMBRIDGE, MASSACHUSETTS
Plan No: BZA-017246-2020

BZA APPLICATION FORM

GENERAL INFORMATION

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

Special Permit : _____ Variance : ✓ Appeal : _____

PETITIONER : Richard von Turkovich

PETITIONER'S ADDRESS : 31 Shepard Street Cambridge, MA 02138

LOCATION OF PROPERTY : 17 Cushing St Cambridge, MA 02140

TYPE OF OCCUPANCY : Basement ZONING DISTRICT : Res B/Bus A-1 Zone

REASON FOR PETITION :

Conversion to Additional Dwelling Units

DESCRIPTION OF PETITIONER'S PROPOSAL :

17-19 Cushing Street is currently a 4 unit building with a large basement 5 steps down from ground level and with tall (8 1/2 ft) ceilings. We propose to add a 1 bedroom, 1 bath basement dwelling unit according to the attached plan with dual, code conforming means of egress and a plan that has been approved by the city's accessibility administrator.

SECTIONS OF ZONING ORDINANCE CITED :

Article 5.000 Section 5.26 (Conversion of Dwellings).
Article 6.000 Section 6.35 (Relief from Parking Requirements).

Original Signature(s) :

Richard von Turkovich

(Petitioner(s) / Owner)

RICHARD VON TURKOVICH

(Print Name)

Address : 31 SHEPARD ST

Tel. No. : 617 504 4392

E-Mail Address : RVONTURK@GMAIL.COM

Date : 1-23-2020

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 Richard von Turkovich

(OWNER)

Address: 31 Shepard Street Cambridge MA 02138

State that I/We own the property located at 17-19 Cushing Street,
which is the subject of this zoning application.

The record title of this property is in the name of Richard and Myra von Turkovich

*Pursuant to a deed of duly recorded in the date 6/21/2001, Middlesex South
County Registry of Deeds at Book 33099, Page 399; or
Middlesex Registry District of Land Court, Certificate No. _____
Book _____ Page _____.

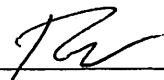


**SIGNATURE BY LAND OWNER OR
AUTHORIZED TRUSTEE, OFFICER OR AGENT***

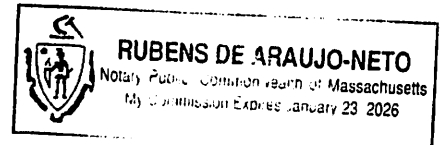
***Written evidence of Agent's standing to represent petitioner may be requested.**

Commonwealth of Massachusetts, County of Middlesex

The above-name Richard Von Turkovich personally appeared before me,
this 22nd of Jan, 2020, and made oath that the above statement is true.

Rubens De Araujo-Neto  Notary

My commission expires 01/23/2026 (Notary Seal).



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

BZA APPLICATION FORM

SUPPORTING STATEMENT FOR A VARIANCE

EACH OF THE FOLLOWING REQUIREMENTS FOR A VARIANCE MUST BE ESTABLISHED AND SET FORTH IN COMPLETE DETAIL BY THE APPLICANT IN ACCORDANCE WITH MGL 40A, SECTION 10:

- A)** A Literal enforcement of the provisions of this Ordinance would involve a substantial hardship, financial or otherwise, to the petitioner or appellant for the following reasons:

The owner has operated this building for many years as a rental apartment building. The 8.5' high existing ceilings in the basement and easy means of egress make the conversion of a portion of the basement space for use as an additional unit ideal except for the hardship created by the ordinance requirement for an additional parking space, and the resulting decrease in required lot size per dwelling unit resulting from the proposed alteration. The new unit will exist within the existing Gross Floor Area, and requires no change to the building exterior with the exception of 3 larger basement windows. While the zoning analysis dimensional requirements have been performed using Residential B minimums, 56% of the property lies in the Business a-1 zone, wherein the proposed lot size/dwelling unit off 1,132 SFT would be within 68 SFT or only 6% less than the 1,200 SFT minimum.

- B)** The hardship is owing to the following circumstances relating to the soil conditions, shape or topography of such land or structures and especially affecting such land or structures but not affecting generally the zoning district in which it is located for the following reasons:

While the aerial view of the property shows that 3 cars can easily park in the the driveway and garage, the location of the building on the lot does not allow sufficient space for an additional code-conforming parking space. However there is ample on-street parking on adjacent streets, and per the attached bus line map, 4 MBTA bus routes are accessible within a short walk of the property.

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

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

Tenants make extensive use of the 4 bus routes that are close by, as well as ample on-street parking, biking/alternative transportation, or walking due to the property's central location and proximity to grocery and other shopping.

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

The decreased lot size per dwelling unit caused by the proposed alteration is either close or very close (following Res. B or Business A-1) to the minimums required by the ordinance. The additional dwelling unit would not increase the building exterior dimensions and footprint, and would not adversely affect the property open areas.

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

BZA APPLICATION FORM**DIMENSIONAL INFORMATION**

APPLICANT: Rick Von Turkovich **PRESENT USE/OCCUPANCY:** 4 Fam Apt. Bldg.

