



# CITY OF CAMBRIDGE

## BOARD OF ZONING APPEAL

831 Massachusetts Avenue, Cambridge MA 02139

617-349-6100

2023 FEB -1 PM 12:21  
OFFICE OF THE CITY CLERK  
CAMBRIDGE, MASSACHUSETTS

### BZA Application Form

BZA Number: 209107

#### General Information

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

Special Permit: \_\_\_\_\_ Variance: X Appeal: \_\_\_\_\_

PETITIONER: The Bourji Nominee Real Estate Trust C/O James J. Rafferty

PETITIONER'S ADDRESS: 907 Massachusetts Avenue, Cambridge, MA 02139

LOCATION OF PROPERTY: 587 Mt Auburn St, Cambridge, MA

TYPE OF OCCUPANCY: Automotive Service Station ZONING DISTRICT: Office 1

REASON FOR PETITION:

/Additions/

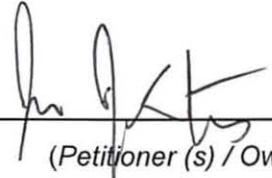
#### DESCRIPTION OF PETITIONER'S PROPOSAL:

Petitioner seeks to construct 64 square foot addition to rear of existing service bay to allow for the addition of new equipment necessary for state inspections.

#### SECTIONS OF ZONING ORDINANCE CITED:

Article: 4.000      Section: 4.36(g) (Auto Service Station).  
Article: 8.000      Section: 8.22.3 (Non-Conforming Use).  
Article: 10.000      Section: 10.30 (Variance).

Original  
Signature(s):

  
(Petitioner (s) / Owner)

James J. Rafferty, Attorney for Petitioner  
(Print Name)

Address: 907 Massachusetts Avenue, Suite 300  
Tel. No. Cambridge, MA 02139  
E-Mail Address: 617.492.4100  
jrafferty@adamsrafferty.com

Date: January 31, 2023

# OWNERSHIP INFORMATION FOR BOARD OF ZONING APPEAL RECORD

To be completed by OWNER, signed and returned to Secretary of Board of Appeal

The Bourji Nominee Real Estate Trust  
(Owner or Petitioner)

Address: c/o James J. Rafferty 907 Massachusetts Avenue, Cambridge MA 02139

Location of Premises: 587 Mount Auburn Street

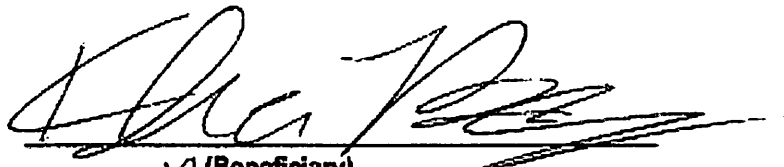
the record title standing in the name of The Bourji Nominee Real Estate Trust

whose address is 587 Mount Auburn Street, Cambridge MA 02138  
(Street) (City or Town) (State & Zip Code)

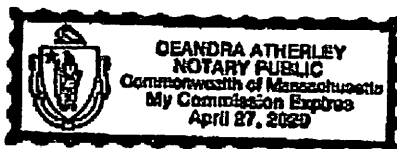
by a deed duly recorded in the Middlesex South County Registry of Deeds in

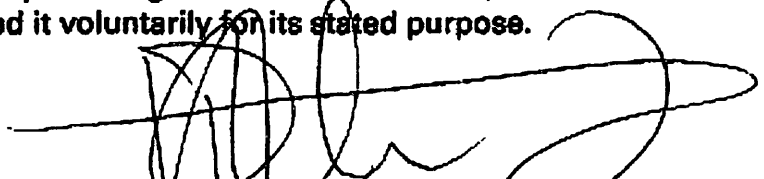
Book 1461 Page 85 or \_\_\_\_\_ Registry

District of Land Court Certificate No. \_\_\_\_\_ Book \_\_\_\_\_ Page \_\_\_\_\_

  
(Beneficiary)  
KHALEL BOURJI

On this 9<sup>th</sup> day of January 2023, before me, the undersigned notary public,  
personally appeared KHALEL BOURJI proved to me through satisfactory  
evidence of identification, which were MA DL, to be the  
person whose name is signed on the preceding or attached document, and  
acknowledged to me that they signed it voluntarily for its stated purpose.



  
Notary Public

My commission expires: 04-27-2029

## **BZA Application Form**

### **SUPPORTING STATEMENT FOR A VARIANCE**

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

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

A literal enforcement of the provisions of this Ordinance would prevent the petitioner from expanding the existing service bay to allow for the installation of an RMV-issued workstation to conduct state automobile inspections.

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

The hardship is directly related to the size and footprint of the existing structure and lot.

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

- 1)** Desirable relief may be granted without substantial detriment to the public good for the following reasons:

To the contrary, the public good will benefit from having an additional provider capable of conducting annual inspections of automobiles.

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

The granting of this variance will not derogate from the purpose of the Ordinance since the "expansion" of this nonconforming use represents a modest change in its footprint and operations.

