

CITY OF CAMBRIDGE MASSACHUSETTS BOARD OF ZONING APPEAL 831 MASSACHUSETTS AVENUE CAMBRIDGE, MA 02139

617 349-6100 **BZA APPLICATION FORM** Plan No: **GENERAL INFORMATION** The undersigned hereby petitions the Board of Zoning Appeal for the following: Special Permit: Variance: Appeal: **PETITIONER:** Kevin Borden - C/O James J. Rafferty, Esq. PETITIONER'S ADDRESS: 907 Massachusetts Avenue Cambridge, MA 02139 LOCATION OF PROPERTY: 133 Appleton St Cambridge, MA TYPE OF OCCUPANCY: **ZONING DISTRICT:** Residence B Zone **REASON FOR PETITION:** Additions **DESCRIPTION OF PETITIONER'S PROPOSAL:** Variance: Petitioner seeks to enclose and expand existing rear porches and construct first and second floor additions at the rear corners of the building. Petitioner also seeks to square off existing bay window on the right side of the building, raise roof, and construct covered side entry porch and uncovered rear porch. Special Permit: Petitioner also seeks to install, relocate, and enlarge openings on nonconforming walls. SECTIONS OF ZONING ORDINANCE CITED: Article 5.000 Section 5.31 (Table of Dimensional Requirements). Article 8.000 Section 8.22.2.C (Openings on Nonconforming Walls). Section 10.30 (Variance). Article 10.000 Section 10.40 (Special Permit). Article 10.000 Original Signature(s): (Petitioner(s) NOwner) James J. Rafferty, Esq. (Print Name) 907 Massachusetts Avenue, Suite 300 Address: Cambridge, MA 02139 (617) 492-4100 Tel. No.: jrafferty@adamsrafferty.com E-Mail Address: October 7, 2019 Date:

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 Kevin Borden and Ciara Glennullen |
|---|
| Address: 133 Appleton St. Cambridge MA 02138 |
| State that I/We own the property located at 133 Appleton Street, which is the subject of this zoning application. |
| The record title of this property is in the name of <u>Kevin R. Borden</u> and Ciara Glenmullen |
| *Pursuant to a deed of duly recorded in the date $1/18/17$, Middlesex South County Registry of Deeds at Book 68777 , Page 483 ; or |
| Middlesex Registry District of Land Court, Certificate No |
| BookPage |
| 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 Michael |
| The above-name Kovin Borden C. aria 6/09 Hat Horse 1 y appeared before me, |
| this 8 of Soffendo 120 19, and made oath that the above statement is true. |
| My commission expires 0/-28-3032 (Notary Sealth) Notary Public Commonwealth of Massachusetts My Commission Expires January 28, 2022 |

• 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:
 - A literal enforcement of the Ordinance would prevent the petitioner from reorganizing the living area of the existing dwelling units and providing improved circulation and egress. In particular, the existing roof pitch and slope is very flat and prevents reasonable use of the attic space.
- 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 age and condition of the existing structure and its placement on the undersized lot.

C) DESIRABLE RELIEF MAY BE GRANTED WITHOUT EITHER:

- 1) Substantial detriment to the public good for the following reasons:
 - The proposed modifications conform to the height, open space, and left yard and front setback requirements. Only a modest portion of the footprint (+/-7 sf) is sited within the right yard and rear setback.
- Relief may be granted without nullifying or substantially derogating from the intent or purpose of this Ordinance for the following reasons:
 The nature and intensity of the use of this two family structure will not change by the proposed work.
- * 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 133 Appleton St Cambridge, MA (location) would not be a detriment to the public interest because:

of Article 5.000.

- 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
- 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.
- 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 welfar of the occupants of this dwelling.
- 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

133 Appleton St Cambridge, MA **LOCATION:** ZONE: Residence B Zone PHONE: REQUESTED USE/OCCUPANCY: Two Family **EXISTING ORDINANCE** REQUESTED CONDITIONS **CONDITIONS REQUIREMENTS** 3,628 sf 4,026 sf 2,308 sf TOTAL GROSS FLOOR AREA: (max.) 5,000 sf 4,616 sf no change LOT AREA: (min.) .79 .87 . 5 RATIO OF GROSS FLOOR AREA (max.) TO LOT AREA: 2,308 sf 2,500 sf no change LOT AREA FOR EACH DWELLING UNIT: (min.) 48' 50' no change SIZE OF LOT: WIDTH (min.) 95.78' no change N/A DEPTH 16.91' 15' no change SETBACKS IN FEET: FRONT (min.) 17.92' 25' no change REAR (min.) 7'6" LEFT SIDE 13.45' no change (min.) 7'6" 3.75' RIGHT SIDE no change (min.) 34.17' 35' 29.52' SIZE OF BLDG .: HEIGHT (max.) 61' N/A LENGTH no change 30.91 N/A no change WIDTH 50.8% 48% 40% RATIO OF USABLE OPEN SPACE (min.) TO LOT AREA: 2 no change 1 (max.) NO. OF DWELLING UNITS: 2 1 no change (min./max) NO. OF PARKING SPACES: N/A N/A N/A NO. OF LOADING AREAS: (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.

N/A

N/A

(min.)

N/A

DISTANCE TO NEAREST BLDG.

ON SAME LOT:

^{1.} 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'.

230-143 151 Appleton St Vassal Ln 230-105 232-10 232-20 230-57 269 Huron Ave 249 Huron Ave 271 Huron Ave 230-56 Huron Ave 252 Huron Ave 250 Huron Ave 264 Huron Ave 268 Huron Ave 258 Huron Ave 266 Hyron Ave 244 Huron Ave 231-27 232-24 ô 138 Appleton St 231-22 6 Appleton St231-28 44 Blakeslee St 42 Blakeslee St Appleton St 134 Appleton St 232-56 232-27 132 Appleton St 231-19 40 Blakeslee St 231-17 232-65 Appleton St 128 Appleton St 127 Appleton St 231-18 36 Blakeslee St 8 Appleton Rd 121 Appleton St 34 Blakeslee St 232-34 232-29 Appleton Rd 32 Blakeslee St 5 Appleton R 30 Blakeslee St 119 Appleton St 232-33 120 Appleton St 232-68 231-24 26 Blakeslee St 117 Appleton St 116 Appleton St 232-32 115 Appleton St 232-67 231-25 231-14 106 Appleton St 232-71 232-95 232-96 1 Dunstable Rd 231-9

133 Apple ton &

231-18 BARTON, JAMES H. 130 APPLETON ST. CAMBRIDGE, MA 02138

232-23
JENSEN, JOHN RICHARD,
MARIJANE DUNLAP JENSEN &
CANDACE ANNE DUNLAP
270 HURON AVE.
CAMBRIDGE, MA 02138

232-27 BORDEN, KEVIN R. & CIARA GLENMULLEN 133 APPLETON ST CAMBRIDGE, MA 02138

232-56 MAGISTRELLI, JOHN G. 48 BALTIMORE STREET LYNN, MA 01902

232-25 SOKOLOWSKI, CHRISTOPHER K. & ANGELA A. CHANG 264 HURON AVE., #2 CAMBRIDGE, MA 02138

231-28 COTMAN, DIANE L. 136 APPLETON ST. #S-1 CAMBRIDGE, MA 02138 231-19 HARNEY, JOHN J. & MARGARET M. HARNEY 132 APPLETON ST CAMBRIDGE, MA 02138

232-24 PALMERI, LAURENCE ROY 266 HURON AVE CAMBRIDGE, MA 02138

232-29
MCALLISTER, MICHAEL& THERESE MCALLISTER
318 ALABAMA RD.
TOWNSON, MD 21204

232-65 OLIVA, VICTORIA M. & MARK OLIVA 40 BLAKESLEE STREET CAMBRIDGE, MA 02138

232-69 UNIT ONE HOLDINGS LLC 127 APPLETON ST., #2 CAMBRIDGE, MA 02138 232-26 YEE, MEI NGO 258 HURON AVE CAMBRIDGE, MA 02138

JAMES J. RAFFERTY, ESQ.

