



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

BZA APPLICATION FORM

Plan No: BZA-017155-2019

GENERAL INFORMATION

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

Special Permit : ✓ Variance : ✓ Appeal :

PETITIONER : Samir A. Bukhari and Lynette M. Sholl - C/O Sarah Like Rhatigan, Esq.,

PETITIONER'S ADDRESS : 12 Marshall Street Boston, MA 02108

LOCATION OF PROPERTY : 13 Surrey St Cambridge, MA 02138

TYPE OF OCCUPANCY : Single-family Residential ZONING DISTRICT : Residence C-1 Zone

REASON FOR PETITION :

Additions

DESCRIPTION OF PETITIONER'S PROPOSAL :

Renovations to nonconforming single-family townhouse-style dwelling including construction of rear deck within rear setback and new kitchen bay window, resulting in increase in Floor Area Ratio. Installation of sliding glass door within rear setback, requiring special permit.

SECTIONS OF ZONING ORDINANCE CITED :

Article <u>5.000</u>	Section <u>5.31</u> (Table of Dimensional Requirements).
Article <u>8.000</u>	Section <u>8.22.3</u> (Alteration to a Nonconforming Structure).
Article <u>8.000</u>	Section <u>8.22.2.C</u> (Alteration to a Nonconforming Structure)
Article <u>10.000</u>	Section <u>10.30</u> (Variance).
Article <u>10.000</u>	Section <u>10.40</u> (Special Permit).

Original Signature(s) : Samir A. Bukhari + Lynette M. Sholl
By: Sarah Like Rhatigan, Esq
(Petitioner(s) / Owner)

Sarah Like Rhatigan
(Print Name)

Address : % Trilogy Law, 12 Marshall Street
Boston, MA 02108

Tel. No. : 617-523-5000

E-Mail Address : sarah@trilogylaw.com

Date : 7/26/19

BZA APPLICATION FORM - OWNERSHIP INFORMATION

(To be completed by OWNER, signed before a notary, and returned to Secretary of Board of Appeal).

I/We **Samir A. Bukhari and Lynette M. Sholl**

Address: **9-13 Surrey Street, Unit 3, Cambridge, MA, 02138**

State that I/We own the property located at **9-13 Surrey Street, Unit 3, Cambridge, MA, 02138** which is the subject of this zoning application.

The record title of this property is in the name of

Samir A. Bukhari and Lynette M. Sholl

Pursuant to a deed dated **April 15, 2013** and duly recorded in the Middlesex South County Registry of Deeds on **April 22, 2013**, at Book **61648**, Page **121**.

Samir A Bukhari
SIGNATURE BY LAND OWNER

Lynette M Sholl
SIGNATURE BY LAND OWNER

Commonwealth of Massachusetts, County of Middlesex

The above-named **Samir A. Bukhari and Lynette M. Sholl** personally appeared before me, this 12th day of June, 2019, and made oath that the above statement is true.

Andrew E. Bram Notary
My commission expires (Notary Seal).

10-24-25



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 ordinance would prohibit the petitioner from making much needed and very modest alterations to a preexisting, nonconforming structure. Petitioners seek to renovate their home to prepare for their frail, elderly parents to stay with them while recuperating from medical conditions, and eventually to move in with them over the next few years. A rear deck accessible to someone with mobility issues from the main living area is needed to allow access to the outdoors. The installation of a new kitchen bay window will allow more light and area for an indoor plant area.

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:

This single-family townhouse style structure was constructed under prior ordinance provisions allowing for a higher FAR and smaller rear yard setbacks. The unique townhouse style structure, interior configuration with the main level (kitchen) being located well above grade, and due to sloping topography of the lot, all result in difficulties providing a safe means of accessing the outdoors from the main level of the house.

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

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

The rear deck is modest in size (4.3 x 10.6 ft), is located immediately next to the existing egress door, landing and stairs to the yard, and will be largely unseen by most neighbors. The new bay window is so modest in size, only 8 inches deep, and does not reach the floor plate. As a bay structure, it is exempt from setback requirements. Although it may not even constitute new Floor Area under the Ordinance definition, it is included in this petition as a precautionary measure at the recommendation of the Building Commissioner. There will be no detriment to the public on account of such minor changes to this dwelling unit, located at the far rear of this lot.

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

Allowing this variance will not nullify or derogate from the intent or purpose; it is precisely these types of minor variations from the strict rules that are desirable in circumstances such as these, where petitioners face a hardship, and the requested variance will allow for improvements to the existing housing stock of the City, and will improve access to light and to the outdoors, particularly for those with mobility issues.

*** 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

SUPPORTING STATEMENT FOR A SPECIAL PERMIT

Please describe in complete detail how you meet each of the following criteria referring to the property and proposed changes or uses which are requested in your application. Attach sheets with additional information for special permits which have additional criteria, e.g.; fast food permits, comprehensive permits, etc., which must be met.

Granting the Special Permit requested for 13 Surrey St Cambridge, MA 02138 (location) would not be a detriment to the public interest because:

- A)** Requirements of the Ordinance can or will be met for the following reasons:
- Since this structure was built under prior ordinance provisions which allowed for a smaller rear setback, any window or door opening changes within the rear setback will require special permit relief. With the exception of the alterations that are the subject of the related variance, all other construction conforms to zoning requirements.
- B)** Traffic generated or patterns of access or egress would not cause congestion hazard, or substantial change in established neighborhood character for the following reasons:
- The installation of a glass sliding door at the rear of this structure will not generate traffic, congestion, hazard or a substantial change in neighborhood character. It will simply allow for direct access to a new modestly-sized rear deck.
- C)** The continued operation of or the development of adjacent uses as permitted in the Zoning Ordinance would not be adversely affected by the nature of the proposed use for the following reasons:
- There will be no adverse affects to the continued operation of adjacent uses on account of a new sliding glass door in this location. Such conditions are common place in residential neighborhoods throughout the City, and will not cause issues for abutters or others in the District.
- D)** Nuisance or hazard would not be created to the detriment of the health, safety and/or welfare of the occupant of the proposed use or the citizens of the City for the following reasons:
- E)** For other reasons, the proposed use would not impair the integrity of the district or adjoining district or otherwise derogate from the intent or purpose of this ordinance for the following reasons:



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

2019 JUL 30 AM 11:26

OFFICE OF THE CITY CLERK
 CAMBRIDGE, MASSACHUSETTS
 Plan No: BZA-017155-2019

BZA APPLICATION FORM
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Original Signature(s) : Samir A. Bukhari + Lynette M. Sholl
By: Sarah Like Rhatigan
 (Petitioner(s) / Owner)

Sarah Like Rhatigan
 (Print Name)

Address : c/o Trilogy Law, 12 Marshall St.
Boston, MA 02108

Tel. No. : 617 - 523 - 5000

E-Mail Address : Sarah@trilogylaw.com

Date : 7/26/19



3D VIEW AT BALCONY

15 Hursey St.



3D VIEW AT WINDOW BAY EXTERIOR

13 Sunney St.



NORTH FACADE
 SEE DRAWINGS P-10-04.0



EAST FACADE
 SEE DRAWINGS P-9-04.1



SOUTH FACADE
 SEE DRAWINGS P-8-04.2



WEST FACADE
 SEE DRAWINGS P-10-04.3

AS REQUESTED, THESE PHOTOS HAVE BEEN INCLUDED TO SHOW THE EXISTING CONDITIONS OF THE EXISTING FACADES AND TO PROVIDE A VISUAL CONTEXT FOR THE PROPOSED CHANGES TO THE FACADES. PHOTOGRAPHS WERE TAKEN ON PASTOR ADAMS'S DRIVE TO HOIST SHOWN AS THEY REPRESENT THE PROJECT'S VIEW AS ACCURATELY AS POSSIBLE.

3 PHOTOS OF EXISTING FACADES
 NOT SCALE

	REMARKS WITH THE PROPOSED BAY WINDOW AT EITHER END IS NOT IN VIOLATION OF ZONING	DOCUMENTS TO ATTEND	EVALUATION
1	IF A BAY WINDOW IS IN VIOLATION OF ZONING, THIS IT CANNOT BE IN VIOLATION OF ALLOWED IMA	1) Certificate of Zoning Compliance, Article 22B Ordinance 2) Architect drawings: M&L, 04/11, and A&B	According to Cambridge Zoning Ordinance, Article 22C, the proposed design for the window should not be included in the design if it is in violation of zoning. The proposed design for the window should not be included in the design if it is in violation of zoning. The proposed design for the window should not be included in the design if it is in violation of zoning.
2	IF A BAY WINDOW IS IN VIOLATION OF ZONING, THIS IT CANNOT BE IN VIOLATION OF ALLOWED IMA	1) Certificate of Zoning Compliance, Article 22B Ordinance 2) Architect drawings: M&L, 04/11, and A&B	According to the attached certified plan, the proposed bay window is not within either the side or rear yard setbacks.

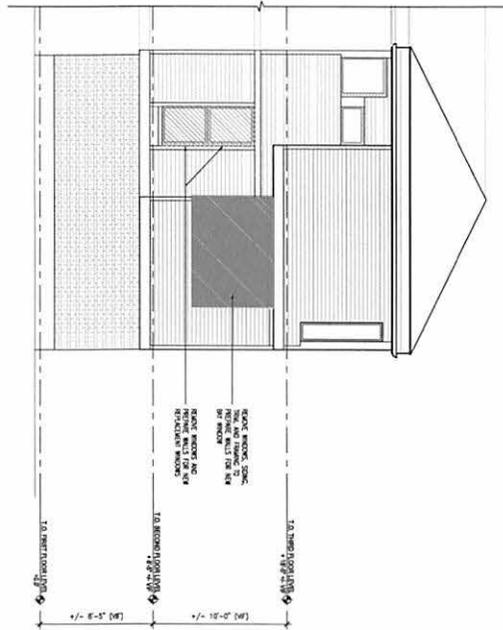
A ZONING NOTES ON BAY WINDOW • KITCHEN 300
 NOT SCALE

WALKER ARCHITECTS
 100 N. STATE ST.
 CAMBRIDGE, MA 02142
 TEL: 617.452.1111
 WWW.WALKERARCHITECTS.COM

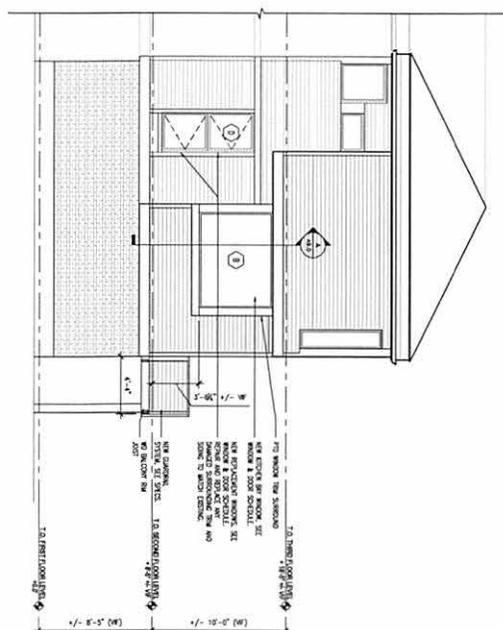
SCALE: AS SHOWN
 DATE: 04/27/18



G3.0
 © Copyright 2018 Sholl Bukhari, Inc.