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

## BZA Application Form

### DIMENSIONAL INFORMATION

**Applicant:** The Bourji Nominee Real Estate Trust  
**Location:** 587 Mt Auburn St., Cambridge, MA  
**Phone:** 617.492.4100

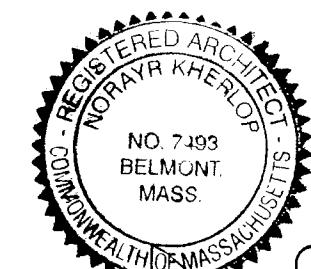
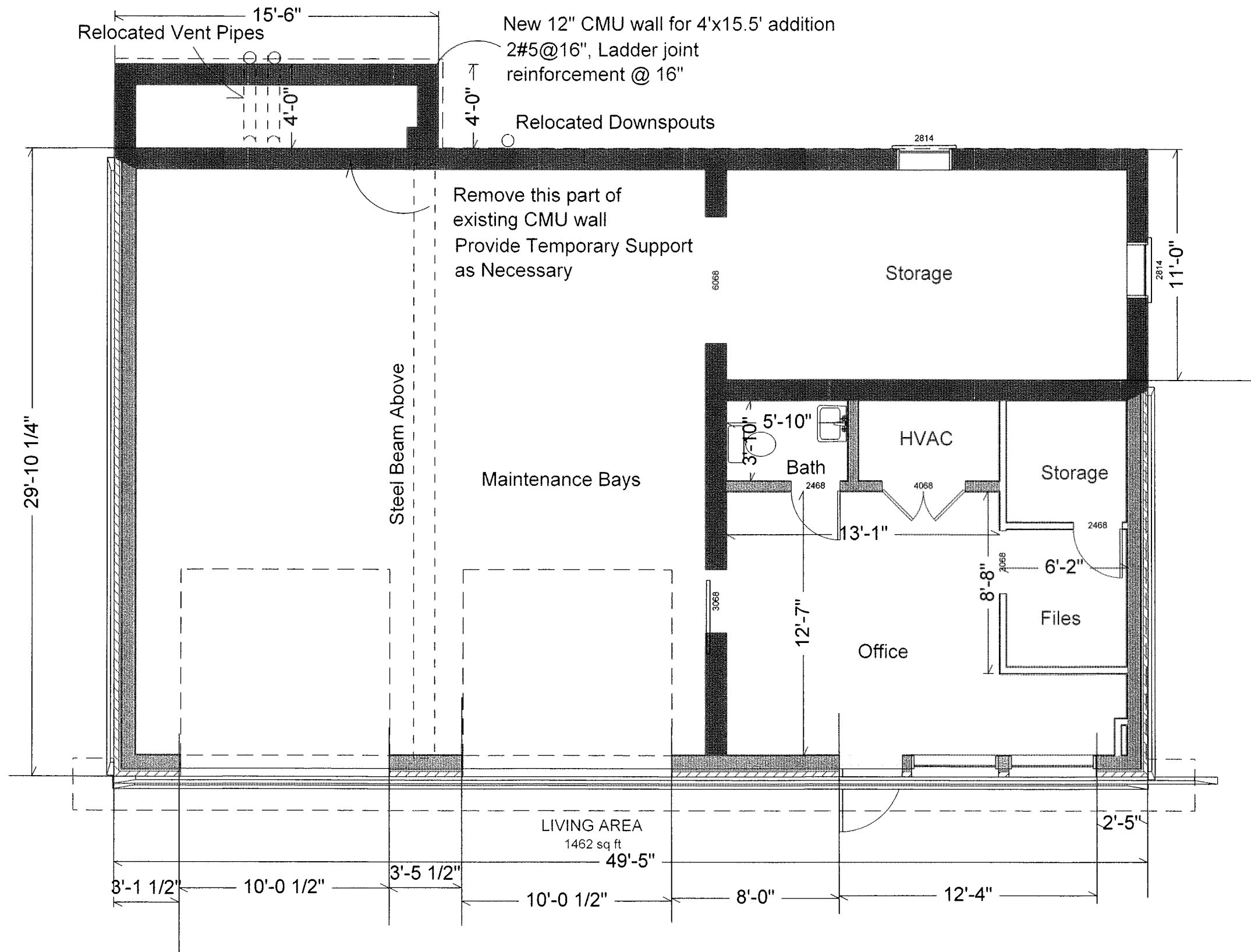
**Present Use/Occupancy:** Automotive Service Station  
**Zone:** Office 1  
**Requested Use/Occupancy:** Automotive Service Station