CAMBRIDGE, MA 02139

907 MASS AVENUE - SUITE 300

232-34 MCMAHON, JOHN P. JR. & SUZANNE GRAVES 34 BLAKESLEE ST CAMBRIDGE, MA 02138

232-25 CHAPPELL, PATRICIA P. 264 HURON AVE., UNIT #1 CAMBRIDGE, MA 02138

232-69 HEWETT, FREDERICK F. & CHERYL L. MAZAIK 127 APPLETON ST. UNIT# 2 CAMBRIDGE, MA 02138

133 APPLETON STREET CAMBRIDGE, MASSACHUSETTS



EXISTING FRONT VIEW

BZA VARIANCE SUBMITTAL SEPTEMBER 24TH, 2019

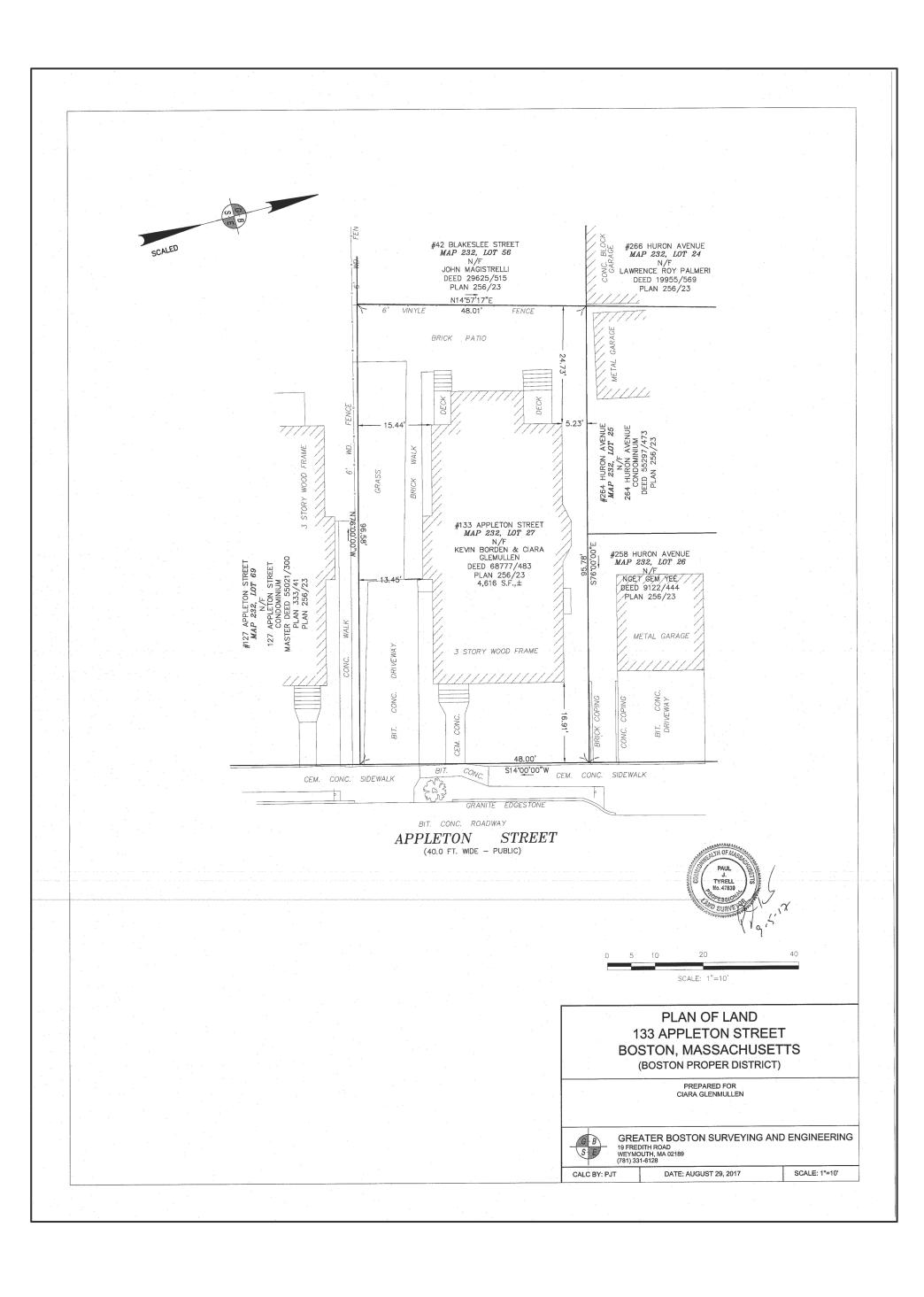
AMY SEMMES, A.I.A 133 APPLETON STREET CAMBRIDGE, MA.

COVER SHEET / DRAWING INDEX

DRAWING INDEX DATE ISSUED ■ ISSUED OR REISSUED WITH REVISION ARCHITECTURAL DRAWINGS COVER SHEET / DRAWING INDEX CERTIFIED PLOT PLAN BLOCK MAP/ ZONING INFORMATION/ AREA CALCS. SCHEMATIC SITE PLAN - EXISTING SCHEMATIC SITE PLAN - PROPOSED AERIAL VIEW + PHOTOS OF EXISTING HOUSE CONTEXT PHOTOS OF APPLETON STREET FIRST FLOOR PLANS - EXISTING & PROPOSED SECOND FLOOR PLANS - EXISTING & PROPOSED THIRD FLOOR PLANS - EXISTING & PROPOSED ROOF PLANS - EXISTING & PROPOSED BASEMENT PLANS - EXISTING & PROPOSED FRONT ELEVATIONS - EXISTING & PROPOSED RIGHT SIDE ELEVATION - EXISTING & PROPOSED REAR ELEVATION - EXISTING & PROPOSED LEFT SIDE ELEVATION - EXISTING & PROPOSED BUILDING SECTIONS - EXISTING & PROPOSED

9/24/2019

A0.0



BLOCK MAP 5205

GROSS FLOOR AREA / F.A.R. SUMMARY:

| | EXISTING CONDITIONS | PROPOSED CONDITIONS |
|--|-----------------------------------|---|
| FIRST FLOOR | 1,694 SF | 1,720 SF |
| SECOND FLOOR | 1,666 SF | 1,707 SF |
| THIRD FLOOR / ATTIC | 268 SF | 599 SF |
| TOTAL GROSS FLOOR AREA (GFA): | TOTAL: 3,628 SF | TOTAL: 4,026 SF |
| MAX. ALLOWABLE= 4,616 SF LOT AREA X .5 = 2,308 SF TOTAL MAXIMUM ALLOWED | 1,320 SF ABOVE MAXIMUM ALLOWED | 1,718 SF ABOVE MAXIMUM ALLOWED (398 NET SF ADDED) |
| .50 = MAX. ALLOWABLE F.A.R | .79 = EXISTING F.A.R. | .87 = PROPOSED F.A.R. |

DIMENSIONAL FORM: 133 APPLETON STREET

| | | | PRESENT USE/O | CCUPANCY: 2 FAMILY RESIDE | NCE; ZONE: RESIDENCE B | |
|--|---------------------|--------------|---------------|---------------------------|-------------------------|-------------------------|
| ADDRESS: | 133 APPLETON STREET | REQUESTED US | | SE/OCCUPANCY: UNCHANGED | | |
| EXISTIN | | EXISTING | CONDITIONS | REQUESTED CONDITIONS | ORDINANCE REQUIREMENTS | ZONING STATUS |
| TOTAL GROSS FLOOR AREA: | | 3,628 | SF | 4,026 SF | 2,308 SF | EXISTING NON-CONFORMING |
| LOT AREA: | | 4,616 | SF | UNCHANGED | 5,000 SF | EXISTING NON-CONFORMING |
| RATIO OF CROSS FLOOR AREA TO LOT AREA: | | .79 | | .87 | .50 | EXISTING NON-CONFORMING |
| LOT AREA FOR EACH DWELLING UNIT: | | 2,308 SF | | UNCHANGED | 2,500 SF | EXISTING NON-CONFORMING |
| SIZE OF LOT: WIDTH: DEPTH: | 48.0 F | EET | UNCHANGED | 50 FEET | EXISTING NON-CONFORMING | |
| | DEPTH: | 95.78 | FEET | UNCHANGED | 100 FEET | EXISTING NON-CONFORMING |
| SETBACKS IN FEET | T: FRONT: | 16.91 | FEET | UNCHANGED | 15 FEET MIN. | CONFORMING |
| LEFT SIDE: RIGHT SIDE: | LEFT SIDE: | 13.45 FEET | | UNCHANGED | 12.5 FEET MIN. | CONFORMING |
| | RIGHT SIDE: | 3.75 F | EET | UNCHANGED | 7.5 FEET MIN. | EXISTING NON-CONFORMING |
| | REAR: | 17.92 | FEET | UNCHANGED | 25.0 FEET MIN. | EXISTING NON-CONFORMING |
| SIZE OF BLDG.: | HEIGHT: | 29.52 FEET | | 34.17 FEET | 35 FEET | CONFORMING |
| | LENGTH: | 61 FEET | | UNCHANGED | N/A | N/A |
| | WIDTH: | 30.9 FEET | | UNCHANGED | N/A | N/A |
| RATIO OF USABLE OPEN SPACE TO LOT AREA: * .1 | | .15 | | .20 | .20 | CONFORMING* |
| RATIO OF PERMEABLE OPEN SPACE TO LOT AREA:* | | .51 | | .45 | .40 | CONFORMING* |
| NUMBER OF DWELLING UNITS: | | 2 | | UNCHANGED | 1 PER 2500 SF OF LOT | EXISTING NON-CONFORMING |
| NUMBER OF PARKING SPACES: | | 1 | | UNCHANGED | 2 (1 PER D.U.) | EXISTING NON-CONFORMING |
| NUMBER OF LOADING AREAS: N | | N/A | | N/A | N/A | N/A |
| DISTANCE TO NEAREST BUILDING ON SAME LOT: N/ | | N/A | | N/A | N/A | N/A |
| DESCRIBE OTHER OCCUPANCIES/ADJACENT N/ | | N/A | | | | N/A |