LOCATION: 17 Cushing St Cambridge, MA 02140 **ZONE:** Res B/Bus A-1 Zone

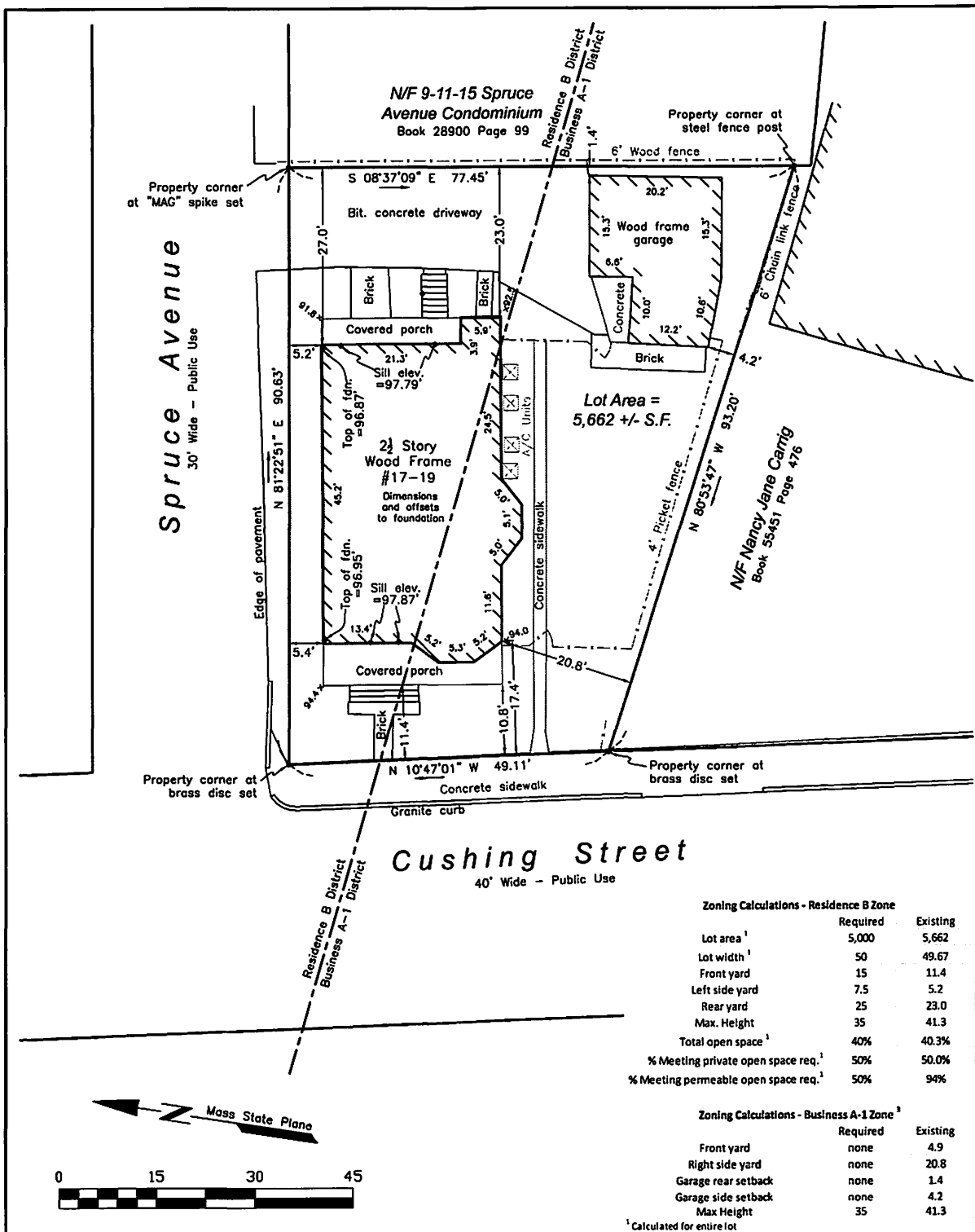
PHONE: _____ **REQUESTED USE/OCCUPANCY:** 5 Fam Apt. Bldg.

		<u>EXISTING</u> <u>CONDITIONS</u>	<u>REQUESTED</u> <u>CONDITIONS</u>	<u>ORDINANCE</u> <u>REQUIREMENTS</u> ¹	
<u>TOTAL GROSS FLOOR AREA:</u>		5716	5716	2500	(max.)
<u>LOT AREA:</u>		5662	5662	5000	(min.)
<u>RATIO OF GROSS FLOOR AREA</u> <u>TO LOT AREA:</u> ²		1.01	1.01	.5	(max.)
<u>LOT AREA FOR EACH DWELLING UNIT:</u>		1415	1132	2500	(min.)
<u>SIZE OF LOT:</u>	WIDTH	49.1	49.1	50	(min.)
	DEPTH	77.45	77.45	100	
<u>SETBACKS IN FEET:</u>	FRONT	10.8	10.8	15	(min.)
	REAR	23	23	25	(min.)
	LEFT SIDE	5.4	5.4	7.5	(min.)
	RIGHT SIDE	20.8	20.8	7.5	(min.)
<u>SIZE OF BLDG.:</u>	HEIGHT	41.3	41.3	35	(max.)
	LENGTH	45.2	45.2	45.2	
	WIDTH	27	27	27	
<u>RATIO OF USABLE OPEN SPACE</u> <u>TO LOT AREA:</u>		41.3	42.3	40	(min.)
<u>NO. OF DWELLING UNITS:</u>		4	5	4-8	(max.)
<u>NO. OF PARKING SPACES:</u>		2	2	5	(min./max)
<u>NO. OF LOADING AREAS:</u>		0	0	0	(min.)
<u>DISTANCE TO NEAREST BLDG.</u> <u>ON SAME LOT:</u>		16	16	10	(min.)

