



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

BZA APPLICATION FORM

Plan No: BZA-017266-2020

GENERAL INFORMATION

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

Special Permit : ✓ Variance : ✓ Appeal :

PETITIONER : Mickey Correll and Monique Brouillette - C/O James J. Rafferty, Esq.

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

LOCATION OF PROPERTY : 4-6 Kinnaird St Cambridge, MA

TYPE OF OCCUPANCY : ZONING DISTRICT : Business A-3/Residence
C-1 Zone

REASON FOR PETITION :

Additions

DESCRIPTION OF PETITIONER'S PROPOSAL :

Petitioners seek to construct three story addition at southeast corner of main house
volume and
to construct windows on non-conforming walls.

SECTIONS OF ZONING ORDINANCE CITED :

Article 5.000	Section 5.31 & 5.33 (Table of Dimensional Requirements).
Article 8.000	Section 8.22.3 (Non-Conforming Structure).
Article 8.000	Section 8.22.2.C (Non-Conforming Structure).
Article 10.000	Section 10.30 (Variance).
Article 10.000	Section 10.40 (Special Permit).

Original Signature(s) :


(Petitioner(s) / Owner)

James J. Rafferty

(Print Name)

Address : 907 Massachusetts Avenue, Suite 300
Cambridge, MA 02139

Tel. No. : (617) 492-4100

E-Mail Address : jrafferty@adamsrafferty.com

Date : February 24, 2020

OWNERSHIP INFORMATION FOR BOARD OF ZONING APPEAL RECORD

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

Mickey Correll and Monique Brouillette
(Owner or Petitioner)

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

Location of Premises: 4-6 Kinnaird Street

the record title standing in the name of Mickey Correll and Monique Brouillette

whose address is 4-6 Kinnaird Street, Cambridge MA 02139
(Street) (City or Town) (State & Zip Code)

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

Book 48995 Page 33 or _____ Registry

District of Land Court Certificate No. _____ Book _____ Page _____

Mickey Correll and Monique Brouillette
(Owner)

=====

On this 13th day of February, 2020, before me, the undersigned notary public, personally appeared Mickey Correll and Monique Brouillette, proved to me through satisfactory evidence of identification, which were MA Drivers License and MA Drivers License, 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.



Reggie Desir
Notary Public

My commission expires: 11/22/2024

It is requested by the Board of Directors that the Board of Directors be informed of the following:

1. The Board of Directors has received a letter from the Board of Directors dated 10/10/10.

2. The Board of Directors has received a letter from the Board of Directors dated 10/10/10.

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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 Ordinance would prevent the petitioners from constructing the modest proposed addition.

- 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 related to the shape and size of hte lot and location of the existing structure on the lot.

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

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

The proposed addition represents an increase of only 233 square feet and will allow for a floor plan that will better accomodate a family.

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

The adjacent residential uses will not be adversely affected by this addition since it will not hchange the character, nature or purpose of this two family dwelling.

- * 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 4-6 Kinnaird St Cambridge, MA
(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:
- Article 8.22.2(c) permits the creation of windows on non-conforming walls when, as in this case, there are no further violations of the dimensional requirements of Article 5.000.
- 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:
- There will not be any change in traffic patterns as a result of adding windows.
- 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:
- Adjacent uses will not be affected since the use of the property as a two family dwelling will not be changed.
- 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:
- Adding windows will benefit the health, safety, and welfare of the occupants of this dwelling.
- 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:
- The proposed windows will not change the use of the property and are consistent with the residential uses in the district.

BZA APPLICATION FORM**DIMENSIONAL INFORMATION**

APPLICANT: James Rafferty, Esq. **PRESENT USE/OCCUPANCY:** Two Family
LOCATION: 4-6 Kinnaird St Cambridge, MA **ZONE:** Business A-3/Residence C-1
PHONE: _____ **REQUESTED USE/OCCUPANCY:** Two Family