*FOR BREAKDOWN OF PRIVATE/USABLE OPEN SPACE & PERMEABLE SPACE CALCULATIONS - SEE A0.2 & A0.3

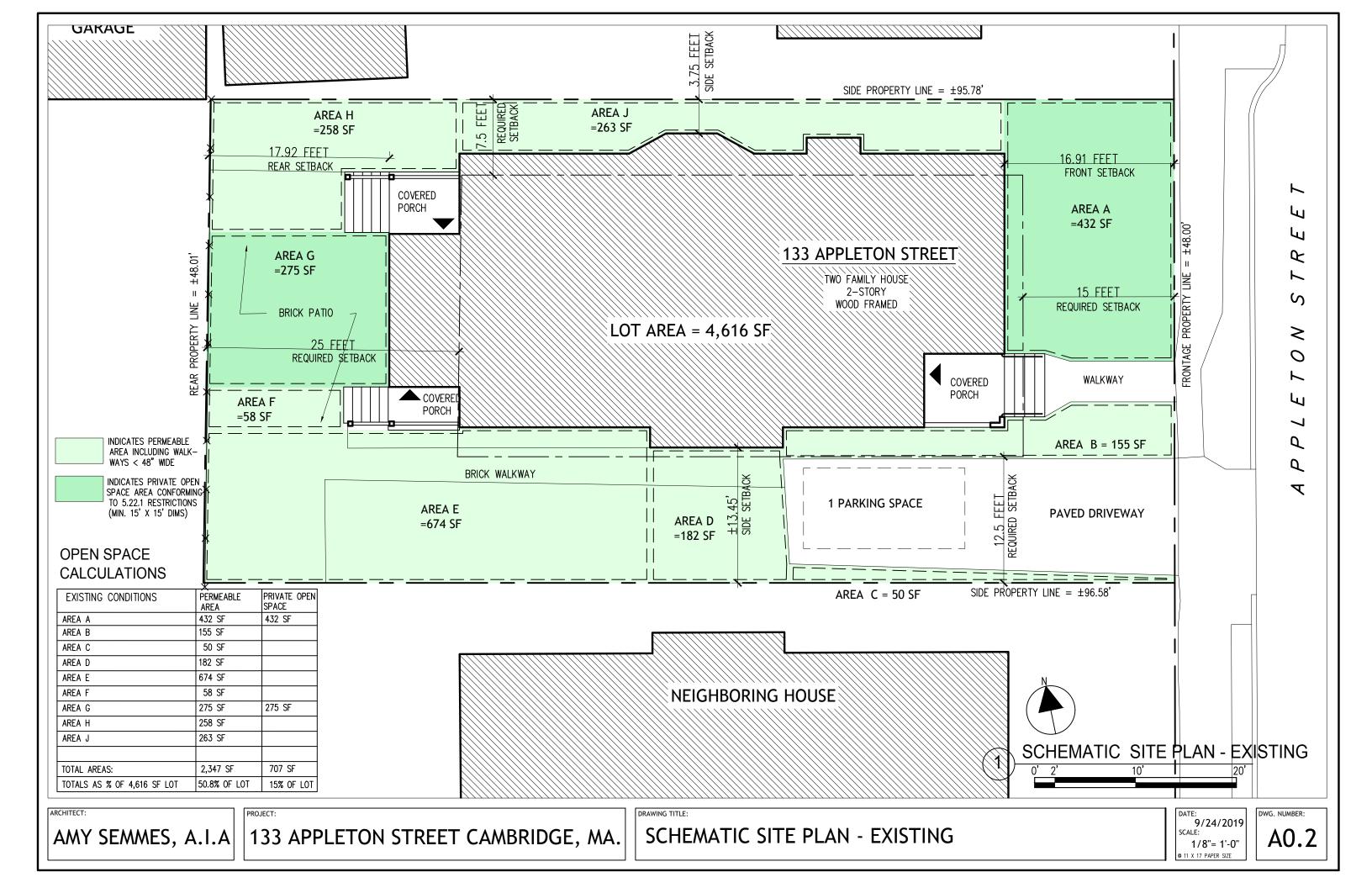
AMY SEMMES, A.I.A 133 APPLETON STREET CAMBRIDGE, MA.

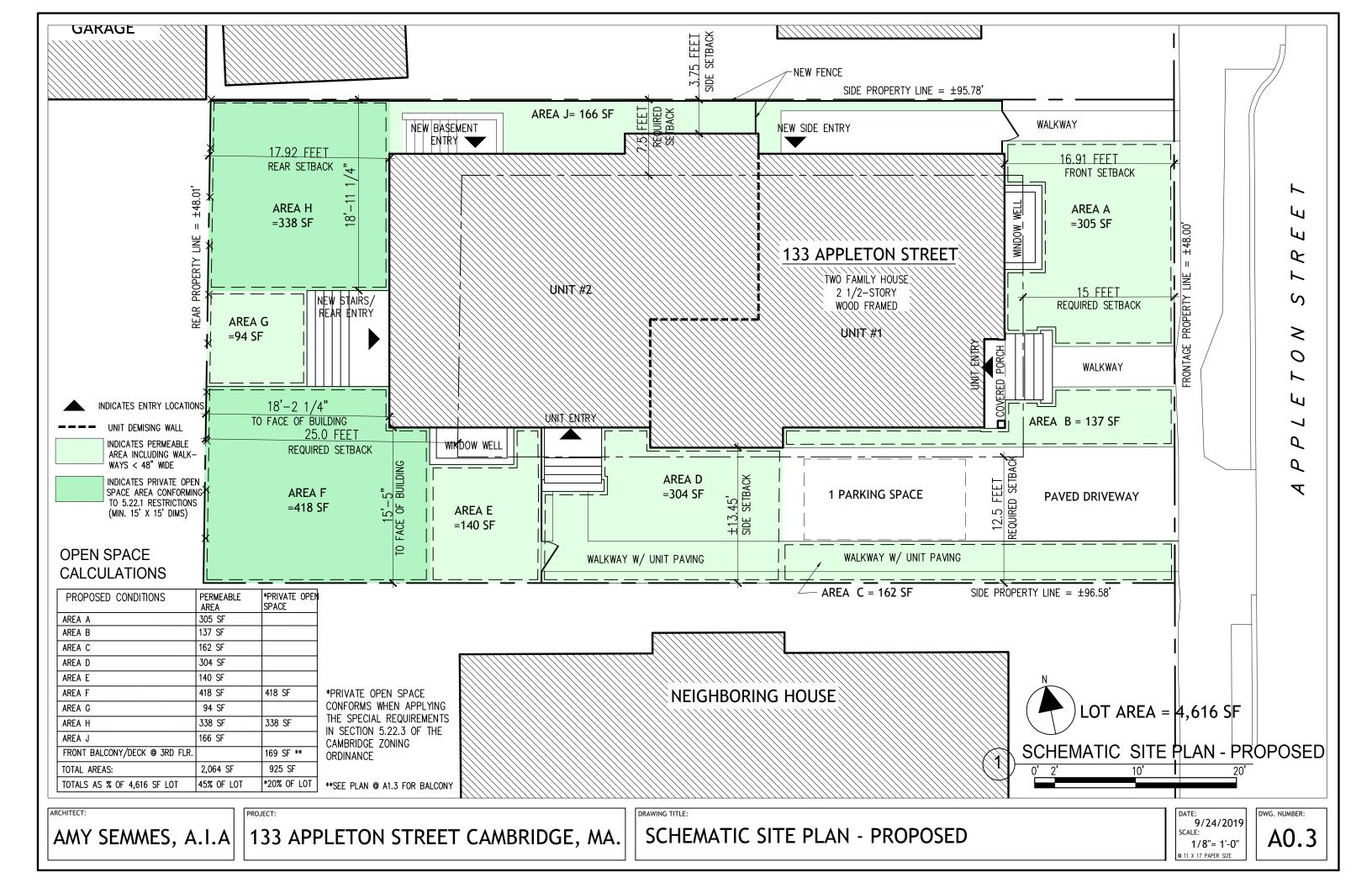
BLOCKMAP/ ZONING INFORMATION / AREA CALCS.