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

439 SFT single story wood frame 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'.



In my professional opinion, I certify to Richard von Turkovitch and the City of Cambridge that as a result of a survey made on the ground to the normal standard of care of professional land surveyors practicing in Massachusetts, I find that the property falls outside of the special flood hazard area as shown on the F.I.R.M. for Middlesex County, Massachusetts, Map #25017C0419E Dated: June 4, 2010 and that the location of the improvements are as shown hereon.



PROFESSIONAL LAND SURVEYOR

DATE: 2/9/19

Existing Conditions Plan of Land

in
Cambridge, Massachusetts
Prepared For: Richard von Turkovitch

Scale: 1" = 15'

Date: February 8, 2019

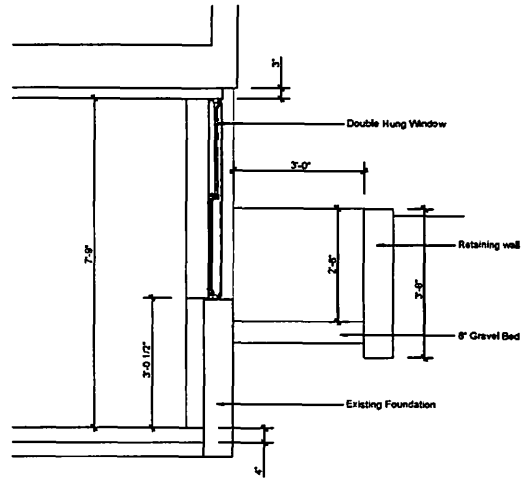
MALONEY GEOSPATIAL

7 Walnut Road
Somerville, MA 02145

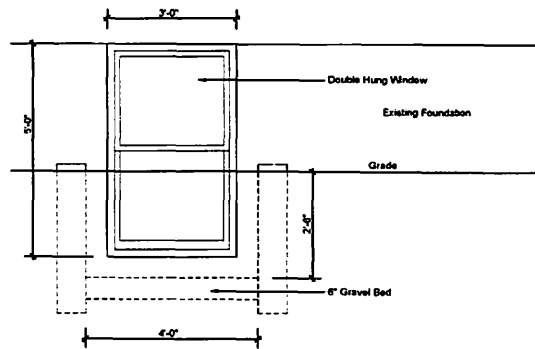
617-744-9002
maloneygeo.com

Deed recorded at Middlesex Registry of Deeds, Bk 33099 Pg 399
Plan 2234 of 1950, recorded in Book 7684 Page 162
Assessors Map 254, Lot 83

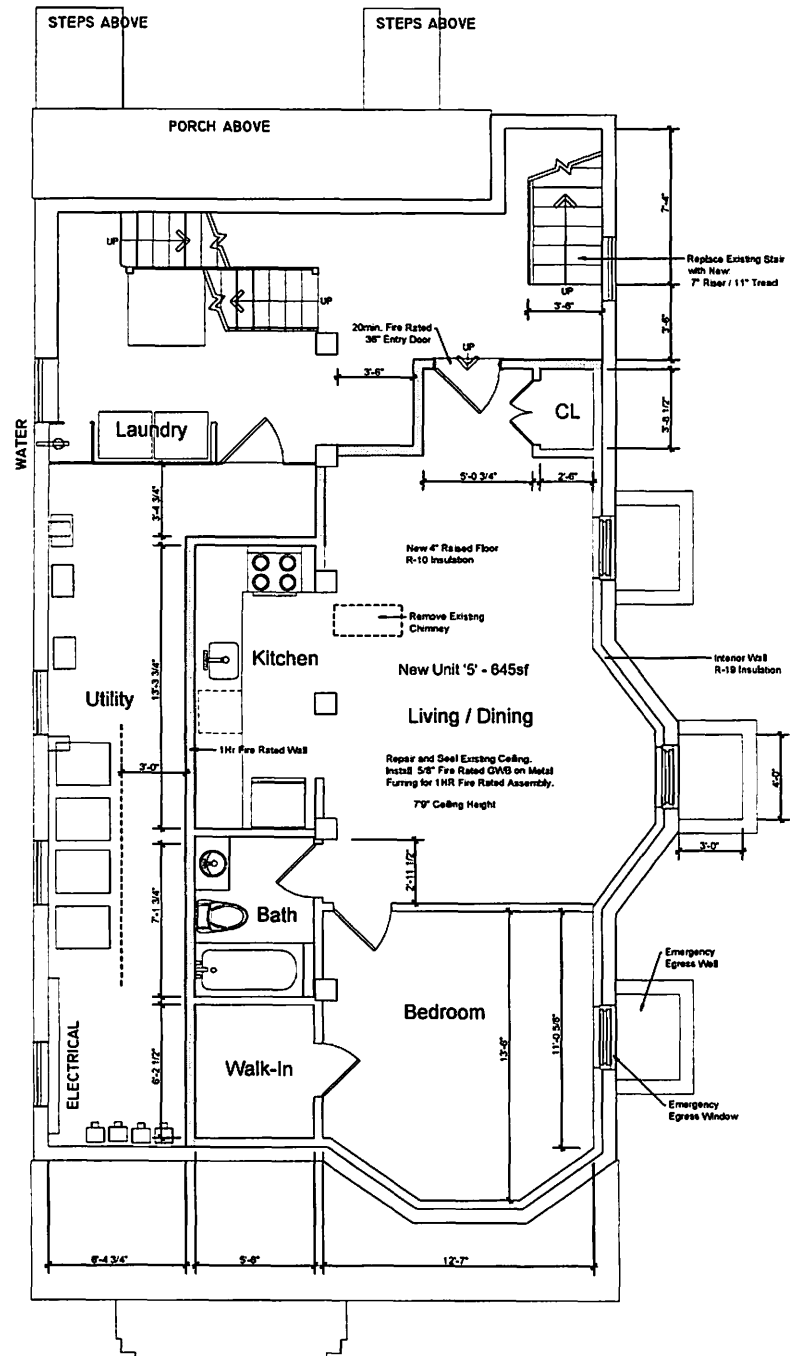
Zoning Districts: Residence B(2,458 SF) and Business A-1(3,204 SF)