		<u>EXISTING CONDITIONS</u>	<u>REQUESTED CONDITIONS</u>	<u>ORDINANCE REQUIREMENTS</u> ¹	
<u>TOTAL GROSS FLOOR AREA:</u>		2,416 sf	2,659 sf	1,880 sf	(max.)
<u>LOT AREA:</u>		2,506 sf	no change	5,000 sf	(min.)
<u>RATIO OF GROSS FLOOR AREA TO LOT AREA:</u> ²		.96	1.06	.75	(max.)
<u>LOT AREA FOR EACH DWELLING UNIT:</u>		1,253 sf	no change	1,500 sf	(min.)
<u>SIZE OF LOT:</u>	WIDTH	59'	no change	50'	(min.)
	DEPTH	N/A	N/A	N/A	
<u>SETBACKS IN FEET:</u>	FRONT	8'9"	no change	10'	(min.)
	REAR	7.5'	no change	20'	(min.)
	LEFT SIDE	1'	no change	7'6"	(min.)
	RIGHT SIDE	1'	no change	7'6"	(min.)
<u>SIZE OF BLDG.:</u>	HEIGHT	32'4"	32'10"	35'	(max.)
	LENGTH	N/A	no change	N/A	
	WIDTH	N/A	no change	N/A	
<u>RATIO OF USABLE OPEN SPACE TO LOT AREA:</u>		+/-15%	+/-15%	30%	(min.)
<u>NO. OF DWELLING UNITS:</u>		2	no change	1	(max.)
<u>NO. OF PARKING SPACES:</u>		0	no change	2	(min./max)
<u>NO. OF LOADING AREAS:</u>		N/A	N/A	N/A	(min.)
<u>DISTANCE TO NEAREST BLDG. ON SAME LOT:</u>		N/A	N/A	N/A	(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.

- SEE CAMBRIDGE ZONING ORDINANCE ARTICLE 5.000, SECTION 5.30 (DISTRICT OF DIMENSIONAL REGULATIONS).
- TOTAL GROSS FLOOR AREA (INCLUDING BASEMENT 7'-0" IN HEIGHT AND ATTIC AREAS GREATER THAN 5') DIVIDED BY LOT AREA.
- OPEN SPACE SHALL NOT INCLUDE PARKING AREAS, WALKWAYS OR DRIVEWAYS AND SHALL HAVE A MINIMUM DIMENSION OF 15'.



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2020 FEB 26 PM 2:40
OFFICE OF THE CITY CLERK
CAMBRIDGE, MASSACHUSETTS

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James J. Rafferty

(Print Name)