DATE: 9/24/2019 SCALE: NONE

A0.1

DWG. NUMBER:











REAR OF EXISTING BUILDING



RIGHT SIDE OF EXISTING BUILDING



LEFT SIDE OF EXISTING BUILDING

AMY SEMMES, A.I.A 133 APPLETON STREET CAMBRIDGE, MA.

AERIAL VIEW + PHOTOS OF EXISTING HOUSE

DATE: 9/24/2019 SCALE: NONE

DWG. NUMBER: A0.4







LEFT SIDE NEIGHBOR (127 APPLETON)



133 APPLETON



RIGHT SIDE NEIGHBOR (258 HURON AVE)



NEIGHBORS DIAGONALLY ACROSS THE STREET (136 APPLETON)



NEIGHBORS ACROSS THE STREET (132-34 +128-30 APPLETON)



NEIGHBOR DIAG. ACROSS THE STREET (120 APPLETON)

RCHITECT:

AMY SEMMES, A.I.A

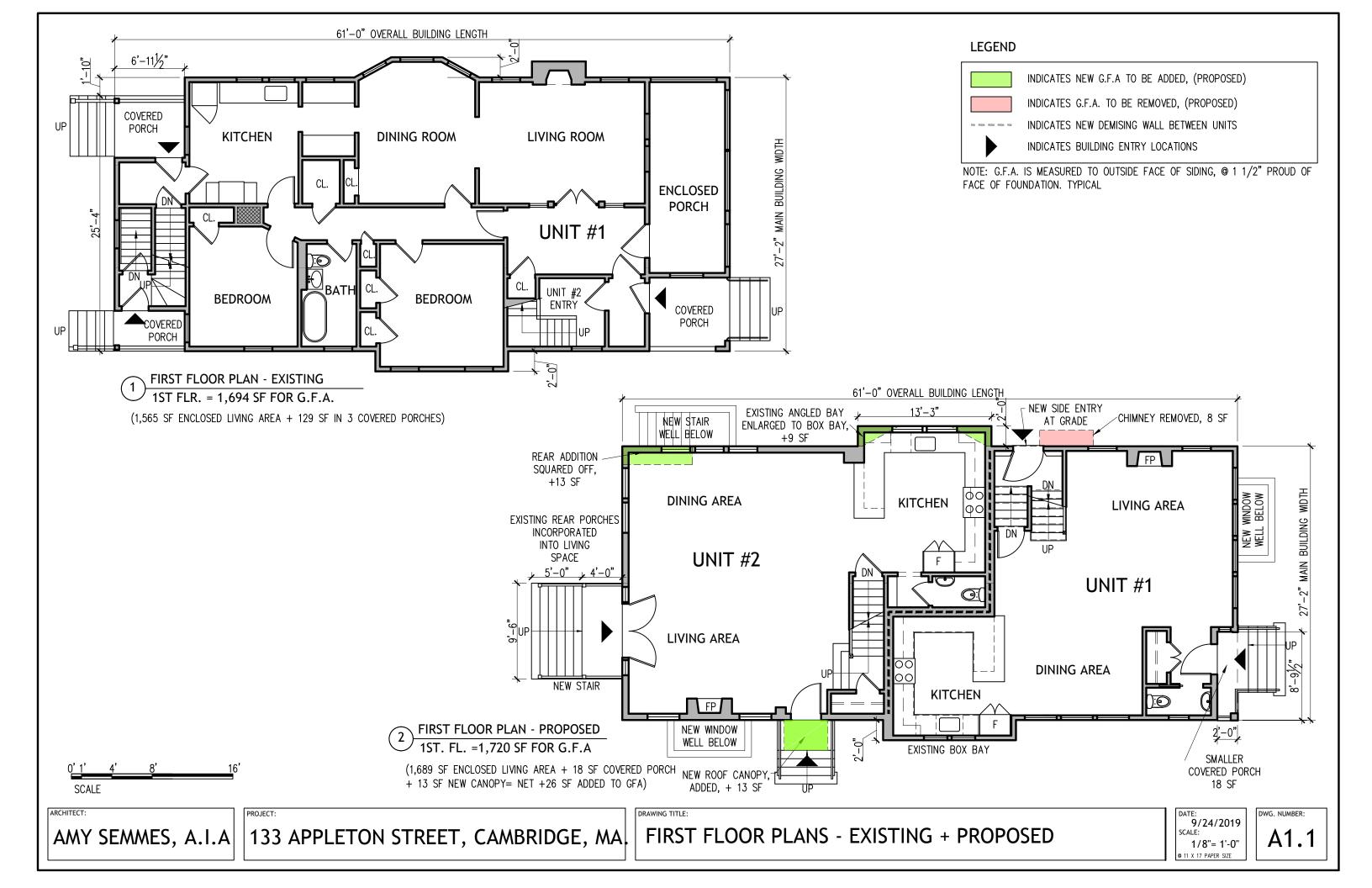
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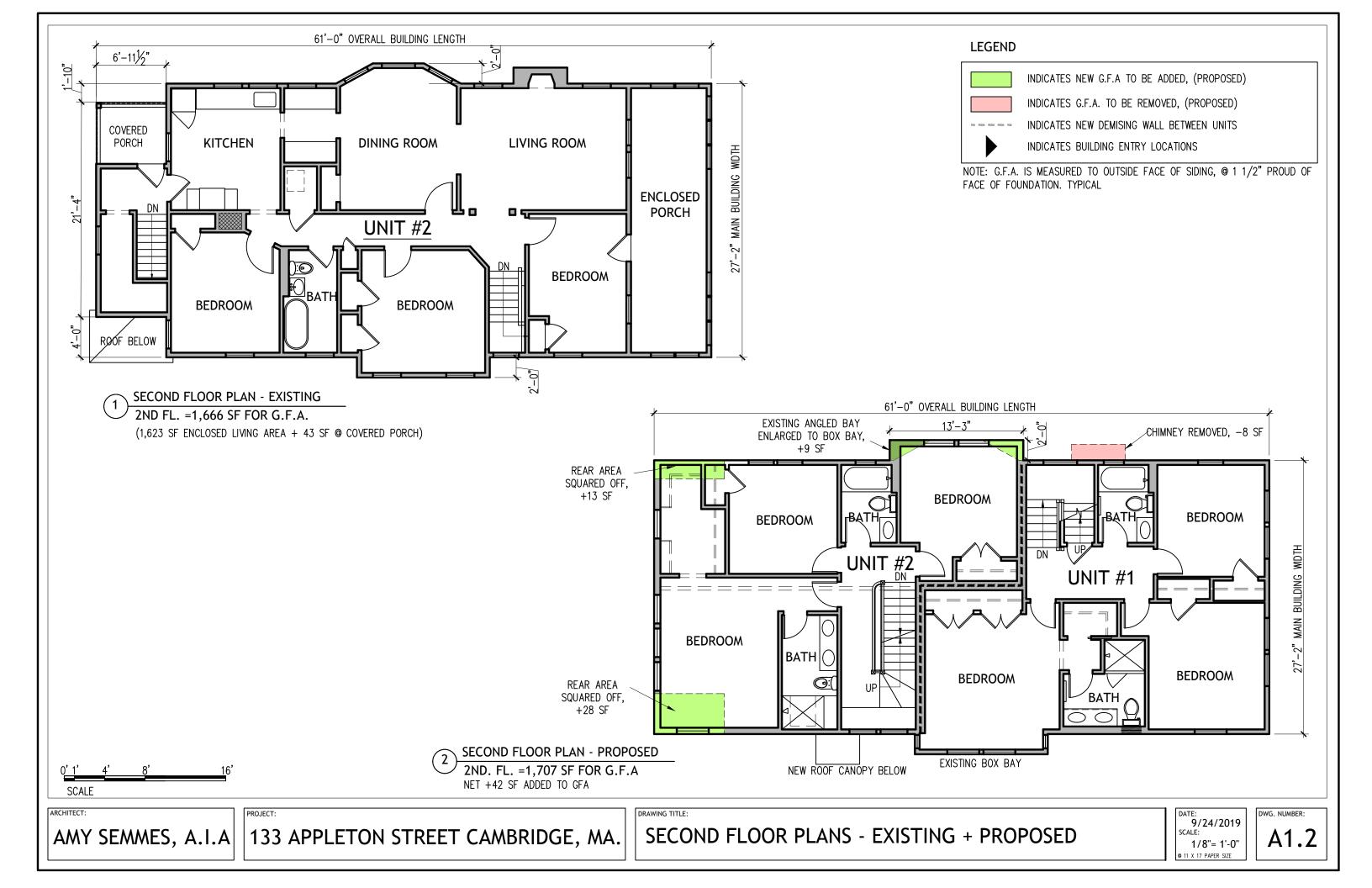
133 APPLETON STREET CAMBRIDGE, MA.