2 Section Through Emergency Egress
Scale: 1/2" = 1'-0"



3 Emergency Egress Elevation
Scale: 1/2" = 1'-0"



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

Date	Revision / Issue
12/10/18	Review Set

Notes

Project Title
BASEMENT ALTERATIONS
17-19 Cushing Street
Cambridge, MA

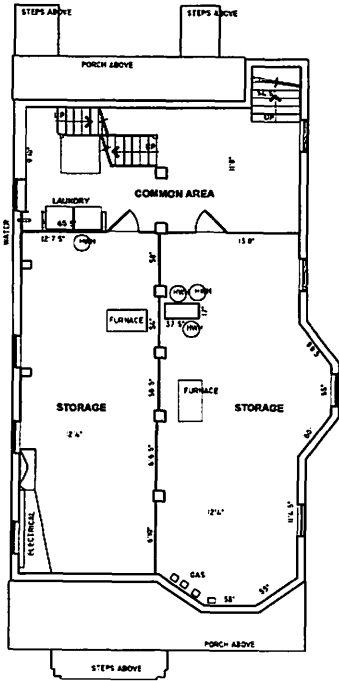
Drawing Title
Proposed Plan & Window Details

Seal

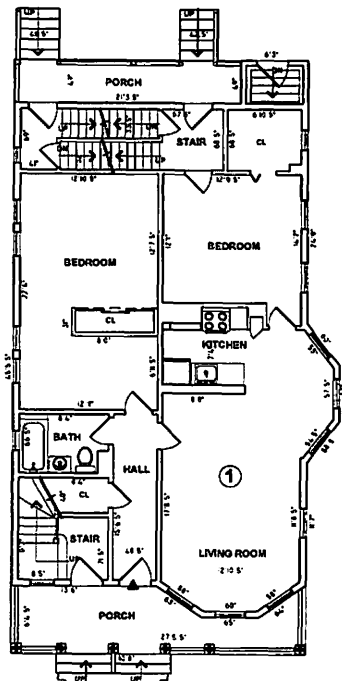
architecture sv
ARCHITECTURE DESIGN PLANNING
1418 Maple Rd, Framingham, MA 01701
Tel: (617) 277-7617
Fax: (617) 277-8621
architect@edcinc.com

Project	1822
Date	10 December 2018
Scale	AS NOTED

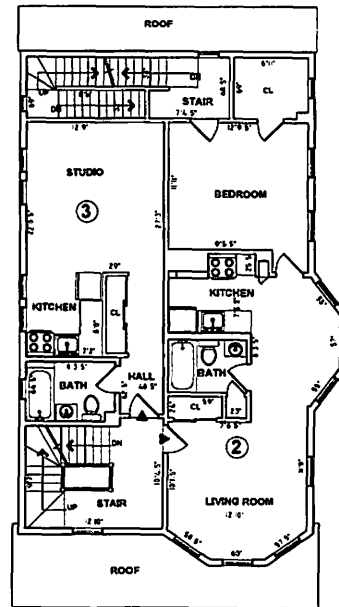
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A1



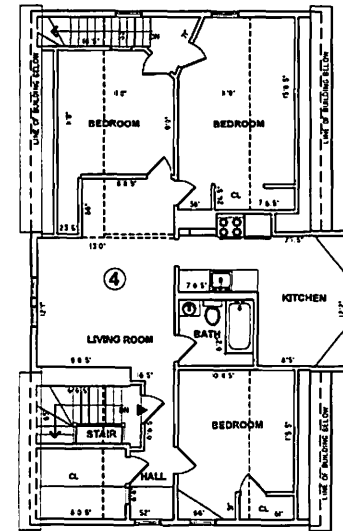
1 Existing Basement Plan
Scale: 1/8" = 1'-0"



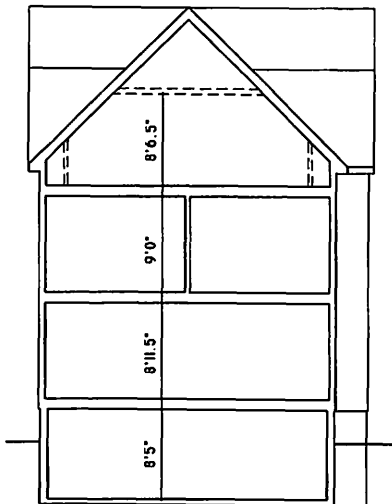
2 Existing First Floor Plan
Scale: 1/8" = 1'-0"



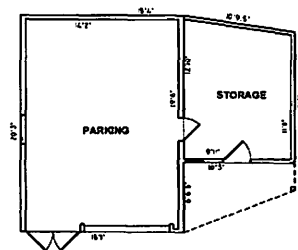
3 Existing Second Floor Plan
Scale: 1/8" = 1'-0"