Address : 907 Massachusetts Avenue, Suite 300
Cambridge, MA 02139

Tel. No. : (617) 492-4100

E-Mail Address : jrafferty@adamsrafferty.com

Date : February 24, 2020

4 Kinnaird Street Photographs



West Elevation from Kinnaird Street



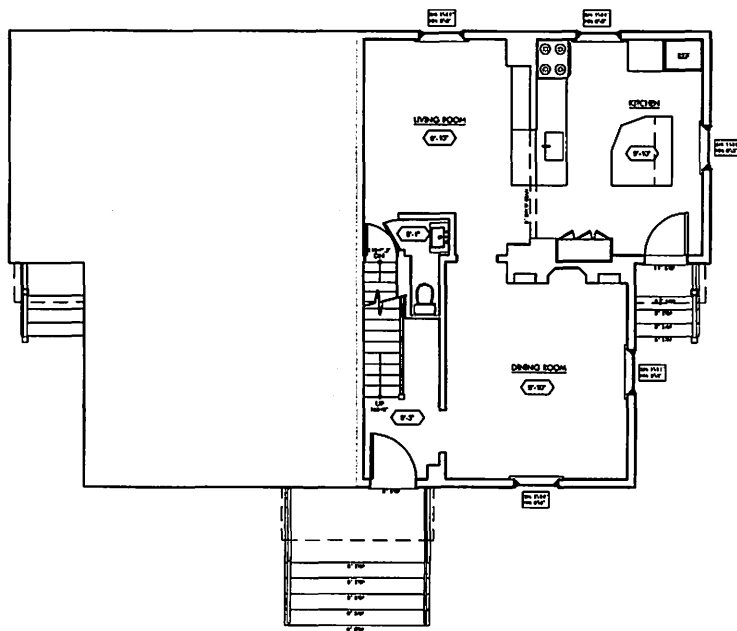
East Elevation from Kinnaid Street



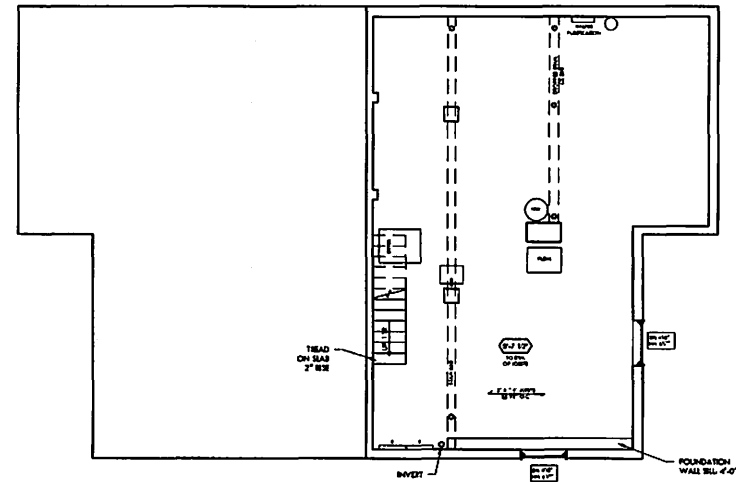
Southwest Elevation from Kinnaid Street



East Elevation

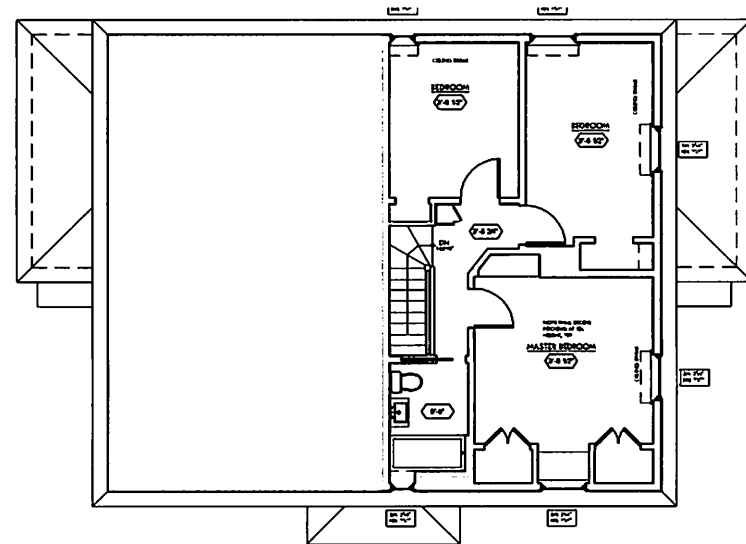
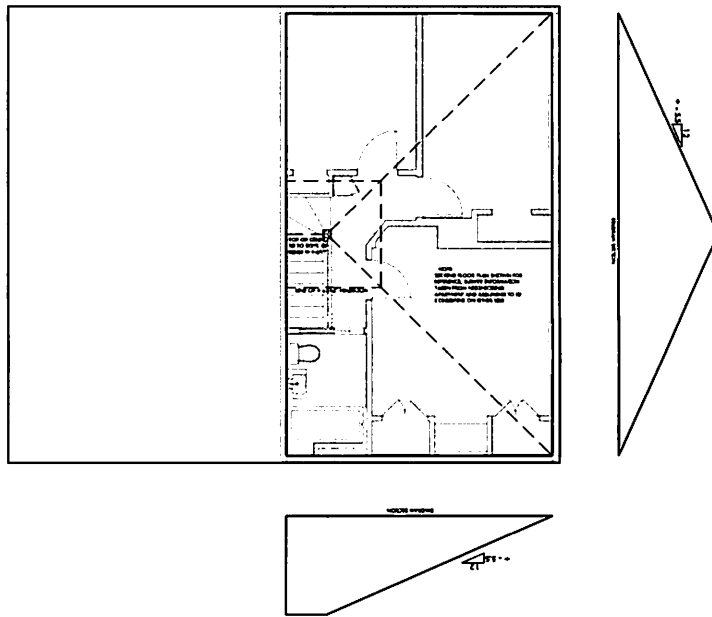


○ **EXISTING FIRST FLOOR PLAN**
1/8" = 1'-0"



○ **EXISTING BASEMENT PLAN**
1/8" = 1'-0"