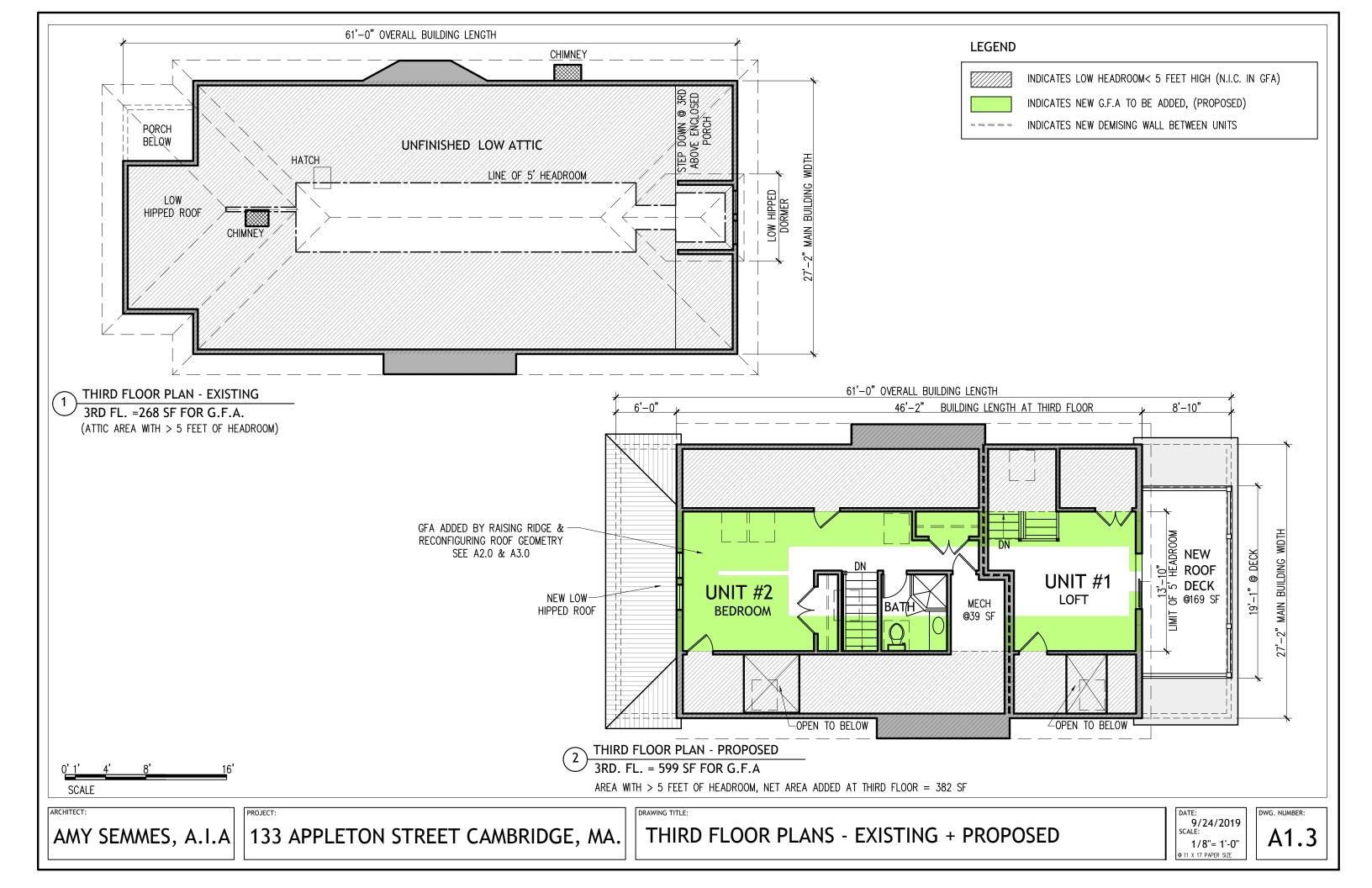
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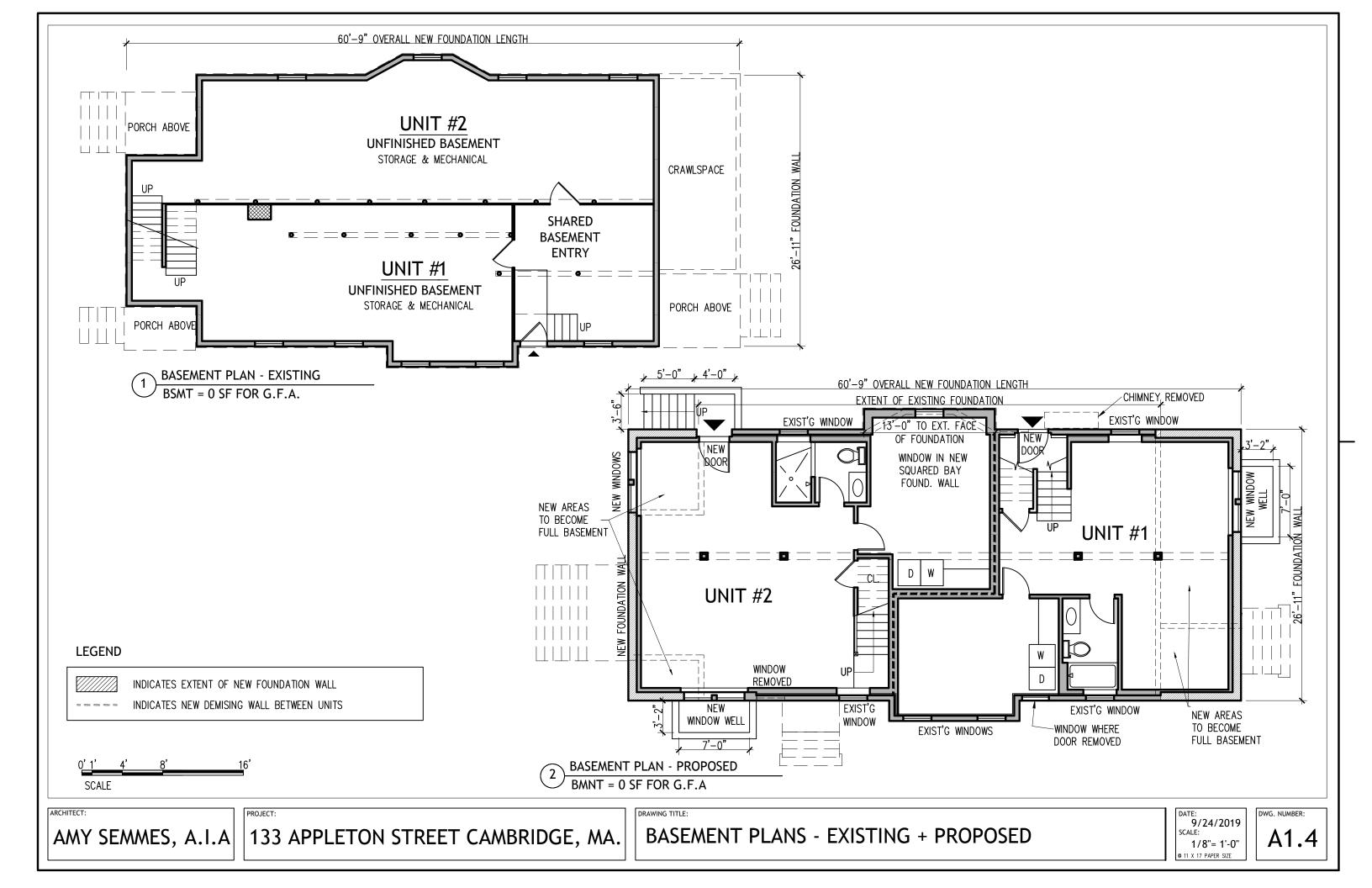
CONTEXT PHOTOS OF APPLETON STREET