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



5 Diagrammatic Section
Scale: 1/8" = 1'-0"



6 Garage and Storage Plan
Scale: 1/8" = 1'-0"

Date	Revision / Issue
12/10/18	Review Set

Notes

Project Title
BASEMENT ALTERATIONS
17-19 Cushing Street
Cambridge, MA

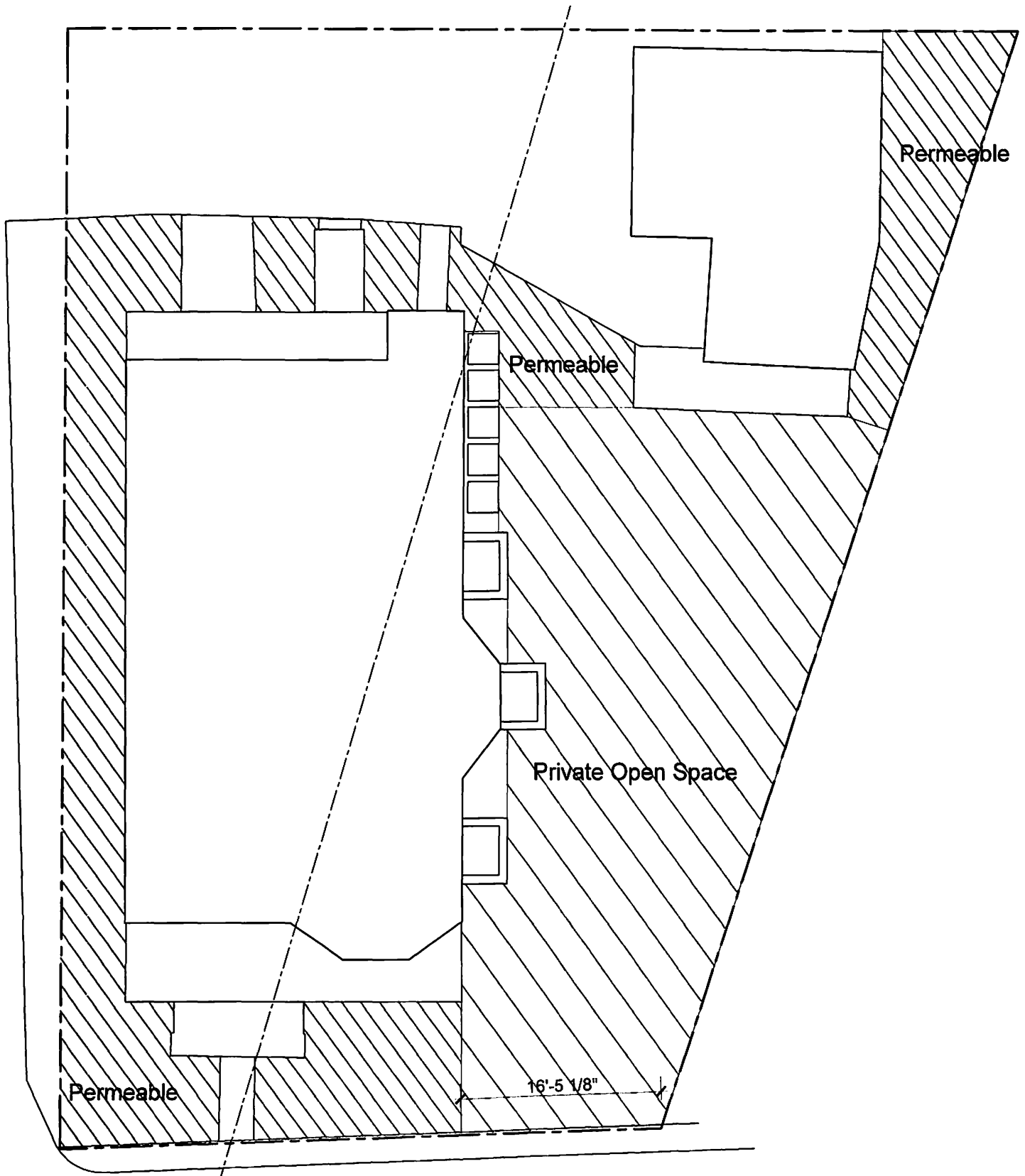
Drawing Title
Existing Floor Plans and Section

Seal

architecture sv
ARCHITECTURE DESIGN PLANS INC.
1612Apgar Rd, Framingham, MA 01701
Tel: (617) 277-7617
Fax: (617) 277-4621
architect@calconnect.com