|                                                            |            | <u>Existing Conditions</u> | <u>Requested Conditions</u> | <u>Ordinance Requirements</u> |        |  |
|------------------------------------------------------------|------------|----------------------------|-----------------------------|-------------------------------|--------|--|
| <u>TOTAL GROSS FLOOR AREA:</u>                             |            | 1,462 sf                   | 1,524 sf                    | 7,127.25 sf                   | (max.) |  |
| <u>LOT AREA:</u>                                           |            | 9,503 sf                   | no change                   | 5,000 sf                      | (min.) |  |
| <u>RATIO OF GROSS FLOOR AREA TO LOT AREA:</u> <sup>2</sup> |            | .1538                      | .1603                       | .75                           |        |  |
| <u>LOT AREA OF EACH DWELLING UNIT</u>                      |            | N/A                        | N/A                         | N/A                           |        |  |
| <u>SIZE OF LOT:</u>                                        | WIDTH      | 107'                       | no change                   | 50'                           |        |  |
|                                                            | DEPTH      | 97'                        | no change                   | N/A                           |        |  |
| <u>SETBACKS IN FEET:</u>                                   | FRONT      | 45.8'                      | no change                   | 10'                           |        |  |
|                                                            | REAR       | (Aberdeen left) 27.5'      | 23.5'                       | 11'                           |        |  |
|                                                            | LEFT SIDE  | (Aberdeen Front) 12.4'     | no change                   | 10'                           |        |  |
|                                                            | RIGHT SIDE | 32.7'                      | no change                   | 8'                            |        |  |
| <u>SIZE OF BUILDING:</u>                                   | HEIGHT     | 15.5'                      | no change                   | 35'                           |        |  |
|                                                            | WIDTH      | 29.11                      | 33.11                       | N/A                           |        |  |
|                                                            | LENGTH     | 49.5'                      | no change                   | N/A                           |        |  |
| <u>RATIO OF USABLE OPEN SPACE TO LOT AREA:</u>             |            | 0                          | no change                   | 15                            |        |  |
| <u>NO. OF DWELLING UNITS:</u>                              |            | 0                          | no change                   | N/A                           |        |  |
| <u>NO. OF PARKING SPACES:</u>                              |            | N/A                        | no change                   | N/A                           |        |  |
| <u>NO. OF LOADING AREAS:</u>                               |            | N/A                        | N/A                         | N/A                           |        |  |
| <u>DISTANCE TO NEAREST BLDG. ON SAME LOT</u>               |            | 38.5                       | 34.5                        | N/A                           |        |  |

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.:

N/A

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'.