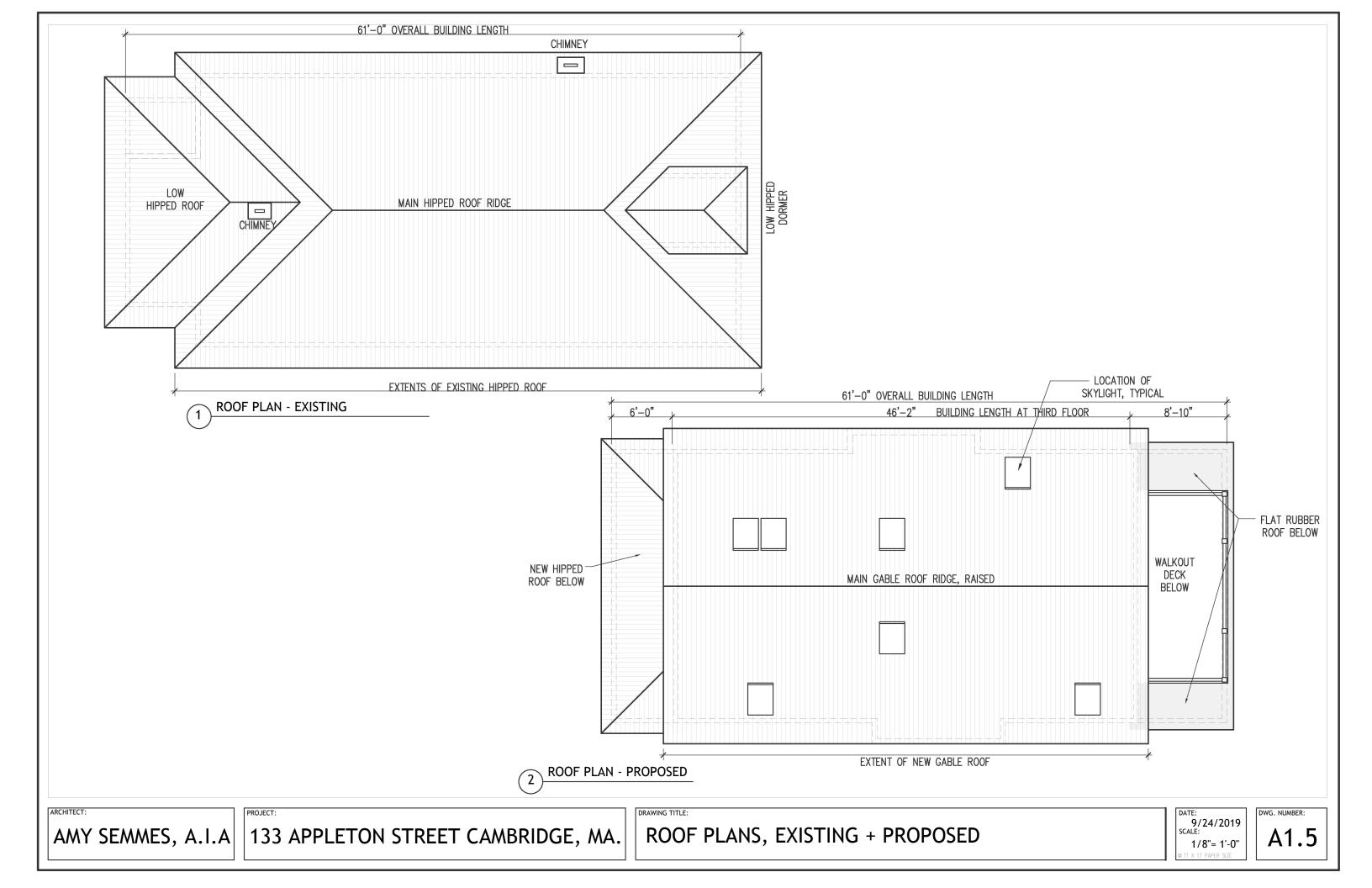
DATE: 9/24/2019 SCALE: NONE A0.5

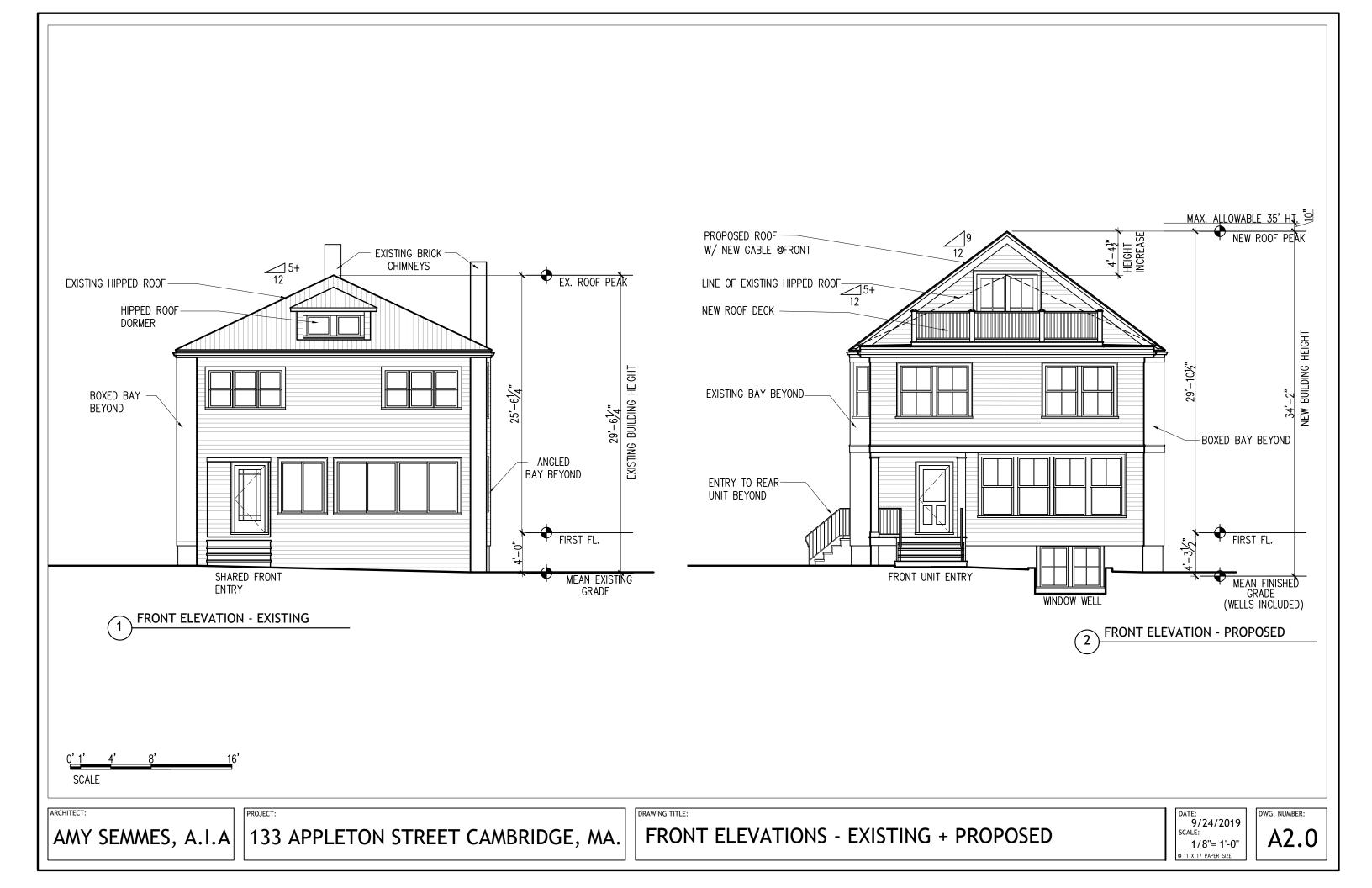


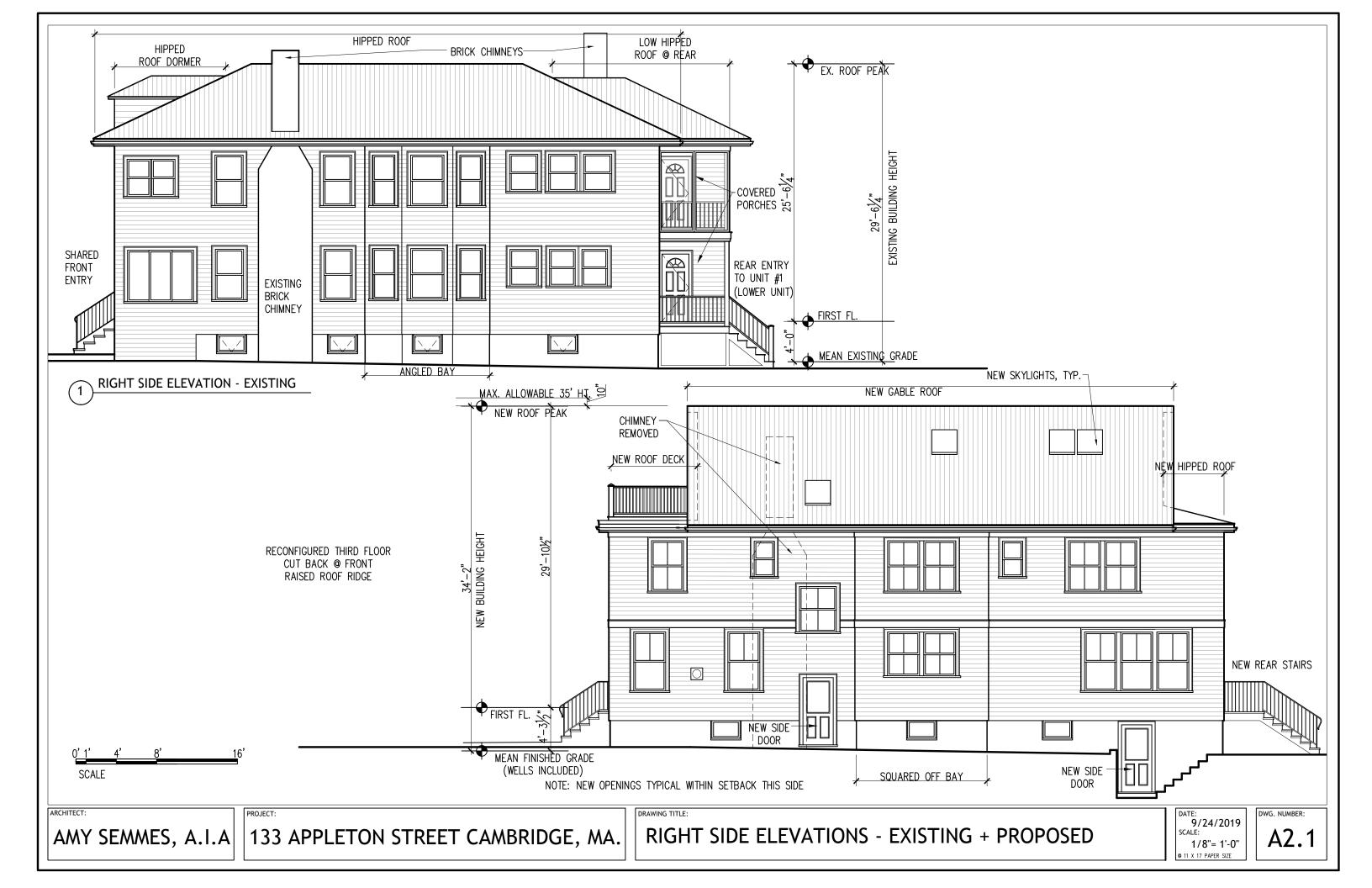