Project	1822
Date	10 October 2019
Scale	AS NOTED

Sheet
A2



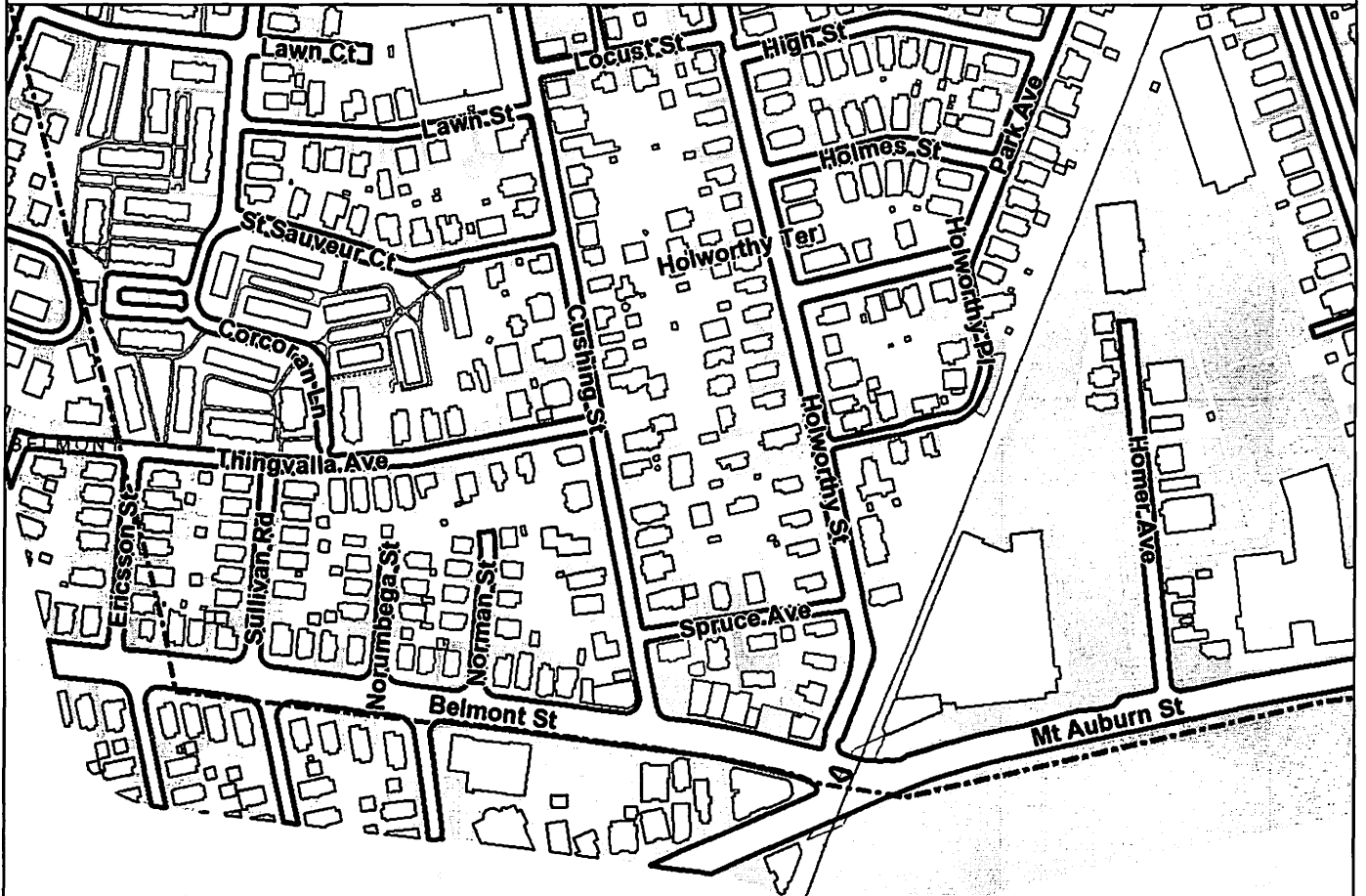
1

Private Open Space Distribution

Scale: 3/32" = 1'-0"

ZONING CALCULATIONS & DIMENSIONAL TABLE:

ZONING DISTRICT:	Residential B and Business A-1		(43.4% / 56.6%)	
Following Table uses more restrictive standards of Residential B District				
CURRENT USE:	Existing Dwelling converted for more than two families (4.31.h) - 4 Dwelling Units			
PROPOSED USE:	Existing Dwelling converted for more than two families (4.31.h) - 5 Dwelling Units			
	REQUIRED	EXISTING	PROPOSED	COMPLIANCE
(1) Max. FAR:	0.5	1.01	NO CHANGE	NON-CONFORMING
(2) Min. LOT SIZE:	5,000sf	5,662sf	NO CHANGE	CONFORMING
(3) Min. LOT SIZE for D.U.:	2,500sf	1,415sf	1,132sf	NON-CONFORMING
(4) LOT WIDTH:	50'	49.1' Front / 77.45' Rear	NO CHANGE	CONFORMING
(5) Min. YARD:				
Front, Cushing St.:	15.0'	10.8'	NO CHANGE	NON-CONFORMING
Front, Spruce Ave.:	15.0'	5.2'	NO CHANGE	NON-CONFORMING
Right Side, Cushing St.:	7.5' (20.0')	20.8'	NO CHANGE	CONFORMING
Left Side, Spruce Ave.:	7.5' (20.0')	23.0'	NO CHANGE	CONFORMING
Rear:	N.A. (Sec.5.24.3)			
(6) Max. HEIGHT:	35'	41.3'	NO CHANGE	NON-CONFORMING
(7) Min. RATIO OF OPEN SPACE:	40%	42.14%	42.3%	CONFORMING
Meeting Dimensional Req.	20%	878sf = 15.5%	1,340sf = 23.67%	CONFORMING
Permeable	20%	2,386sf = 42.14%	2,395sf = 42.3%	CONFORMING
Note: All listed Open Private Space conforms to Permeable standards.				
PARKING:	5	2	NO CHANGE	NON CONFORMING
GROSS FLOOR AREAS:				
	EXISTING:	PROPOSED:		
Basement:	1,299sf	No Change		
First:	1,552sf	No Change		
Second:	1,294sf	No Change		
Third:	1,132sf	No Change		
Total Main Structure:	5,277sf	No Change		
Garage / Storage:	439sf	No Change		
TOTAL:	5,716sf	No Change		



WATERTOWN



City of Cambridge
Massachusetts

1" = 313 ft

All data is provided for graphic representation only. The City of Cambridge expressly disclaims all warranties of any type, expressed or implied, including, but not limited to, any warranty as to the accuracy of the data, merchantability, or fitness for a particular purpose.