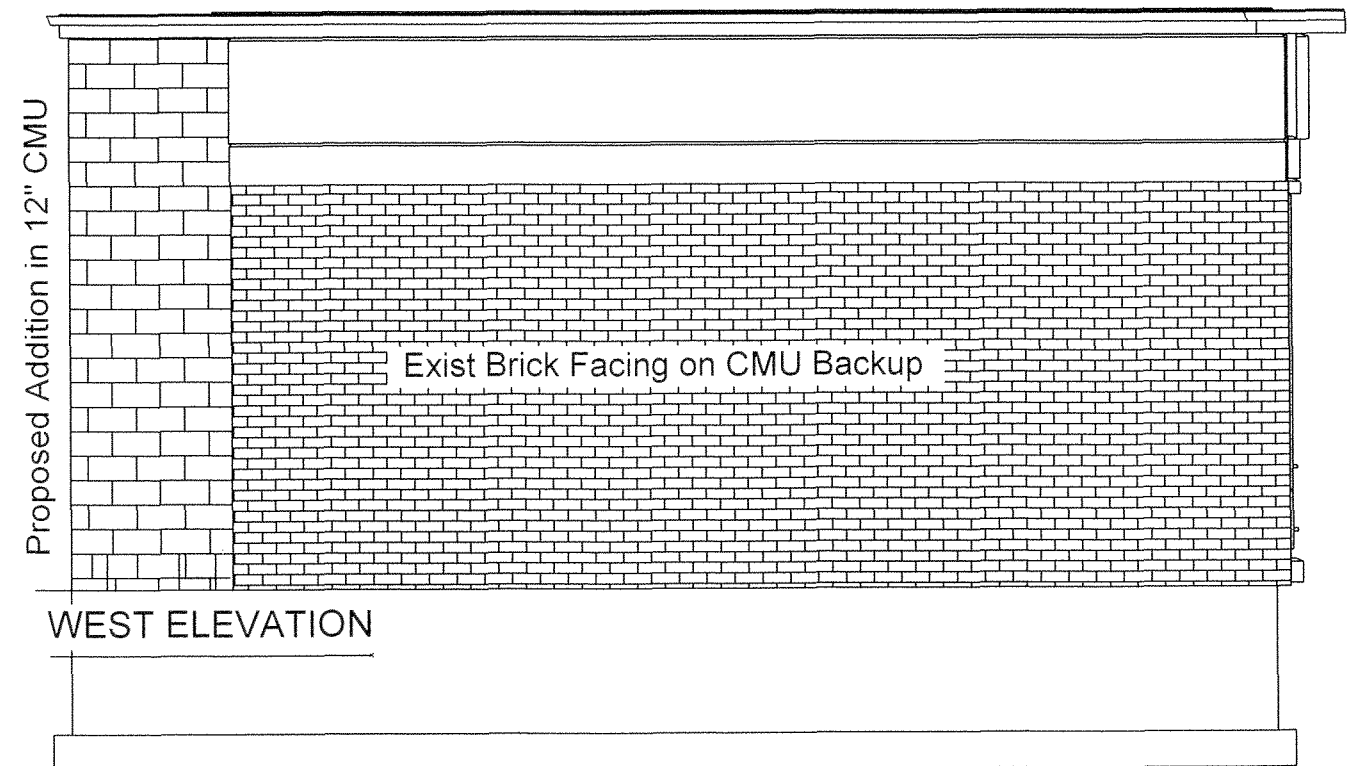
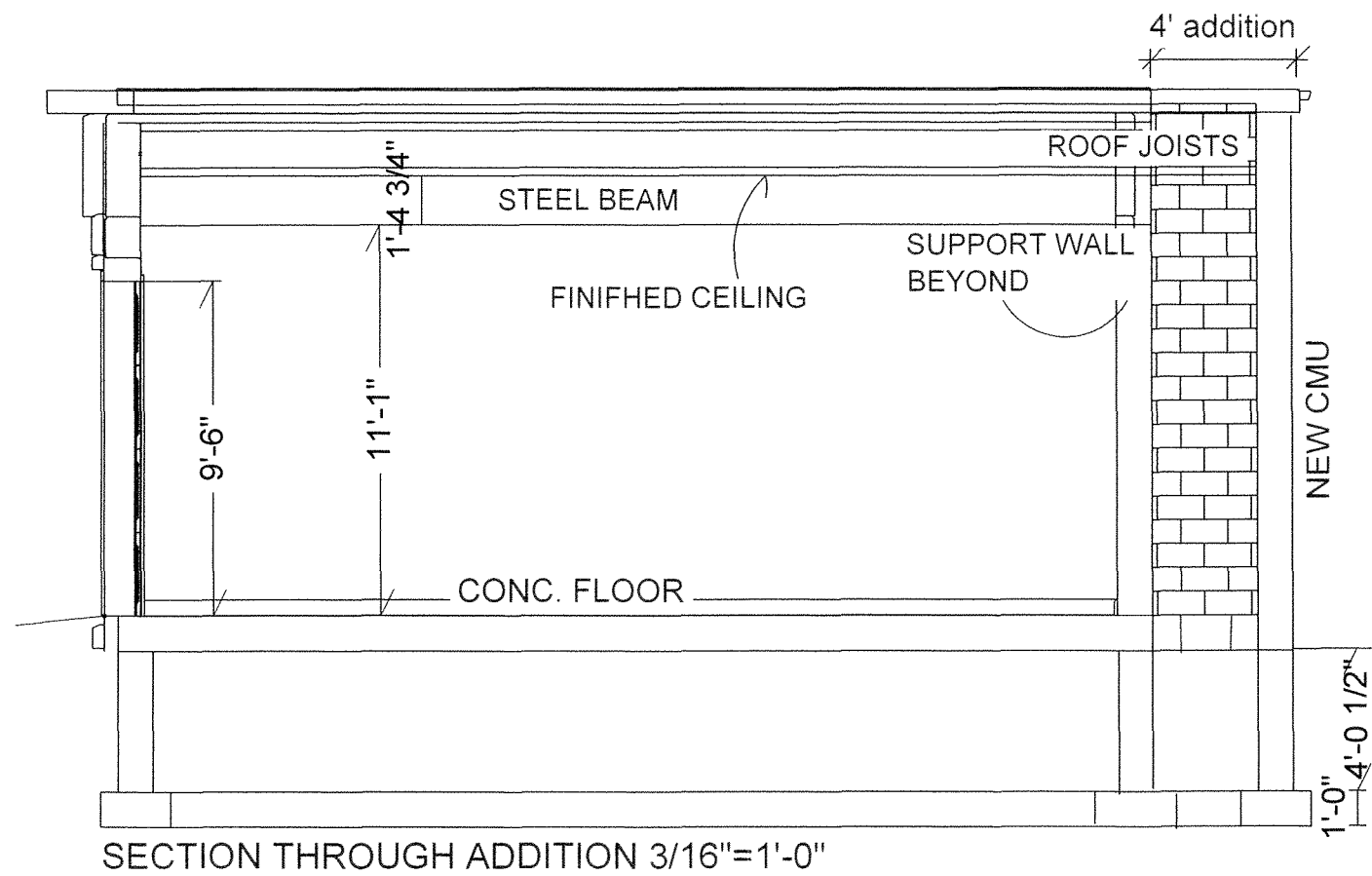
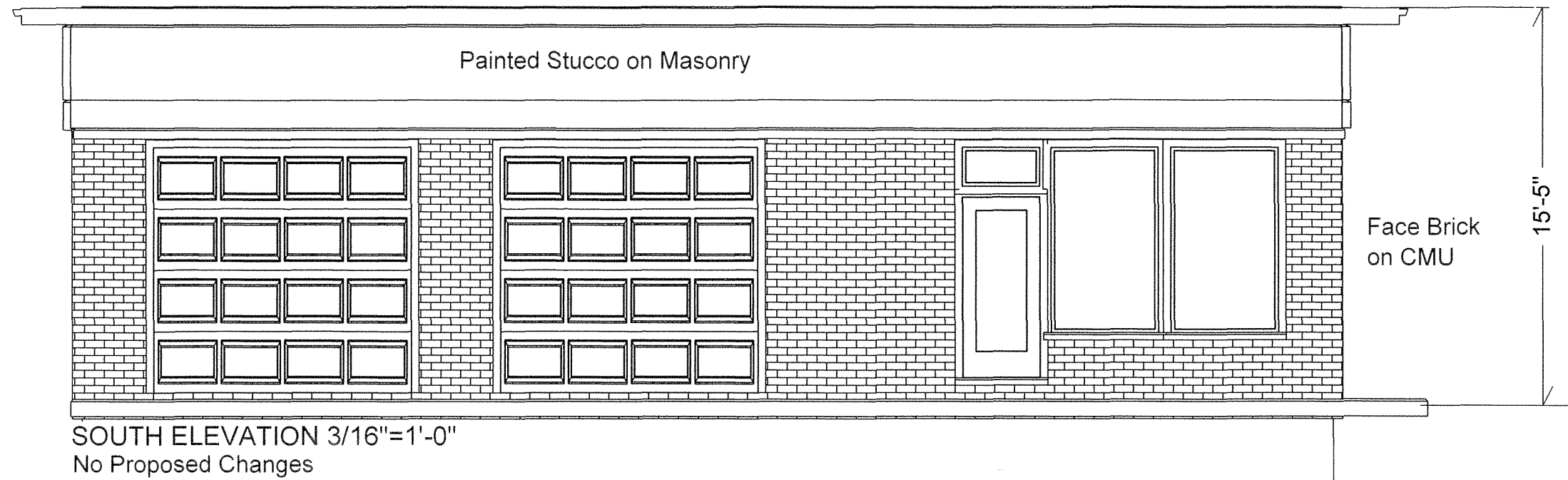
REAR ADDITION AT 587 MT.  
AUBURN ST. CAMBRIDGE MA