A DEMOLITION EXTERIOR ELEVATION - EAST
1/4" = 1'-0"



B PROPOSED EXTERIOR ELEVATION - EAST
1/4" = 1'-0"

- GENERAL NOTES - ELEVATIONS**
- 1. HATCHED SHADING TO BE REMOVED
 - 2. HATCHED SHADING TO BE REMOVED
 - 3. HATCHED SHADING TO BE REMOVED
 - 4. HATCHED SHADING TO BE REMOVED
 - 5. HATCHED SHADING TO BE REMOVED
 - 6. HATCHED SHADING TO BE REMOVED
 - 7. HATCHED SHADING TO BE REMOVED
 - 8. HATCHED SHADING TO BE REMOVED
 - 9. HATCHED SHADING TO BE REMOVED
 - 10. HATCHED SHADING TO BE REMOVED
 - 11. HATCHED SHADING TO BE REMOVED
 - 12. HATCHED SHADING TO BE REMOVED
 - 13. HATCHED SHADING TO BE REMOVED
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 - 15. HATCHED SHADING TO BE REMOVED
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 - 18. HATCHED SHADING TO BE REMOVED
 - 19. HATCHED SHADING TO BE REMOVED
 - 20. HATCHED SHADING TO BE REMOVED

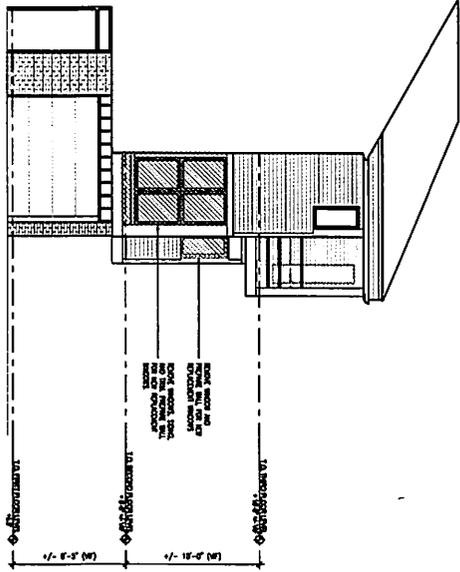
SEE SPECIFICATIONS FOR ADDITIONAL REQUIREMENTS. ALL WORK SHALL BE IN ACCORDANCE WITH THE LATEST EDITIONS OF THE INTERNATIONAL BUILDING CODE (IBC) AND THE INTERNATIONAL RESIDENTIAL CODE (IRC). ALL WORK SHALL BE IN ACCORDANCE WITH THE LATEST EDITIONS OF THE INTERNATIONAL MECHANICAL, ELECTRICAL AND PLUMBING CODE (IMC), THE INTERNATIONAL FIRE AND MARINE CODE (IFMC), AND THE INTERNATIONAL ENERGY CONSERVATION CODE (IECC). ALL WORK SHALL BE IN ACCORDANCE WITH THE LATEST EDITIONS OF THE INTERNATIONAL SWEET'S CATALOG AND THE LATEST EDITIONS OF THE INTERNATIONAL ARCHITECTURAL RECORDING SYMBOLOGY (IARS). ALL WORK SHALL BE IN ACCORDANCE WITH THE LATEST EDITIONS OF THE INTERNATIONAL ARCHITECTURAL RECORDING SYMBOLOGY (IARS). ALL WORK SHALL BE IN ACCORDANCE WITH THE LATEST EDITIONS OF THE INTERNATIONAL ARCHITECTURAL RECORDING SYMBOLOGY (IARS).

SHOLL BUKHARI
13 SURREY STREET
CAMBRIDGE, MA 02138

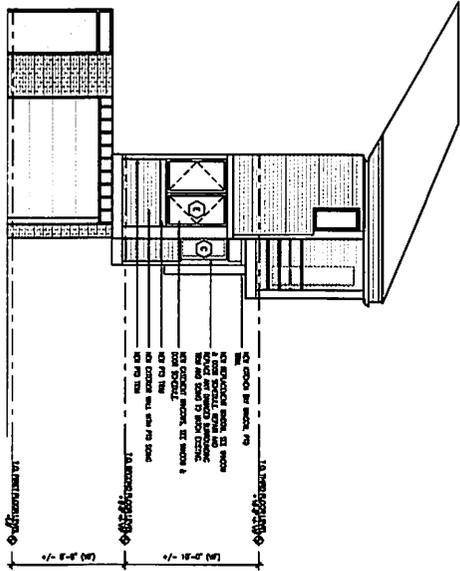
WALKER ARCHITECTS
30 S. BROAD ST.
CAMBRIDGE, MA 02108
WWW.WALKERARCHITECTS.COM

DATE: 02/27/18
SCALE: AS SHOWN
DRAWN BY: [Name]
CHECKED BY: [Name]

A5.1
DEMOLITION & PROPOSED EXTERIOR ELEVATIONS - EAST



A DEMOLITION EXTERIOR ELEVATION - SOUTH
 1/4" = 1'-0"



B PROPOSED EXTERIOR ELEVATION - SOUTH
 1/4" = 1'-0"

GENERAL NOTES - ELEVATIONS

1. EXISTING MATERIALS TO BE DEMOLISHED ARE SHOWN WITH DASHED LINES.

2. NEW MATERIALS TO BE INSTALLED ARE SHOWN WITH SOLID LINES.

3. DIMENSIONS ARE TO FACE UNLESS NOTED OTHERWISE.

4. FINISHES ARE TO BE INDICATED BY HATCHING OR NOTATION.

5. SEE GENERAL NOTES TO DRAWING FOR MATERIALS AND FINISHES.

6. ALL WORK SHALL BE IN ACCORDANCE WITH THE LATEST EDITIONS OF THE BUILDING CODES AND ALL APPLICABLE REGULATIONS.

7. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE LOCAL AUTHORITIES.