www.cambridgema.gov/gis



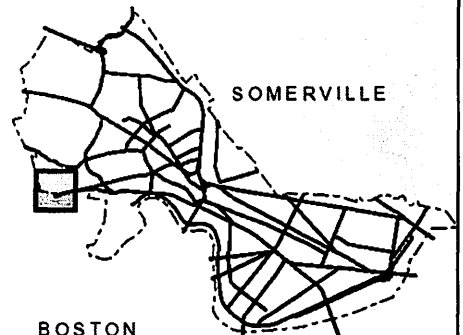
- Rail
- ☐ Building Footprints
- Paved Surfaces
 - ☐ Paved Roads
 - ☐ Bridges
 - ☐ Unpaved Roads
 - ☐ Unpaved Parking
 - Sidewalks
 - Driveways
 - Alleys
 - Other Paved Surface
 - ☐ Public Footpath

ARLINGTON

MEDFORD

SOMERVILLE

BOSTON





BUS STOP CORNER OF BELMONT
& CUSHING STREETS



LEFT REAR



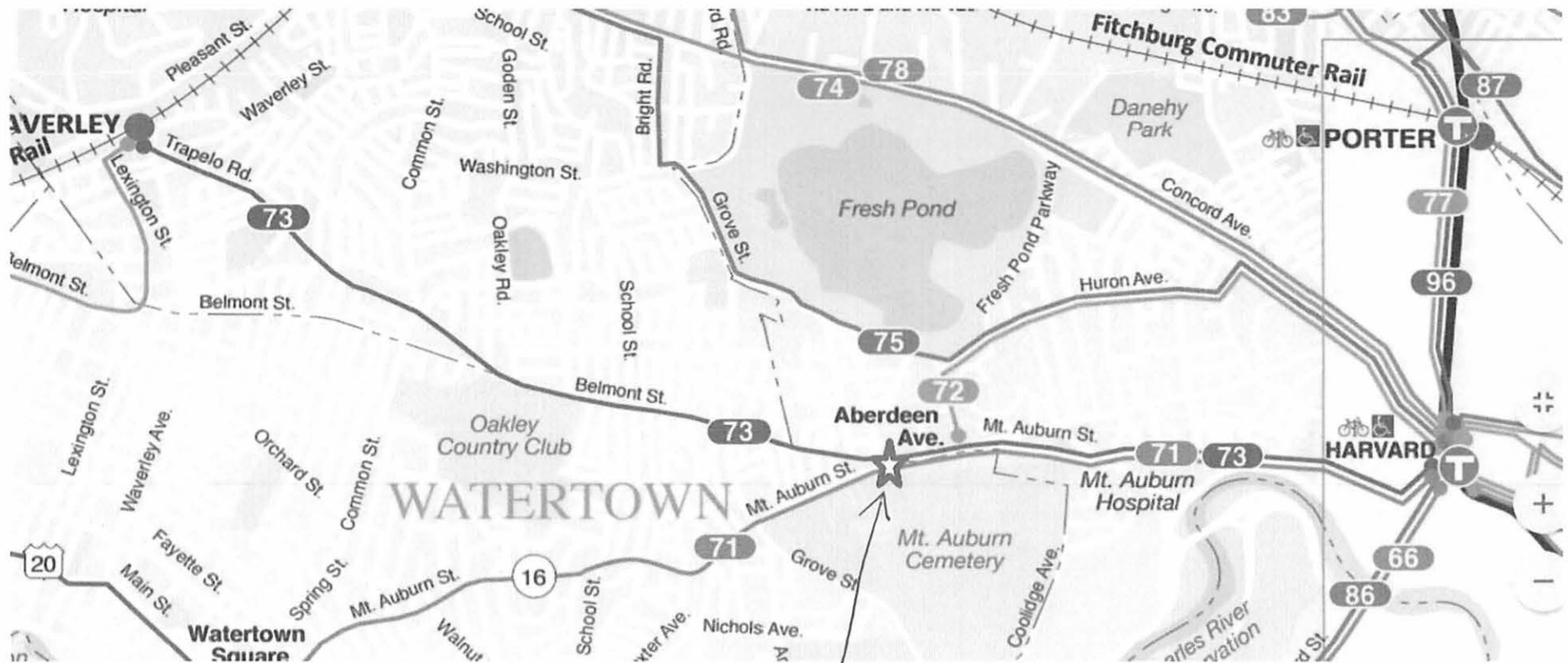
RIGHT REAR



FRONT LEFT



FRONT RIGHT



17 CUSHING
BUS ROUTES NEARBY



Base Map	Aerial Photo	Size <input type="checkbox"/> <input type="checkbox"/>
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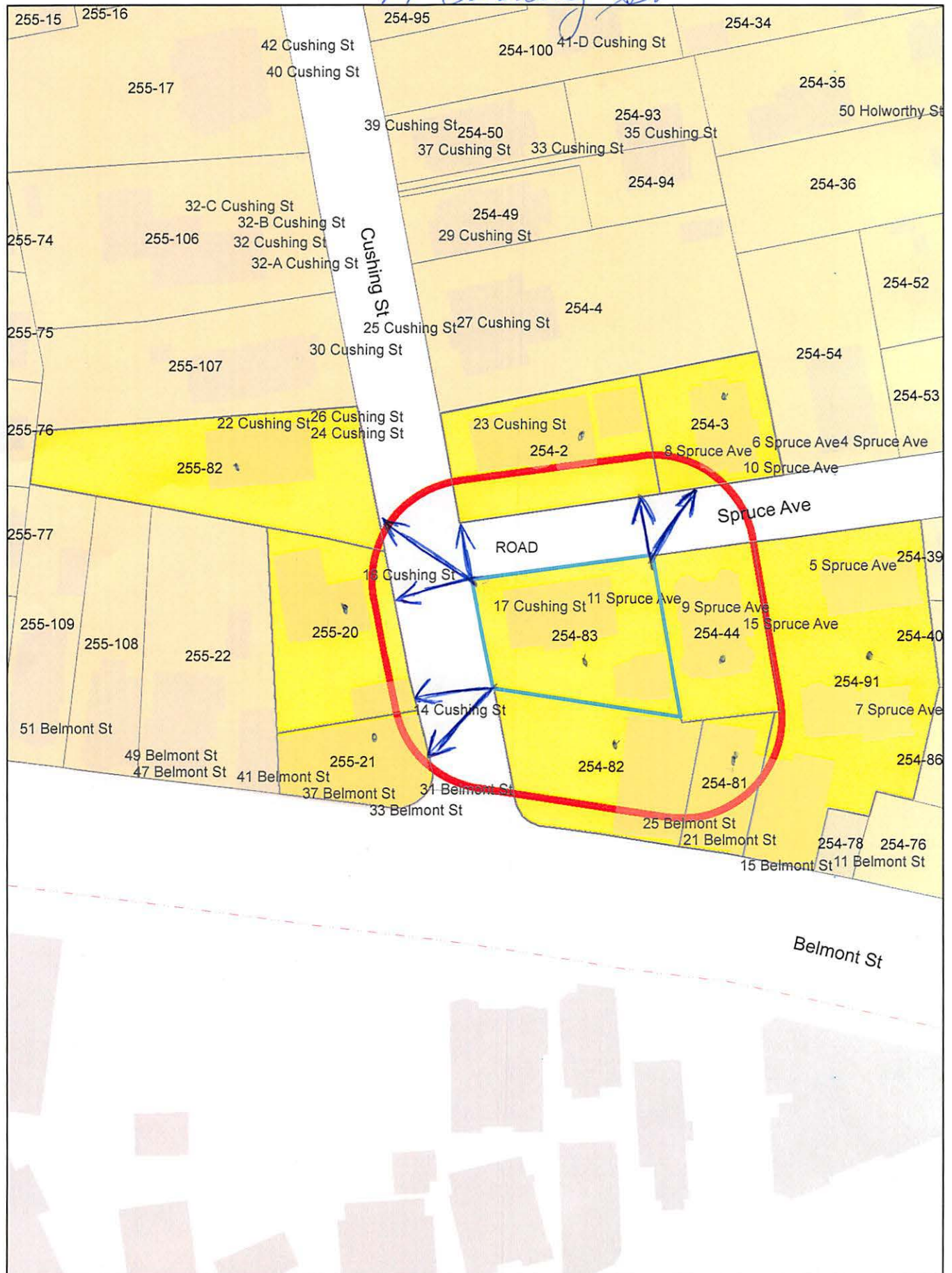
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Zoom Out [Progress Bar] In

Selection	
	Show -
	within 0
	filtered by

Create Mailing Label

14 Cushing St.



17 Cushing St.

Petitioner

254-44
RUSSELL, ROBERT H. III
9 SPRUCE AVENUE
CAMBRIDGE, MA 02138-0184

254-44
KAHLE, KURT VON
15 SPRUCE AVE., #15
CAMBRIDGE, MA 02138

254-83
VON TURKOVICH, RICHARD &
MYRA VON TURKOVICH
31 SHEPARD ST
CAMBRIDGE, MA 02138

254-2
POLLARD, WILLIAM J. & LAURA D. INDIGO