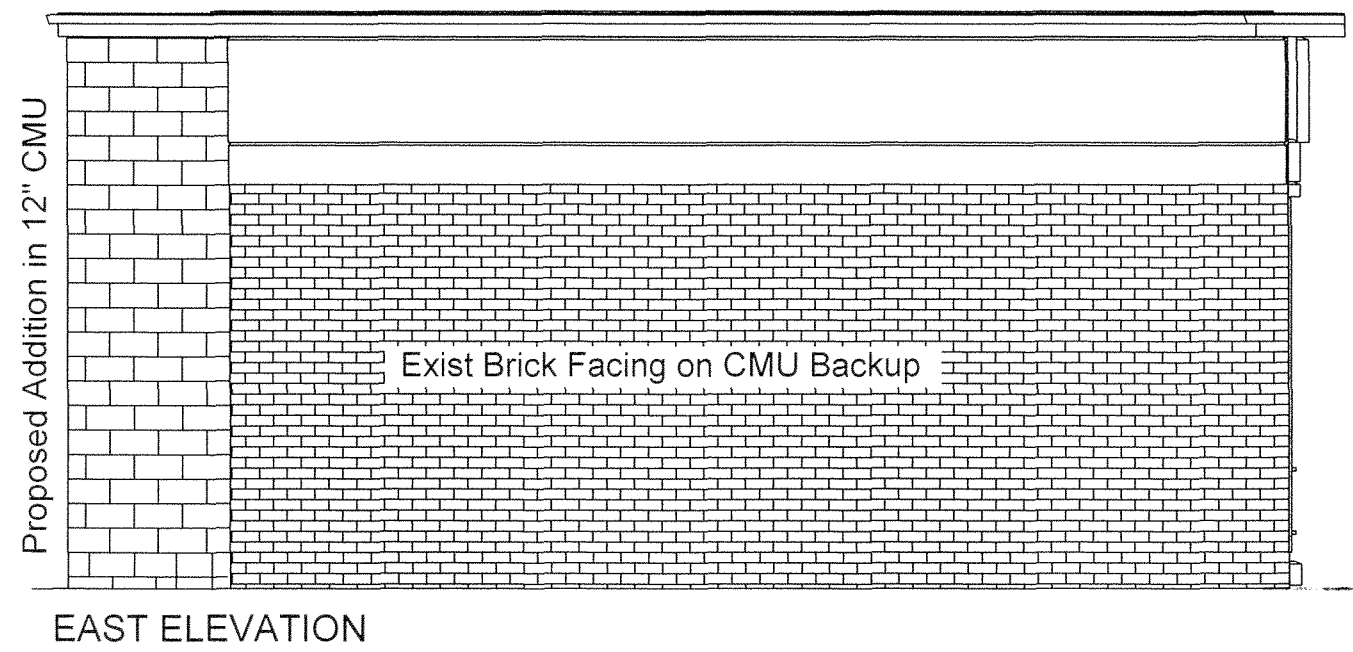
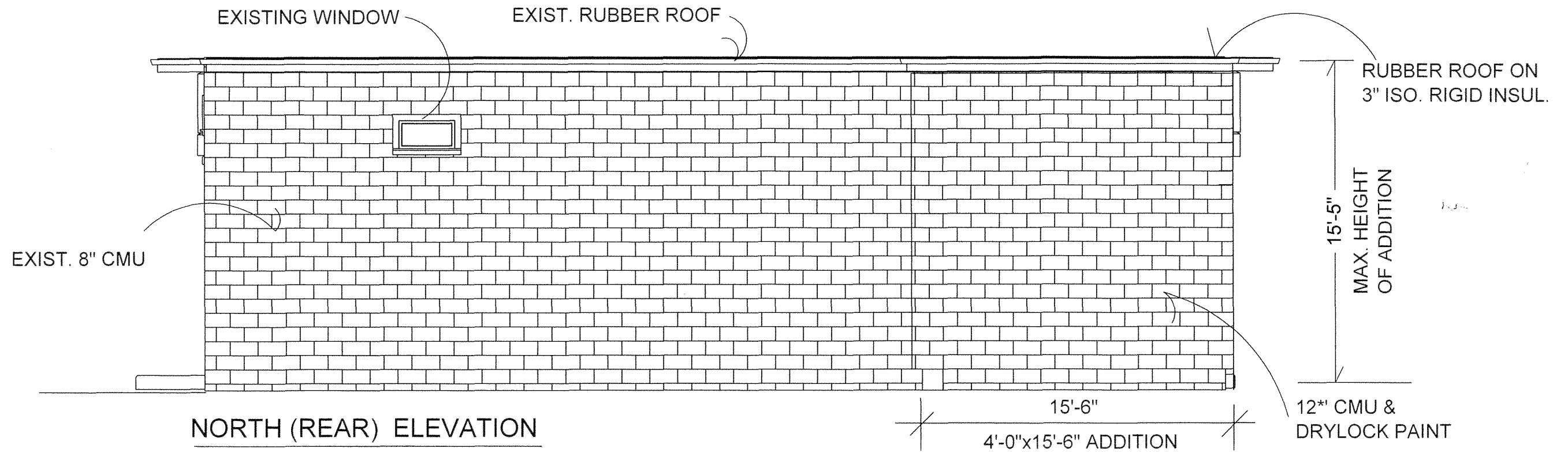
NORDESIGN & BUILD LLC ARCHITECTS  
21 HOUGH ROAD BELMONT MA 02478 617-283-5299