8. THE CONTRACTOR SHALL BE RESPONSIBLE FOR PROTECTING ALL ADJACENT STRUCTURES AND UTILITIES.

9. THE CONTRACTOR SHALL BE RESPONSIBLE FOR MAINTAINING ACCESS TO ALL ADJACENT PROPERTIES.

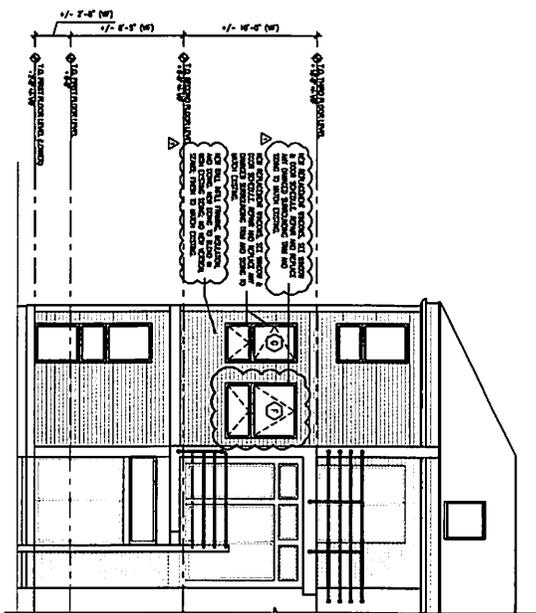
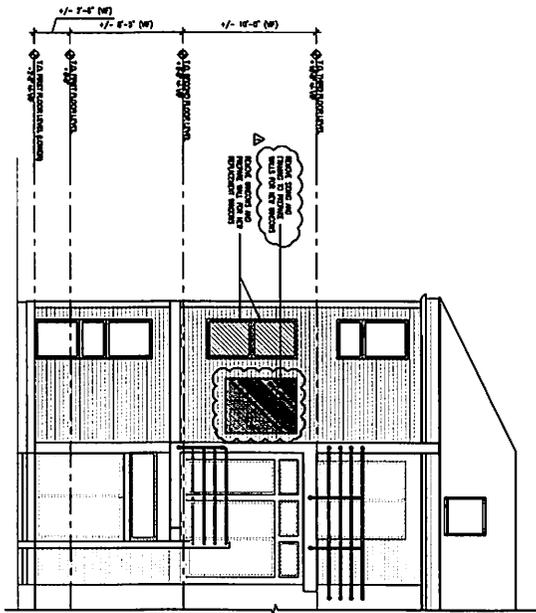
10. THE CONTRACTOR SHALL BE RESPONSIBLE FOR DISPOSING OF ALL DEMOLITION DEBRIS IN ACCORDANCE WITH LOCAL REGULATIONS.



DEMOLITION &
 PROPOSED EXTERIOR
 ELEVATIONS - SOUTH

DATE: 07/27/18
 DRAWN BY: [Name]
 CHECKED BY: [Name]
 SCALE: AS SHOWN

WALKER ARCHITECTS
 100 STATE STREET
 CAMBRIDGE, MA 02142
 TEL: 617.452.1234
 FAX: 617.452.1235
 WWW.WALKERARCHITECTS.COM



A DEMOLITION EXTERIOR ELEVATION - WEST
1/8" = 1'-0"

B PROPOSED EXTERIOR ELEVATION - WEST
1/8" = 1'-0"

GENERAL NOTES - ELEVATIONS

- 1. ALL EXISTING MATERIALS TO BE DEMOLISHED AND REMOVED FROM THE SITE.
- 2. ALL NEW MATERIALS TO BE INSTALLED AS SHOWN.
- 3. ALL WORK TO BE ACCORDING TO THE LATEST EDITIONS OF THE BUILDING CODES AND SPECIFICATIONS.
- 4. ALL WORK TO BE ACCORDING TO THE LATEST EDITIONS OF THE MANUFACTURER'S INSTRUCTIONS.
- 5. ALL WORK TO BE ACCORDING TO THE LATEST EDITIONS OF THE NATIONAL ELECTRICAL CODE.
- 6. ALL WORK TO BE ACCORDING TO THE LATEST EDITIONS OF THE NATIONAL MECHANICAL CODE.
- 7. ALL WORK TO BE ACCORDING TO THE LATEST EDITIONS OF THE NATIONAL PLUMBING CODE.
- 8. ALL WORK TO BE ACCORDING TO THE LATEST EDITIONS OF THE NATIONAL FIRE PROTECTION ASSOCIATION (NFPA) CODES.
- 9. ALL WORK TO BE ACCORDING TO THE LATEST EDITIONS OF THE NATIONAL CONSTRUCTION EDUCATION FOUNDATION (NCEM) CODES.
- 10. ALL WORK TO BE ACCORDING TO THE LATEST EDITIONS OF THE NATIONAL ASSOCIATION OF ARCHITECTS (NAAB) CODES.
- 11. ALL WORK TO BE ACCORDING TO THE LATEST EDITIONS OF THE NATIONAL ASSOCIATION OF PROFESSIONAL ENGINEERS (NAPE) CODES.
- 12. ALL WORK TO BE ACCORDING TO THE LATEST EDITIONS OF THE NATIONAL ASSOCIATION OF PROFESSIONAL DESIGNERS (NAPD) CODES.
- 13. ALL WORK TO BE ACCORDING TO THE LATEST EDITIONS OF THE NATIONAL ASSOCIATION OF PROFESSIONAL MANAGERS (NAPM) CODES.
- 14. ALL WORK TO BE ACCORDING TO THE LATEST EDITIONS OF THE NATIONAL ASSOCIATION OF PROFESSIONAL WRITERS (NAPW) CODES.
- 15. ALL WORK TO BE ACCORDING TO THE LATEST EDITIONS OF THE NATIONAL ASSOCIATION OF PROFESSIONAL SPEAKERS (NAPS) CODES.
- 16. ALL WORK TO BE ACCORDING TO THE LATEST EDITIONS OF THE NATIONAL ASSOCIATION OF PROFESSIONAL ACTORS (NAPA) CODES.
- 17. ALL WORK TO BE ACCORDING TO THE LATEST EDITIONS OF THE NATIONAL ASSOCIATION OF PROFESSIONAL DANCERS (NAPD) CODES.
- 18. ALL WORK TO BE ACCORDING TO THE LATEST EDITIONS OF THE NATIONAL ASSOCIATION OF PROFESSIONAL MUSICIANS (NAPM) CODES.
- 19. ALL WORK TO BE ACCORDING TO THE LATEST EDITIONS OF THE NATIONAL ASSOCIATION OF PROFESSIONAL ATHLETES (NAPA) CODES.
- 20. ALL WORK TO BE ACCORDING TO THE LATEST EDITIONS OF THE NATIONAL ASSOCIATION OF PROFESSIONAL ARTISTS (NAPA) CODES.