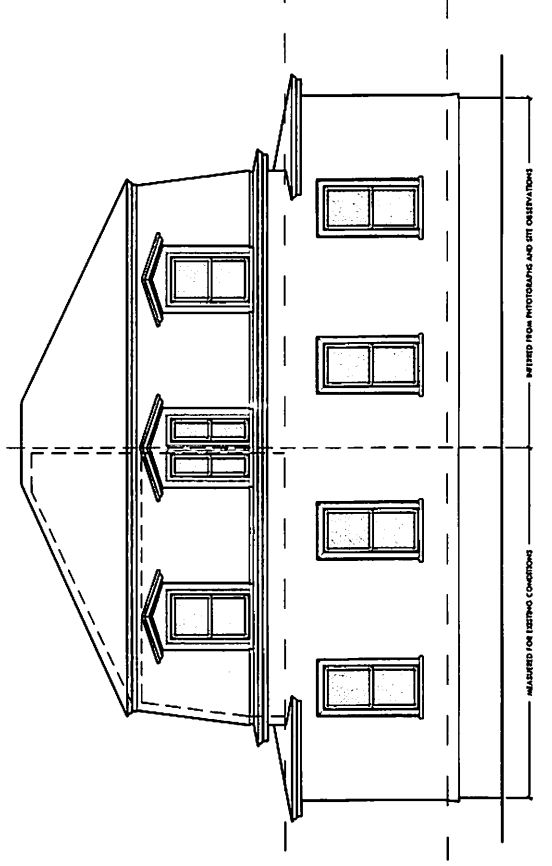




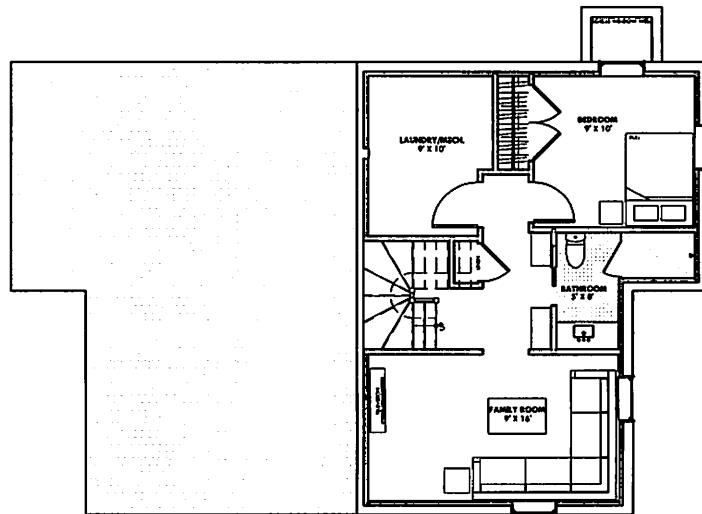
○ **EXISTING SOUTH ELEVATION**
1/8" = 1'-0"



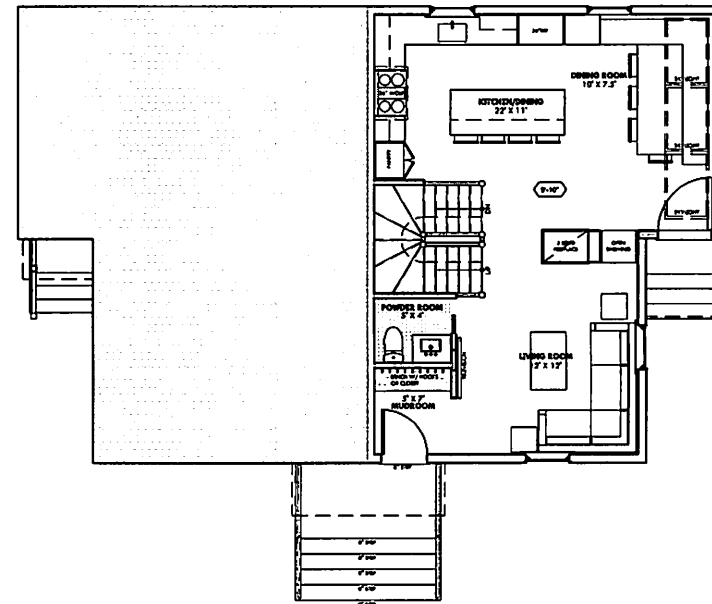
○ **EXISTING WEST ELEVATION**
1/8" = 1'-0"



EXISTING EAST ELEVATION
1/8" = 1'-0"