FORST FLOOR PLAN  
3/16"=1'-0"

1/3/23

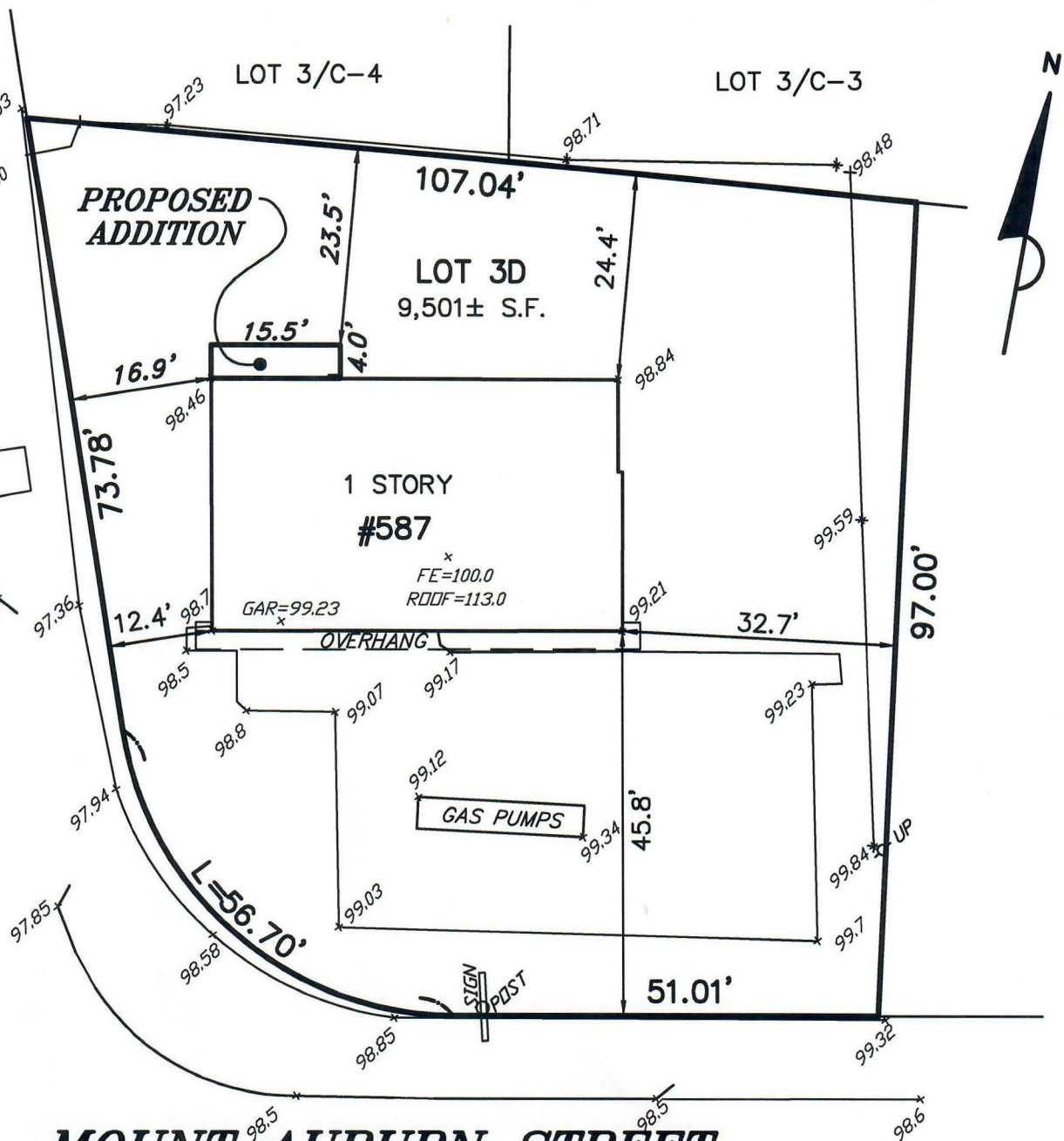
A-1



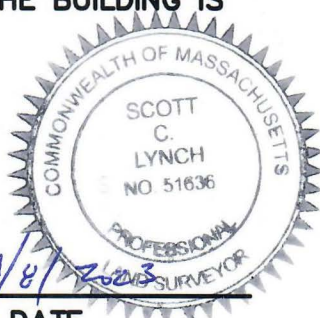




ABERDEEN AVENUE



I HEREBY CERTIFY THAT THE BUILDING IS  
LOCATED AS SHOWN.



SCOTT LYNCH, PLS

DATE

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

PROPOSED PLOT PLAN  
#587 MOUNT AUBURN STREET  
IN  
CAMBRIDGE, MA  
(MIDDLESEX COUNTY)

SCALE: 1" = 20' DATE: 1/8/2023



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

5009PP2.DWG



587 Mt. Auburn St  
existing Rear



587 Mt. Auburn St.  
Proposed Rear











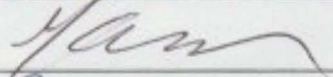
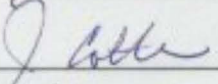
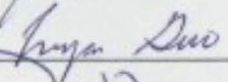
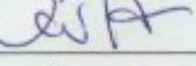
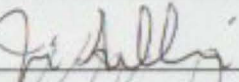
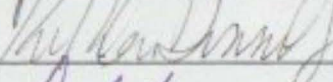