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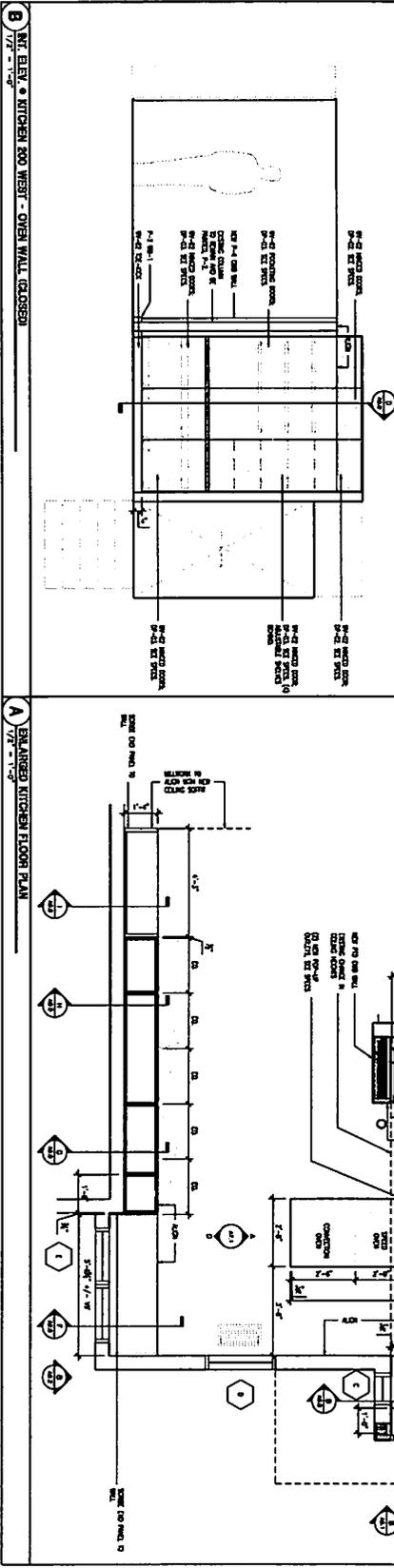
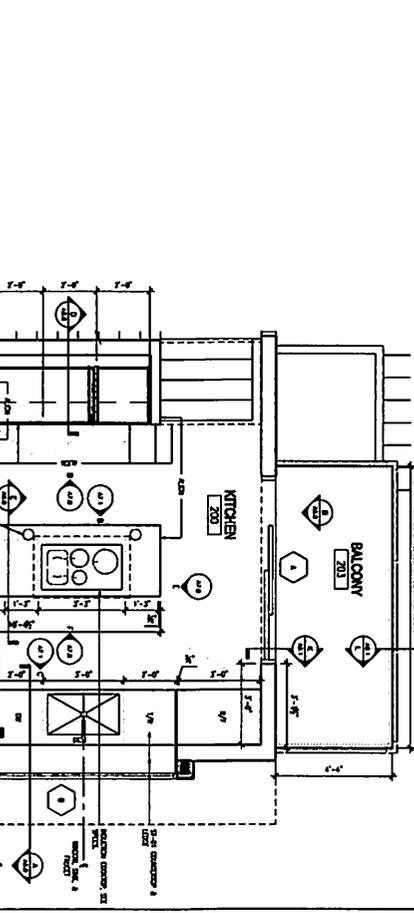
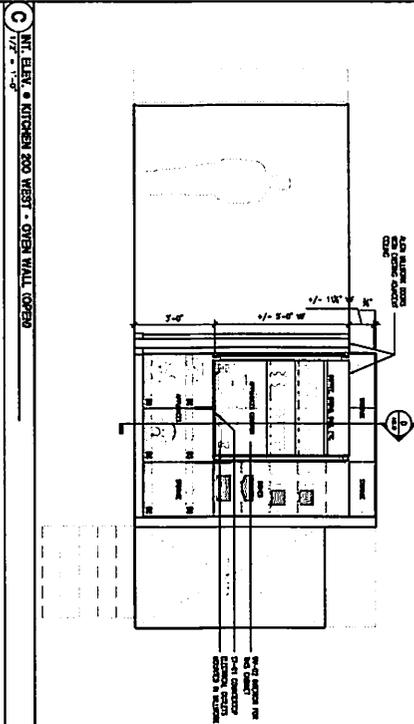
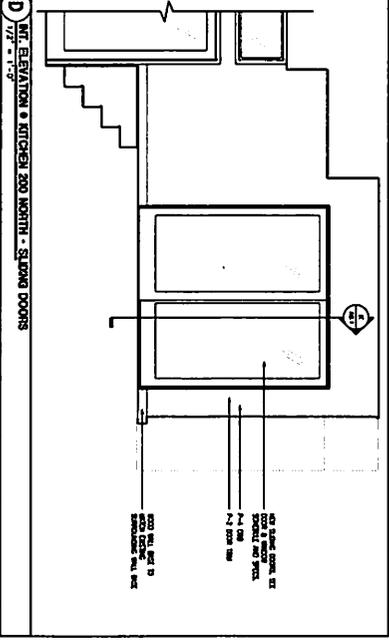
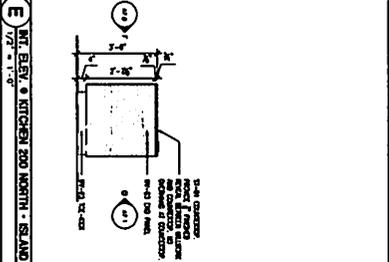
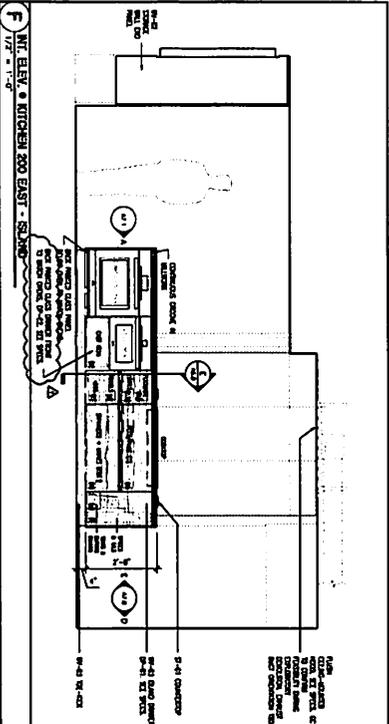
WALKER ARCHITECTS
300 N. STATE ST.
CAMBRIDGE, MA 02142
TEL: 617.452.1234
FAX: 617.452.1235
WWW.WALKERARCHITECTS.COM