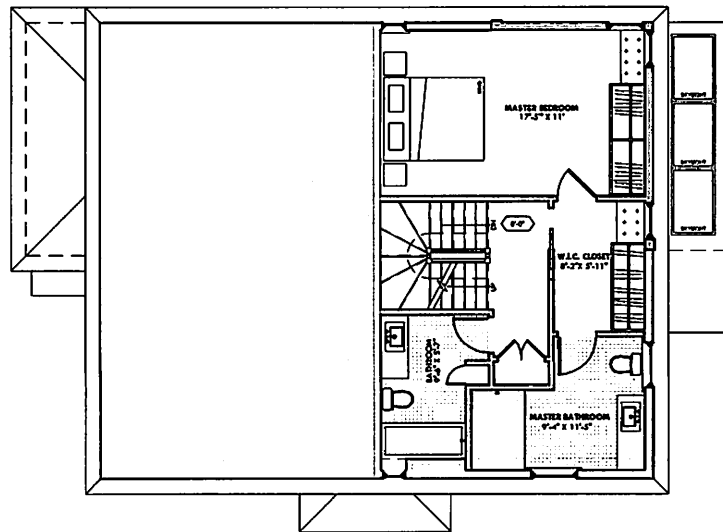


○ **PROPOSED BASEMENT PLAN**
1/8" = 1'-0"

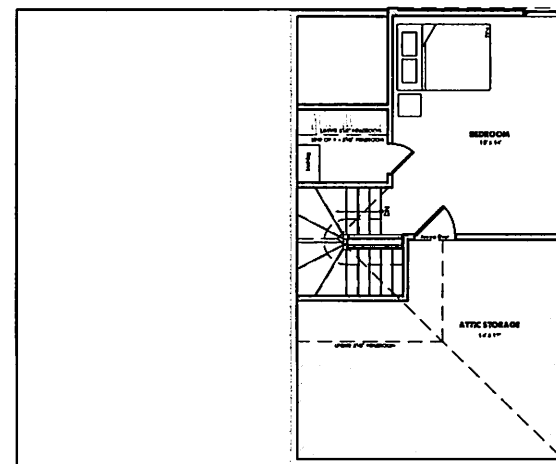


○ **PROPOSED FIRST FLOOR PLAN**
1/8" = 1'-0"





○ **PROPOSED SECOND FLOOR PLAN**
1/8" = 1'-0"



○ **PROPOSED THIRD FLOOR PLAN**
1/8" = 1'-0"

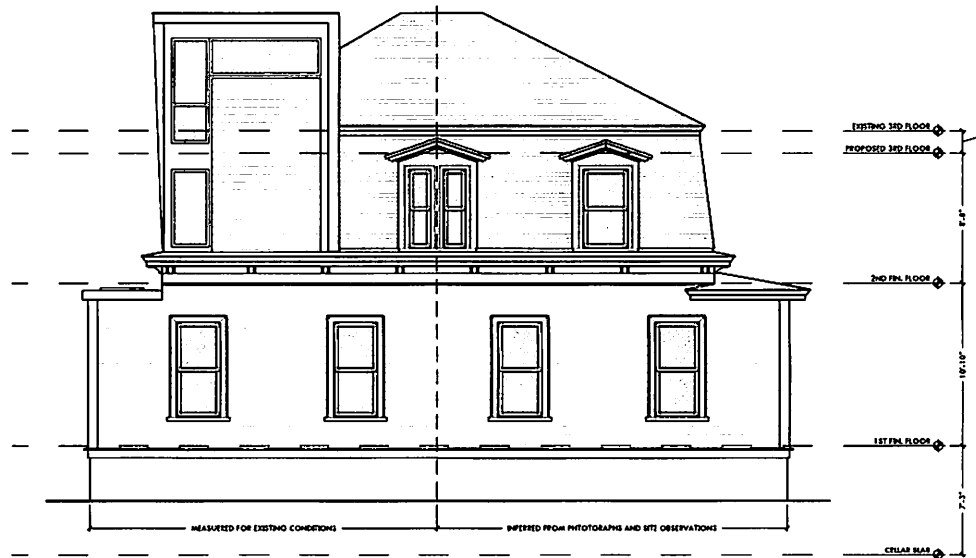




○ **PROPOSED WEST ELEVATION**
1/8" = 1'-0"