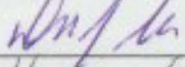
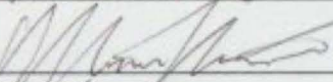
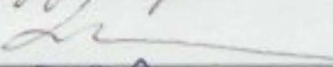
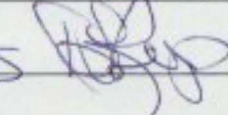








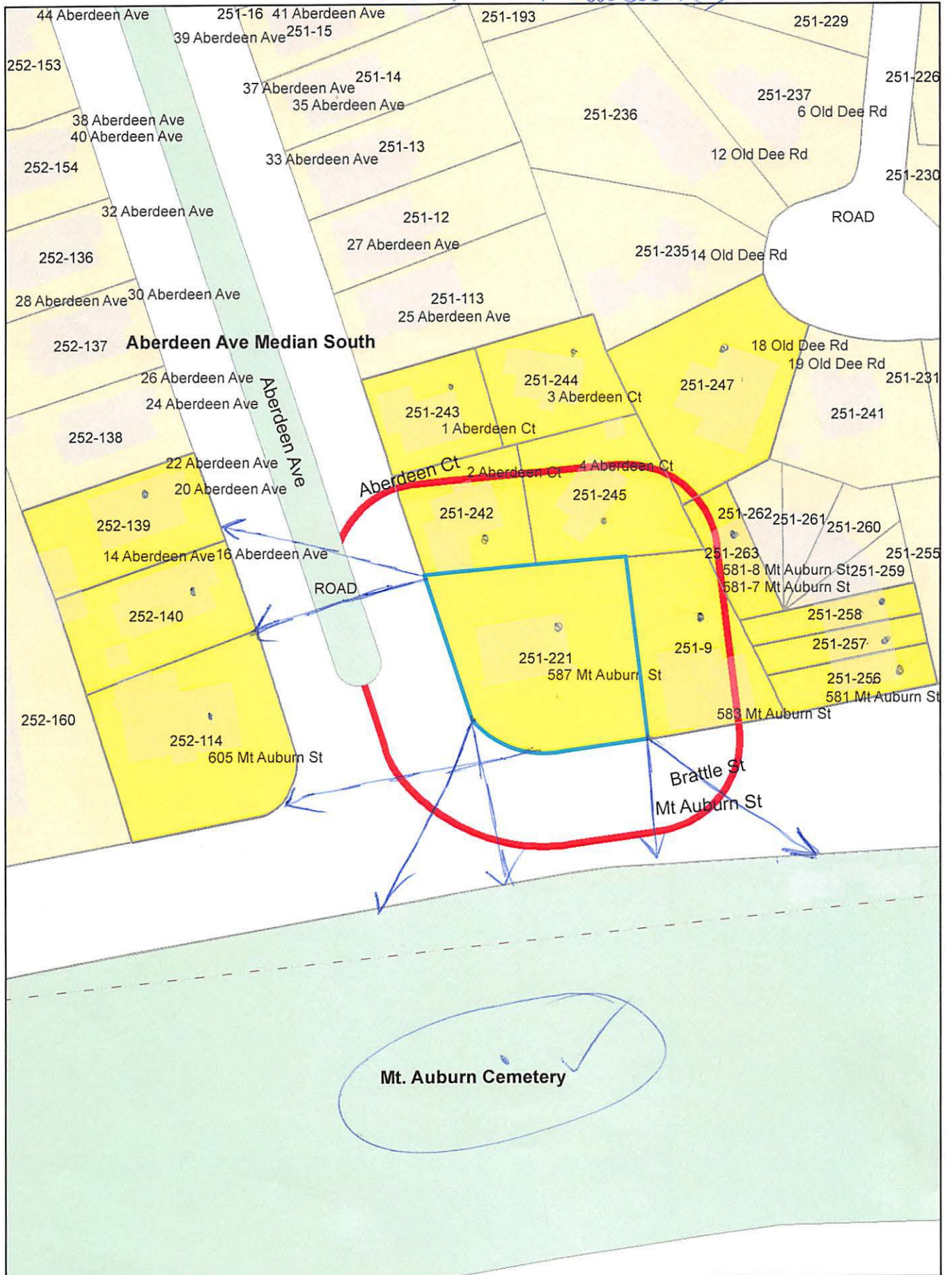
|                                 |                                                                                                                |
|---------------------------------|----------------------------------------------------------------------------------------------------------------|
| Petition summary and background | I AM A NEIGHBOR OF NICK'S SERVICE STATION IN CAMBRIDGE AND I HAVE NO OBJECTIONS TO THE PROPOSED BAY EXTENSION. |
|---------------------------------|----------------------------------------------------------------------------------------------------------------|