SCALE: AS SHOWN
DATE: 07/27/18
PROJECT: 18-001

DEMOITION & PROPOSED EXTERIOR ELEVATIONS - WEST

A5.3

SHOLL BUKHARI
13 SURREY STREET
CAMBRIDGE, MA 02138



SHOLL BUKHARI
13 SURREY STREET
CAMBRIDGE, MA 02138

WALKER ARCHITECTS
ARCHITECTS
100 STATE STREET
CAMBRIDGE, MA 02142
TEL: 617.452.1234
WWW.WALKERARCHITECTS.COM

**KITCHEN/ENLARGED
PLAN • INTERIOR
ELEVATIONS**

A7.0

13 Surrey St



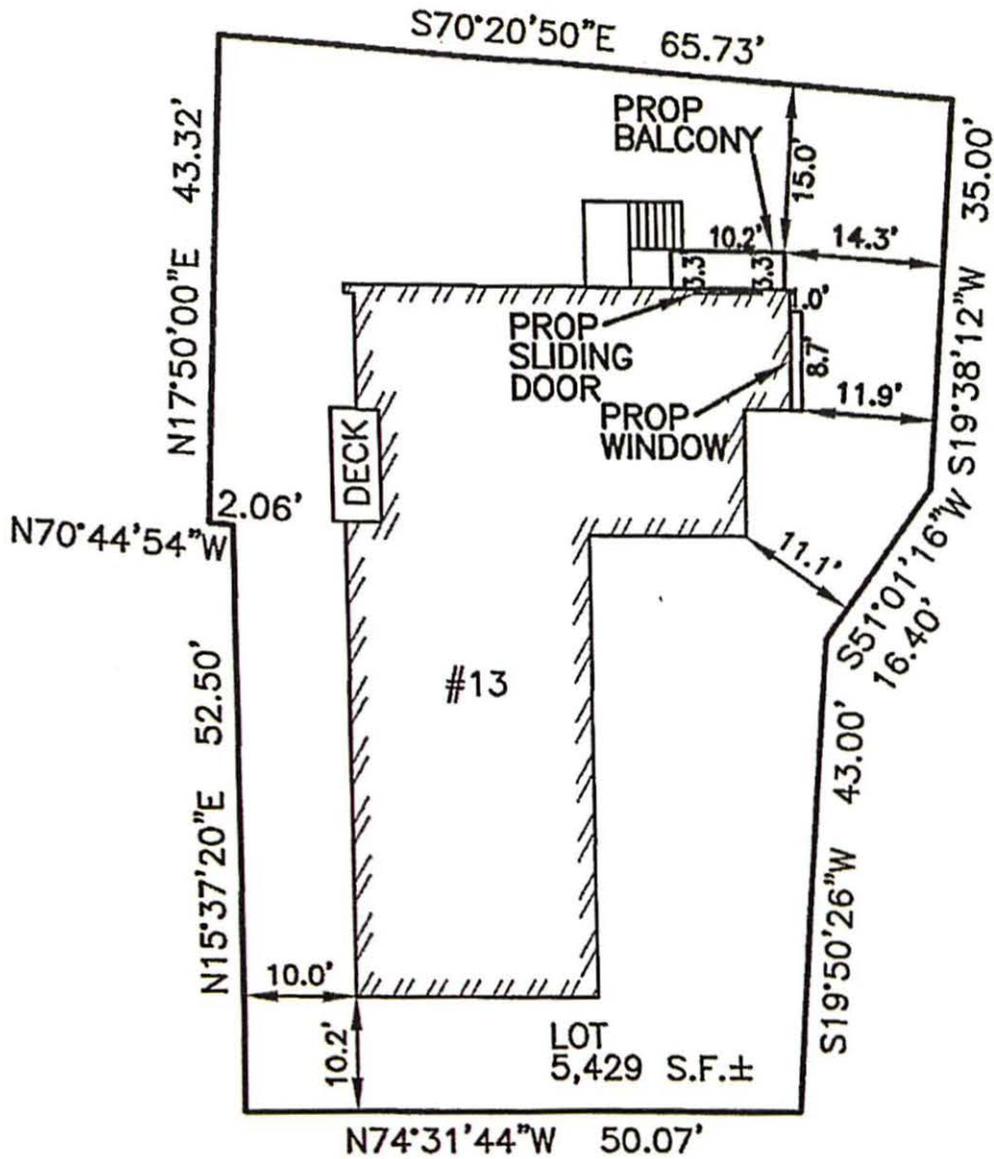












SURREY STREET

ESTABLISHED 1916

EMB

EVERETT M. BROOKS CO.
SURVEYORS & ENGINEERS

49 LEXINGTON STREET
WEST NEWTON, MA 02465

(617) 527-8750

info@everettbrooks.com



PLAN OF LAND IN
CAMBRIDGE, MA

13 SURREY STREET
PROPOSED ADDITION

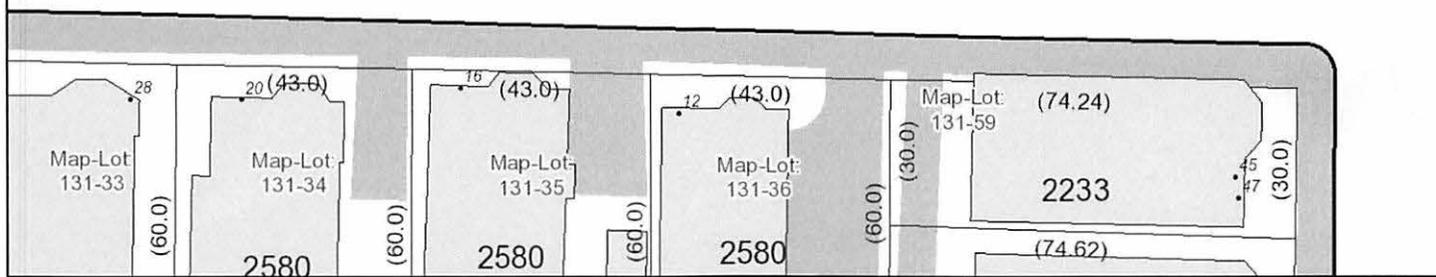
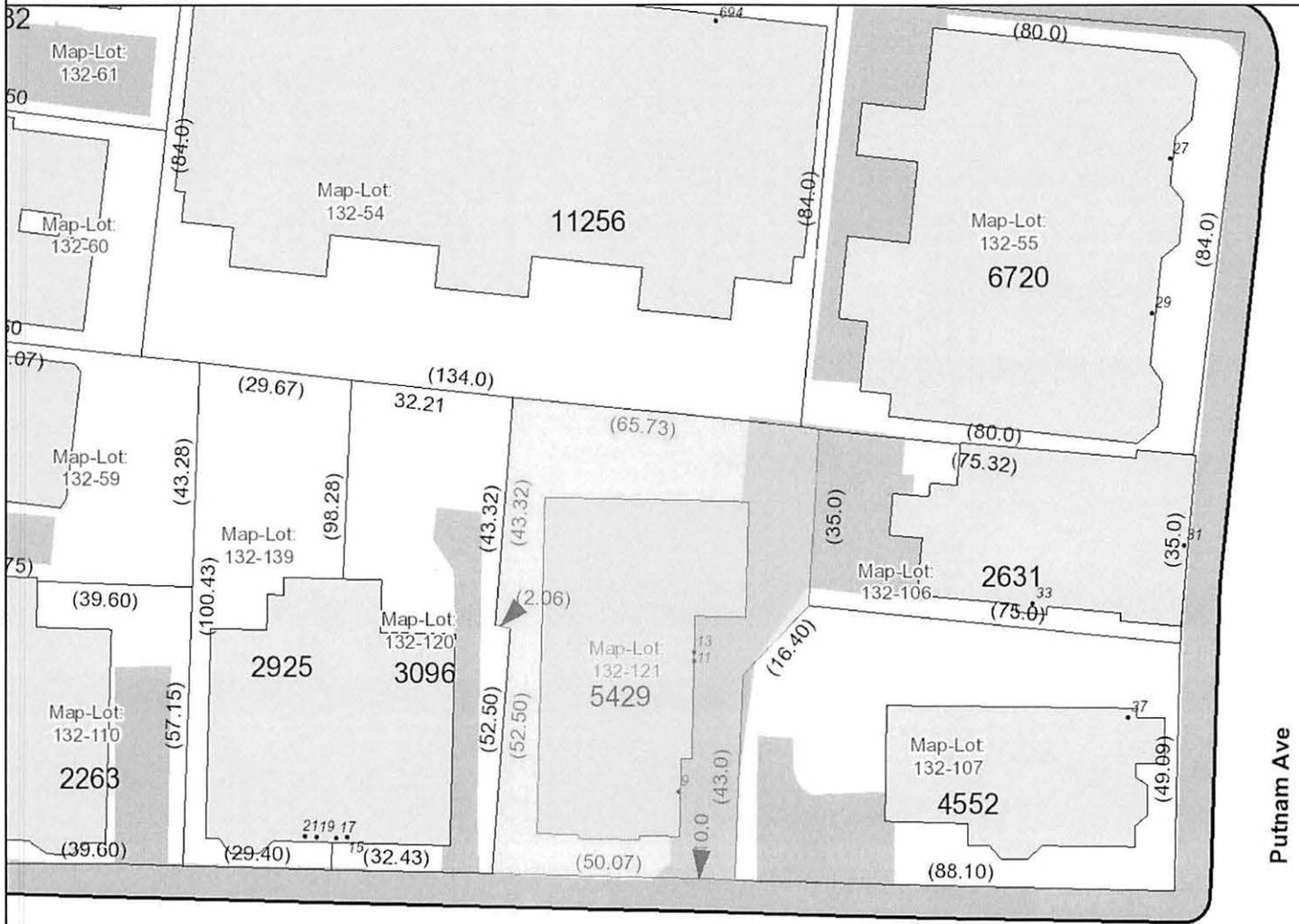
SCALE: 1 IN. = 20 FT.