23 CUSHING ST., #1
CAMBRIDGE, MA 02138

255-20
POLIMOU, ANNE M. & ELLEA POLIMOU
18 CUSHING ST
CAMBRIDGE, MA 02138-4516

255-82
NELIN, MITCHELL E.
TR. 24 CUSHING STREET REALTY TRUST
24 CUSHING ST
CAMBRIDGE, MA 02138-4516

254-44
FURUMOTO, LAUREL
TRUSTEE THE LAUREL FURUMOTO REVOC. TR
10 LARSON CIRCLE
BURLINGTON, MA 01803

254-81
MURPHY, OLIVE R., ROBERT W. GARRIG, &
THOMAS J. CARRIG
C/O THAYER & ASSOCIATES INC.
1812 MASSACHUSETTS AVE
CAMBRIDGE, MA 02140

254-82
CARRIG, JAMES A., OLIVE R. MURPHY,
ROBERT W. CARRIG & NANCY JANE CARRIG
C/O THAYER & ASSOCIATES INC.
1812 MASSACHUSETTS AVE
CAMBRIDGE, MA 02140

255-21
DEFABRITIIS FAMILY, LLC,
110 STONELEIGH RD
WATERTOWN, MA 02472

254-2
KRAMAN, NADINE
23 CUSHING ST. UNIT#2
CAMBRIDGE, MA 02138

254-2
YANG, CHUOH-SHYNG
23 CUSHING ST #3
CAMBRIDGE, MA 02138

254-91
HSEC REAL ESTATE LLC
162 EVELYN RD.
NEWTON, MA 02158

254-91
THE MCLEAN HOSPITAL CORPORATION
P.O. BOX 6240
BOSTON, MA 02114

254-3
FALZONE, ANNA R. A LIFE ESTATE
C/O CARUSO, MARIE A.
8 GOVENOR PEABODY RD.
BILLERICA, MA 01821

254-3
GUI, MING & HONG YAN
8-10 SPRUCE AVE., #8
CAMBRIDGE, MA 02140