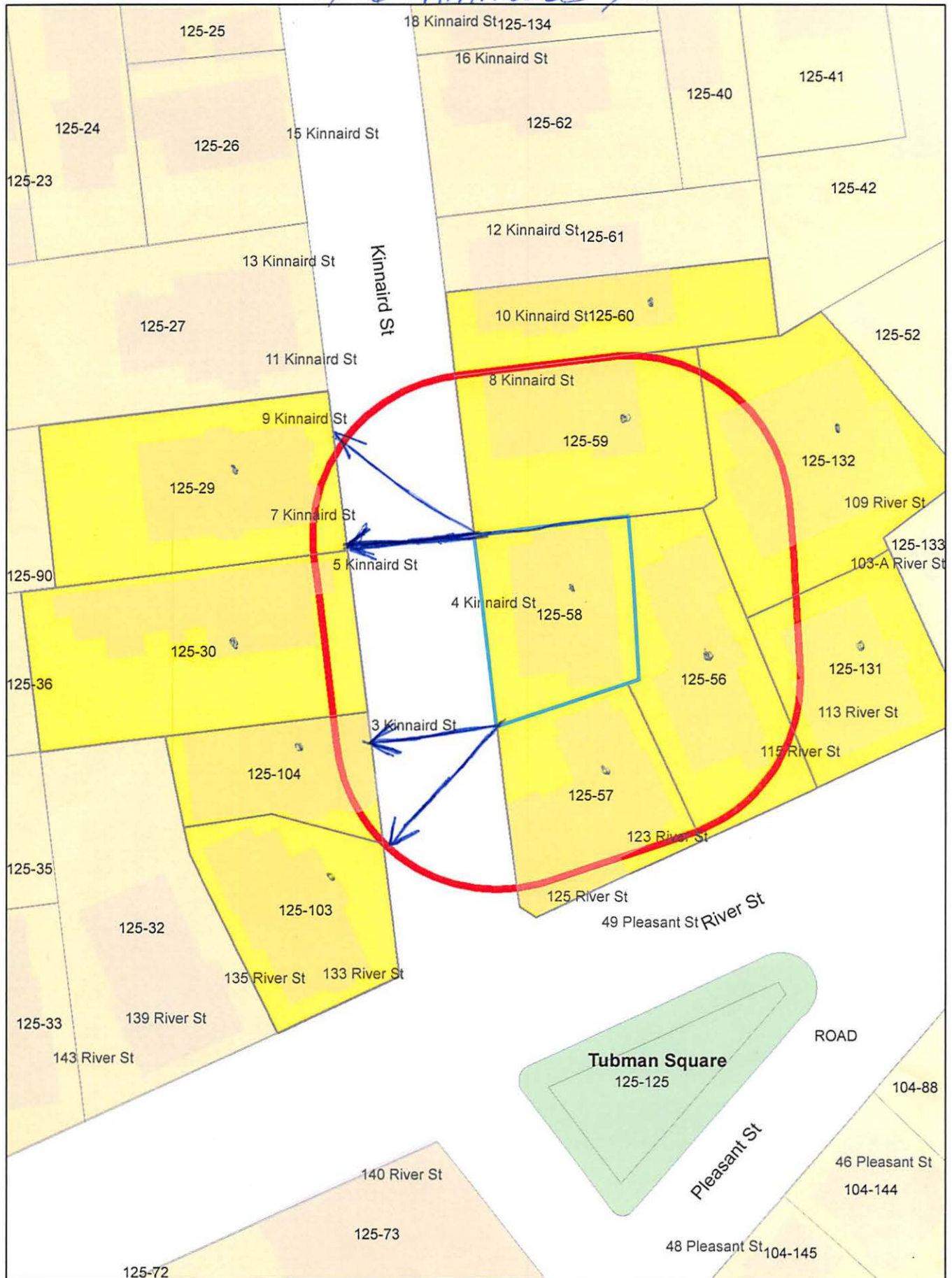


○ **PROPOSED SOUTH ELEVATION**
1/8" = 1'-0"




PROPOSED EAST ELEVATION
 $\frac{1}{8"} = 1'-0"$

4-6 Kinnaird St.



4-6 Kinnaird St.