DATE: APRIL 22, 2019

DRAWN: GAR

CHECK: BB

PROJECT NO. 25808



City of Cambridge
Massachusetts

1" = 35 ft

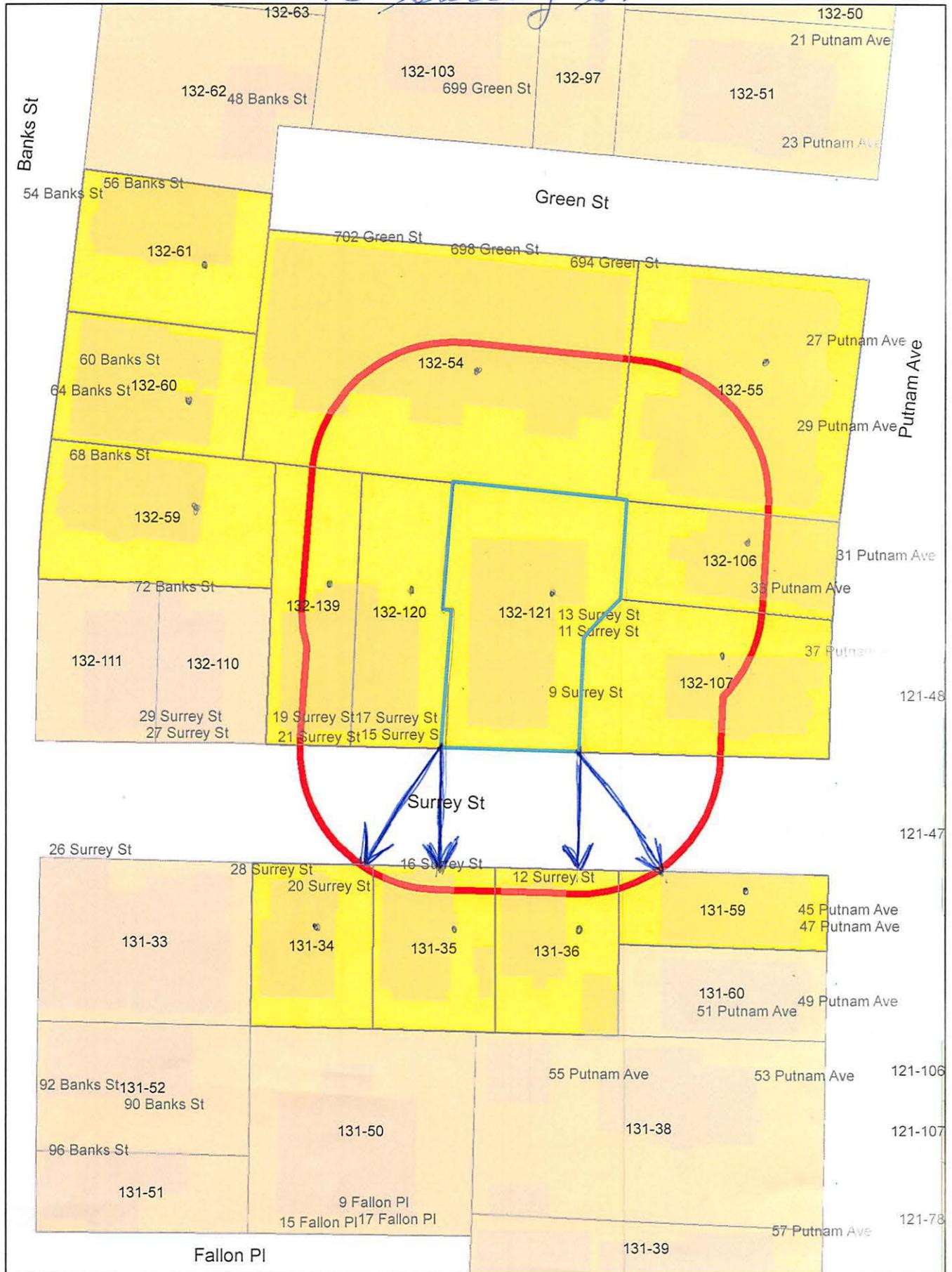
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www.cambridgema.gov/gis

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



13 Surrey St.



13 Surrey St.

Petitioner

131-34
HSU, SUE-SONG & SHIH-CHEN HSU,
TRS THE SUE-SONG HSU REV TRUST
141 CHERRY BROOK RD
WESTON, MA 02493

131-35
DOWNER, LESLIE DUNTON
TR. OF THE LESLIE DUNTON DOWNER
16 SURREY ST
CAMBRIDGE, MA 02138

TRIOLOGY LAW
C/O SARAH LIKE RHATIGAN, ESQ.
12 MARSHALL ST.
BOSTON, MA 02108

131-59
CUI, JIAJUN
3 DORIS RD
ACTON, MA 01720

132-54
TOULOPOULOS, JOHN V. AND
PAULINE TOULOPOULOS,
TRS. OF TOULOPOULAS REALTY TR.
931 MASS. AVE.
ARLINGTON, MA 02474

132-55
ENVIRON REALTY CORP
P.O. BOX 47
LEXINGTON, MA 02420

132-59
HAWKINSON, JACQUELYN A.,
TR. THE PARADIS-ALMER INVESTMENT TRS
91 GRANT ST
LEXINGTON, MA 02420

132-60
DIERCKS, GILLIAN R.,
TRUSTEE CHARLES NOMINEE REALTY TRUST
64 BANKS ST
CAMBRIDGE, MA 02138

132-61
LUBAVITCH OF CAMBRIDGE, INC.
54-56 BANKS ST
CAMBRIDGE, MA 02138

132-106
31 PUTNAM LLC
111 INMAN ST., UNIT #C
CAMBRIDGE, MA 02139

132-107
DRAPKIN, LISA J
37 PUTNAM AVE
CAMBRIDGE, MA 02139

132-120
DIERKER, CARL F.
15 SURREY ST.
CAMBRIDGE, MA 02138

132-121
WALKER, DAVID I. & LAUREN M. BARAKAUSKAS
9 SURREY ST. UNIT #1
CAMBRIDGE, MA 02138

132-121
RESNICK, MITCHEL
9 SURREY ST., UNIT #2
CAMBRIDGE, MA 02138

132-121
BUKHARI, SAMIR A. & LYNETTE M. SHOLL
9-13 SURREY ST., #3
CAMBRIDGE, MA 02138

132-139
PAGER, DEVAH & MICHAEL T. SHOHL
21 SURREY ST
CAMBRIDGE, MA 02138

131-36
SABATINI, DAVID M.
12 SURREY ST
CAMBRIDGE, MA 02138