| Printed Name     | Signature                                                                           | Address          | Comment      | Date     |
|------------------|-------------------------------------------------------------------------------------|------------------|--------------|----------|
| Yasemin Conuklu  |    | 182 Kettle St.   |              | 12/26/22 |
| JOHN CORREZ      |    | 62 CROCHWOOD DE  | 617 462 7291 | 12/26/22 |
| Liyan Guo        |    | 2 aberdeen ct.   | 617 299 1818 | 12/26/22 |
| David Holmes     |    | 20 Norumbega ST  | 617-513-9856 | 2/26/22  |
| KRISTIN SULLIVAN |    | 1 ABERDEEN COURT | 617 359-1801 | 12/26/22 |
| Jim Sullivan     |    | 2 Aberdeen Ct    | 617-413-5474 | 12/27/22 |
| Kathy Donnelly   |    | 3 Aberdeen Ct.   | 617-686-5164 | 12/27/22 |
| DAVID SULLIVAN   |   | 583 mt Auburn St | 781-501-6877 | 12-28-22 |
| HOWARD RICE      |  | 20 MEADOW WAY    | 617-833-5357 | 12-28-22 |
| Marc Richards    |  | 4 Aberdeen Ct    | 617-460-7088 | 12-29-22 |
| Larry Tisk       |  | 33 Aberdeen Ave  | 617-792-5053 | 12-29-22 |
| Wesley Reynolds  |  | 8 Fresh Pond Pl  | 617-877-3976 | 12/29/22 |





587 Mt. Auburn St.





587 Mt. Auburn St. Petitioner  
JAMES J. RAFFERTY, ESQ.  
907 MASS AVENUE – SUITE 300  
CAMBRIDGE, MA 021369

251-9  
CANNIFF, MARY A. & PAUL JOHN KILGARRIFF,  
TRS. OF GRANITE TRADING REALTY TRUST  
P.O. BOX 74  
ROSLINDALE, MA 02131

251-258  
TURNER, FREDERICA C.  
581 MT AUBURN ST.#3  
CAMBRIDGE, MA 02138

252-139  
COX, RANDALL L. & SUSAN T. CAULFIELD  
22 ABERDEEN AVE  
CAMBRIDGE, MA 02138

252-140  
SUNNYVIEWRE LLC  
259 LOWELL ST  
LEXINGTON, MA 02420

251-243  
LOFBLAD, KRISTIN A.  
1 ABERDEEN CT  
CAMBRIDGE, MA 02138

251-244  
DONNELLY, KATHLEEN M.  
3 ABERDEEN CT  
CAMBRIDGE, MA 02138

251-247  
BIANCHI, CHRISTOPHER & CORINNE C. BIANCHI  
18 OLD DEE RD  
CAMBRIDGE, MA 02138

251-263  
SHEDID, RANDA & NASSER O. RABBAT  
77 MASSACHUSETTS AVE ROOM 10-390  
CAMBRIDGE, MA 02139

251-221  
BOURJI, NAIM,  
TRUSTEE THE BOURJI NOM REAL ESTATE TR.  
587 MT AUBURN ST  
CAMBRIDGE, MA 02138

251-242  
GUO, LIYAN & LIN ZHOU  
2 ABERDEEN CT  
CAMBRIDGE, MA 02138

251-245  
RICHARDS, MARC D. & JENNIFER A. RICHARDS  
4 ABERDEEN CT  
CAMBRIDGE, MA 02138

251-256  
U.S. TRUST COMPANY OF DELAWARE  
TRS STIFLER-MCFADDEN FAMILY TR  
581-1 MOUNT AUBURN ST  
CAMBRIDGE, MA 02138

251-257  
JENKINS, NEIL  
581 MT AUBURN ST - UNIT 2  
CAMBRIDGE, MA 02138

252-114  
MESROBIAN, GRIGOR & ANAHIT MESROBIAN  
70 WOODFALL RD.  
BELMONT, MA 02478-1728

MT. AUBURN CEMETERY  
580 MT. AUBURN STREET  
CAMBRIDGE, MA 02138-5517