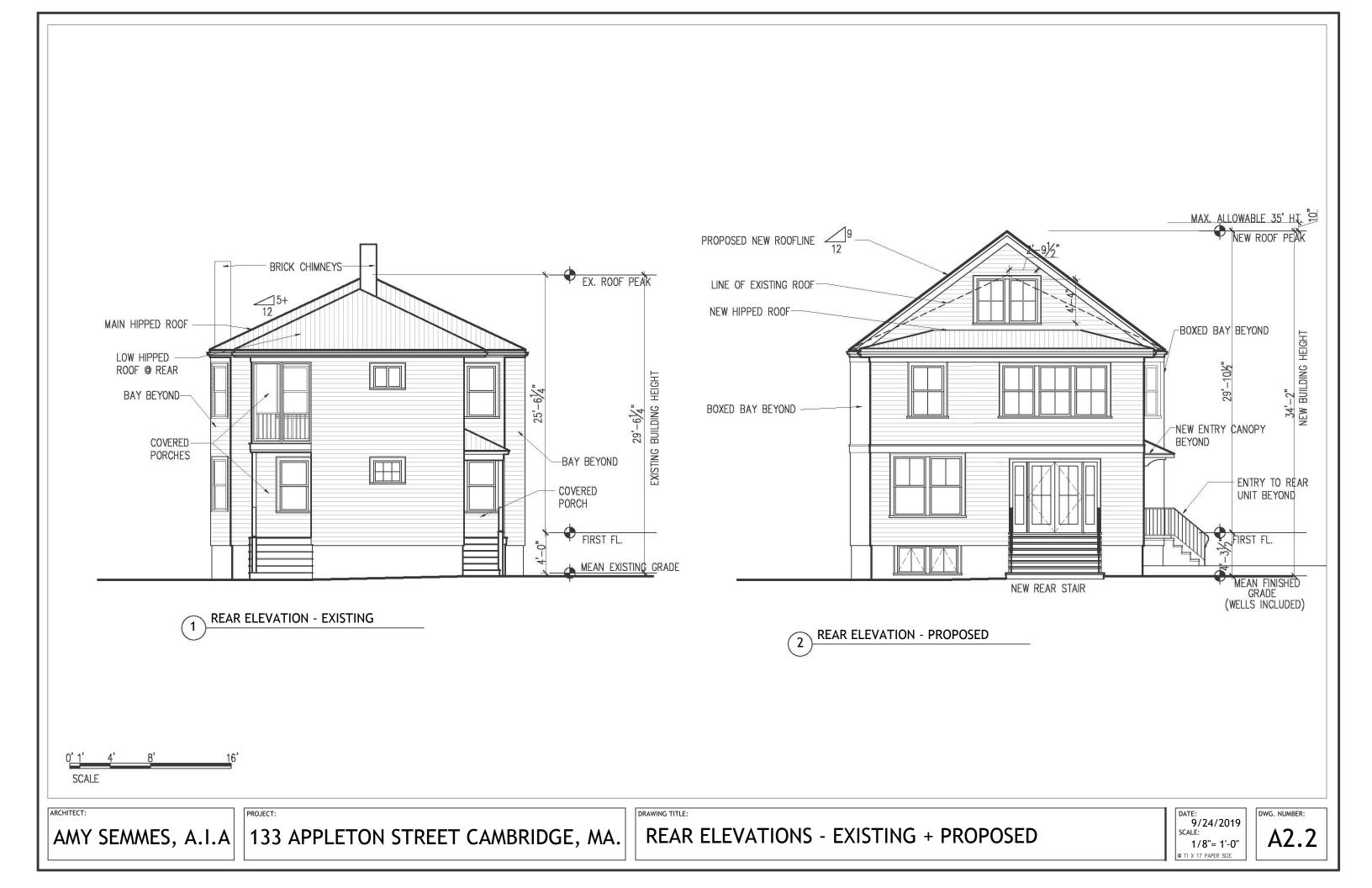


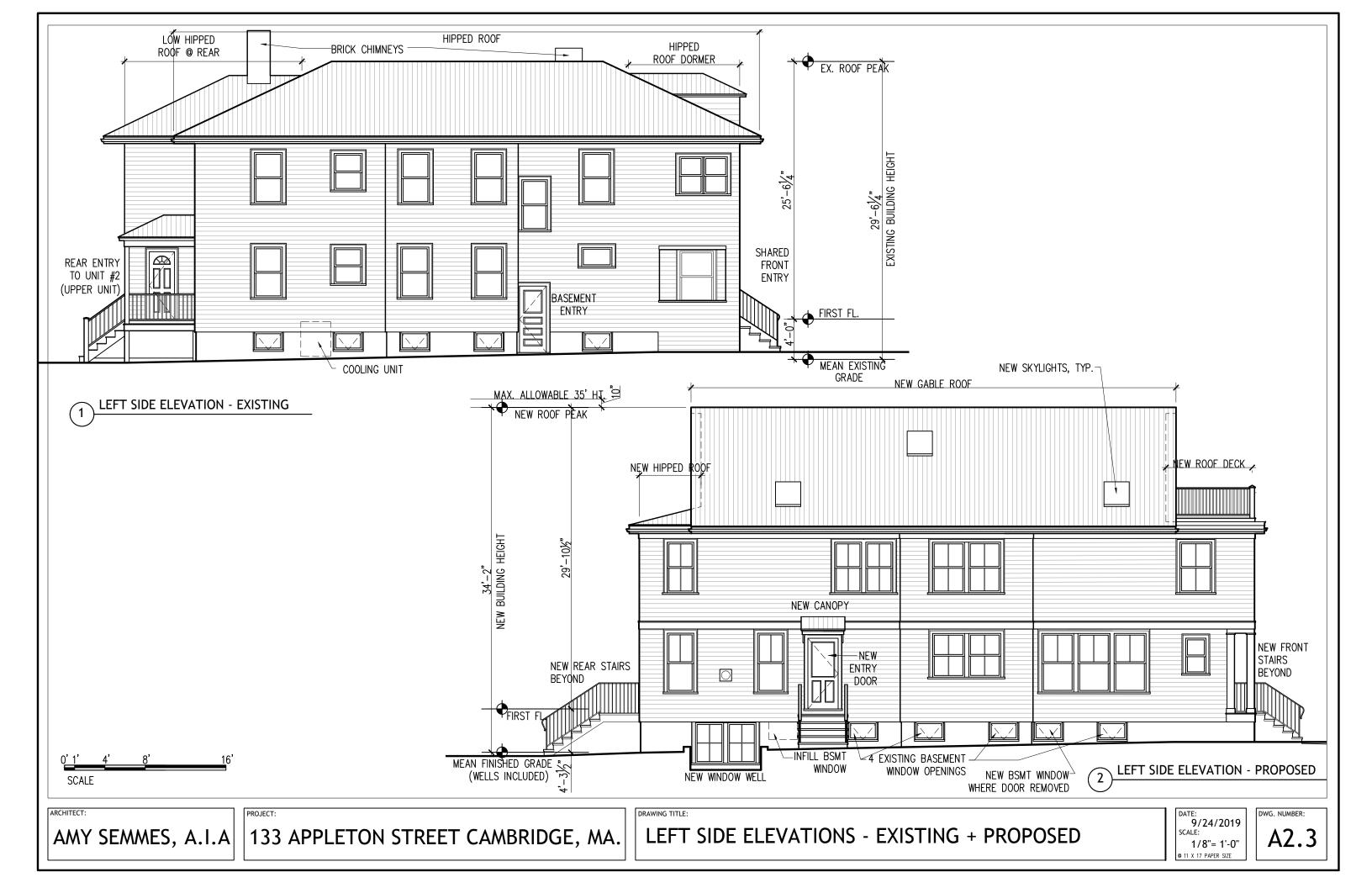


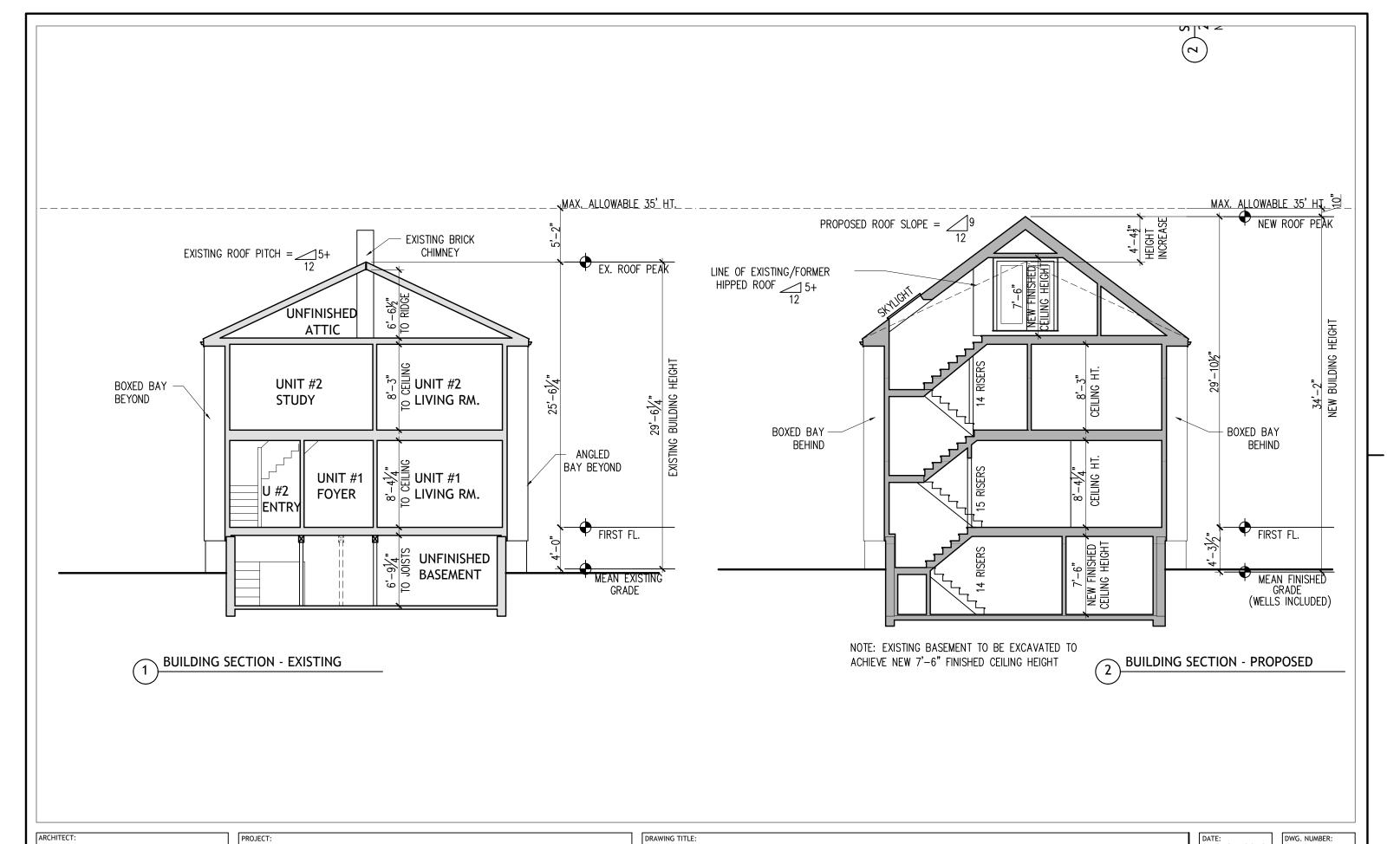












ARCHITECT:

AMY SEMMES, A.I.A

133 APPLETON STREET CAMBRIDGE, MA.

DRAWING TITLE:

BUILDING SECTIONS - EXISTING + PROPOSED

DATE: 9/24/2019 SCALE: 1/8"= 1'-0"

A3.0