Petitioner

125-56
RYBO, JENS & THERESA A. THOMPSON
115 RIVER ST
CAMBRIDGE, MA 02139

125-57
DOBELIS, ARTHUR N. &
CITY OF CAMBRIDGE TAX TITLE
263 HICKS ST#4
BROOKLYN, NY 11201

JAMES J. RAFFERTY, ESQ.
907 MASS AVENUE – SUITE 300
CAMBRIDGE, MA 02139

125-60
GREENWOOD, CAROL A. & RICHARD PROBERT
10 KINNAIRD ST
CAMBRIDGE, MA 02139

125-30
THOMPSON, MELANIE A.
360 LOWELL STREET
LEXINGTON, MA 02173

125-58
CORRELL, MICKEY & MONIQUE BROUILLETTE
4-6 KINNAIRD STREET. UNIT#4
CAMBRIDGE, MA 02139

125-131
GOSSELLS, BENJAMIN
113 RIVER ST., #1
CAMBRIDGE, MA 02139

125-132
LAX, MARK E. & JESSELYNN OPIE
109 RIVER ST., UNIT #1A
CAMBRIDGE, MA 02139

125-132
TERRY, MICHAEL
109 RIVER ST., #3B
CAMBRIDGE, MA 02139

125-131
OZARGUN, EVREN
113 RIVER ST., UNIT #3
CAMBRIDGE, MA 02139

125-132
GATES, HENRY W. & JACQUELINE LINARD GATES
109 RIVER STREET, UNIT 1B
CAMBRIDGE, MA 02139

125-132
LAN, HAOYAN & YU TANG
109 RIVER ST., #3A
CAMBRIDGE, MA 02139

125-29
CRUMP, ALLISON M.
TRUSTEE OF 7-9 KINNAIRD STREET NOMINEE TR.
9 KINNAIRD ST #1
CAMBRIDGE, MA 02139-3152

125-58
GAKENHEIMER KATHERINE
6 KINNAIRD ST UNIT #6
CAMBRIDGE, MA 02139-3128

125-104
MADAN, TONY
TRUSTEE OF KRISHNA TRUST
60 HIGHLAND RD
SOMERVILLE, MA 02144

125-131
ALMEIDA, AMY M.
113 RIVER ST., UNIT #2
CAMBRIDGE, MA 02139

125-132
VITALE, SALVATORE
109 RIVER ST., #2B
CAMBRIDGE, MA 02139

125-132
CHANG, CHARLES BOND
109 RIVER ST #2A
CAMBRIDGE, MA 02139

125-103
REGALADO, ANTONIO E.
STEPHANIE A. RUDLOE
133 RIVER ST 1
CAMBRIDGE, MA 02139

125-103
YANG, FRANKLIN BIQI ZHANG
133 RIVER ST UNIT 3
CAMBRIDGE, MA 02139

125-103
CIBOROWSKI, MATTHEW & STACEY YESENOSKY
133 RIVER ST UNIT #2
CAMBRIDGE, MA 02139

125-59
PERLIS, ROY H. & DEBBIE D. GORDON
8 KINNAIRD ST.
CAMBRIDGE, MA 02138

CITY OF CAMBRIDGE

Massachusetts
BOARD OF ZONING APPEAL
831 Mass Avenue, Cambridge, MA.
617) 349-6100

April 15, 2020

James J. Rafferty, Esq.
907 Mass Avenue – Suite 300
Cambridge, MA 02139

RE: 4-6 Kinnaird Street – BZA-017266-2020

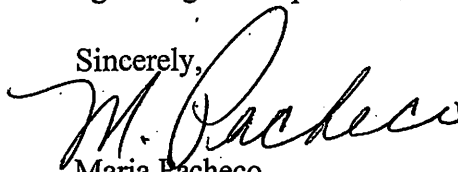
Dear Mr. Rafferty,

I am writing to you in regard to your above up-coming Board of Zoning Appeal Hearing.

At this time the City will not be holding any non-essential public meetings due to the COVID-19 Pandemic and the City Manager's closure of all City buildings to non-essential business. On April 3, 2020, the Governor signed into law Chapter 53 of the Acts of 2020 ("Act"), which extends all land use permitting deadlines until after the State of Emergency is lifted. In light of the extensions provided for in the Act and the closure of City buildings, at this time the Board of Zoning Appeal will be rescheduling all public hearings in accordance with the extensions permitted under the Act. You will receive notice of the new date, once the hearing is rescheduled.

Thank you for your patience and understanding during this unprecedented time.

Sincerely,

A handwritten signature in black ink, appearing to read "M. Pacheco", written over the typed name.

Maria Pacheco
Administrative Assistant