



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

BZA APPLICATION FORM

Plan No: BZA-01708-2018

GENERAL INFORMATION

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

Special Permit : ✓

Variance :           

Appeal :           

PETITIONER : Sarah J. Kelly and John Brent Reynolds - C/O Michael W. Wiggins, Esq.

PETITIONER'S ADDRESS : One Liberty Square, Suite 1210 Boston, MA 02109

LOCATION OF PROPERTY : 87 Washington Ave Cambridge, MA

TYPE OF OCCUPANCY : A-2 ZONING DISTRICT : Residence A-2 Zone

REASON FOR PETITION :

Additions

DESCRIPTION OF PETITIONER'S PROPOSAL :

The applicant seeks to build an addition to a prior nonconforming building in a portion of the property currently occupied by a ramp entrance to a basement garage. The addition will not result in any increases in any existing nonconformities nor cause any new nonconformities. The applicant seeks a permit to build or a special permit, per the applicable provisions of M.G.L Chapter 40A Section 6.

SECTIONS OF ZONING ORDINANCE CITED :

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

Original Signature(s) :

(Petitioner(s) / Owner)

Michael W. Wiggins  
(Print Name)

Address : One Liberty Square Suite 1210  
Boston MA 02109

Tel. No. : 617-880-6313

E-Mail Address : mww@westonpatrick.com

Date : 11/24/19

2019 NOV 22 AM 10:53  
OFFICE OF THE CITY CLERK  
CAMBRIDGE, MASSACHUSETTS

**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 Sarah J. Kelly  
(OWNER)

Address: 87 Washington Avenue

State that I/We own the property located at 87 Washington Avenue which is the subject of this zoning application.

The record title of this property is in the name of Sarah J. Kelly

\*Pursuant to a deed of duly recorded in the date Aug. 5 2011, Middlesex South County Registry of Deeds at Book 57258, Page 344; or Middlesex Registry District of Land Court, Certificate No. \_\_\_\_\_ Book \_\_\_\_\_ Page \_\_\_\_\_.

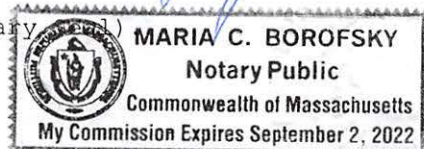
Sarah J. Kelly  
by Michael W. Higgins duly authorized  
SIGNATURE BY LAND OWNER OR  
AUTHORIZED TRUSTEE, OFFICER OR AGENT\*

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

Commonwealth of Massachusetts, County of Suffolk

The above-name Michael W. Higgins personally appeared before me, this 20<sup>th</sup> of November, 2019, and made oath that the above statement is true.

Maria C. Borofsky Notary  
My commission expires Sept 2, 2022 (Notary)



- 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 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 87 Washington Ave 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:

Though the addition proposed to this nonconforming building would increase the area of the building by over 25% and therefore appear to need a variance per Article 8.22.2 c of the Zoning Ordinance, M.G.L. Chapter 40A Section 6, as recently interpreted in the Supreme Judicial Court case of Bellata v. Zoning Board of Appeals of Brookline, overrides that provision with regard to single family dwellings. As the court held, a prior conforming building may be extended or expanded by right if no increase in the nonconformity results. Here the house and addition combined remain well below the maximum F.A.R. allowable, and there are no increases in existing dimensional nonconformities or creation of new ones. The Court in Bellata also held that if the local board finds that there is an increase in any nonconformity, a special permit for the extension may be granted upon a finding of no substantial detriment to the neighborhood. There would be ample support for such a finding should the Board determines in its discretion that a special permit is required.

**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:

No change or increase in intensity of traffic flow is involved here. The existing driveway will remain fully accessible and usable for one car at the locus and one car at the abutting property to the rear just as it always has been in the past.

**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:

No adverse effect upon traffic will occur; the slight relocation of the existing parking space, which will be kept back more than 5 feet from the property line will have no adverse impact on continued use of the space by the abutter, the only other user of the driveway. Existing green screening between the locus and other properties will be maintained and supplemented.

**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:

Egress to and ingress from Washington Avenue will remain as is. There will be no new or increased impact on traffic. The addition will be well insulated from public view by the adjacent buildings at 85 and 89 Washington Ave. That there will be no adverse impact upon the neighborhood at large is supported by the recent unanimous vote of the Avon Hill Neighborhood Association board to accept the petitioner's plans.

**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 addition will keep the F.A.R well below the maximum allowable, and no new or increased nonconformities will result from the project. The building will remain of modest size following the improvements. Juxtaposition of the building with other buildings between it and Washington Avenue and judicious plantings to be undertaken per landscaping to be undertaken by the applicant will render the improvements well screened from public views and views from other properties.

**BZA APPLICATION FORM****DIMENSIONAL INFORMATION**

**APPLICANT:** Weston Patrick, P.A.      **PRESENT USE/OCCUPANCY:** single family  
**LOCATION:** 87 Washington Ave Cambridge, MA      **ZONE:** Residence A-2 Zone  
**PHONE:** 617 880-6313      **REQUESTED USE/OCCUPANCY:** single family

		<u>EXISTING CONDITIONS</u>	<u>REQUESTED CONDITIONS</u>	<u>ORDINANCE REQUIREMENTS</u> <sup>1</sup>	
<u>TOTAL GROSS FLOOR AREA:</u>		<u>1,231</u>	<u>2,090</u>	<u>2,888</u>	(max.)
<u>LOT AREA:</u>		<u>5,777</u>	<u>5,777</u>	<u>6,000</u>	(min.)
<u>RATIO OF GROSS FLOOR AREA TO LOT AREA:</u> <sup>2</sup>		<u>.21</u>	<u>.36</u>	<u>.50</u>	(max.)
<u>LOT AREA FOR EACH DWELLING UNIT:</u>		<u>5,777</u>	<u>5,777</u>	<u>4,500</u>	(min.)
<u>SIZE OF LOT:</u>	<u>WIDTH</u>	<u>99.86</u>	<u>99.86</u>	<u>65</u>	(min.)
	<u>DEPTH</u>	<u>125</u>	<u>125</u>	<u>n/a</u>	
<u>SETBACKS IN FEET:</u>	<u>FRONT</u>	<u>80.9</u>	<u>80.9</u>	<u>20</u>	(min.)
	<u>REAR</u>	<u>21.8</u>	<u>21.8</u>	<u>25</u>	(min.)
	<u>LEFT SIDE</u>	<u>29.2</u>	<u>29.2</u>	<u>10' sum 25</u>	(min.)
	<u>RIGHT SIDE</u>	<u>42.3</u>	<u>20.0</u>	<u>10' sum 25</u>	(min.)
<u>SIZE OF BLDG.:</u>	<u>HEIGHT</u>	<u>28'9"</u>	<u>28'9"</u>	<u>35'</u>	(max.)
	<u>LENGTH</u>	<u>28.36'</u>	<u>50.61'</u>	<u>n/a</u>	
	<u>WIDTH</u>	<u>20.3'</u>	<u>20.3'</u>	<u>n/a</u>	
<u>RATIO OF USABLE OPEN SPACE TO LOT AREA:</u>		<u>35%</u>	<u>39%</u>	<u>n/a</u>	(min.)
<u>NO. OF DWELLING UNITS:</u>		<u>1</u>	<u>1</u>	<u>1</u>	(max.)
<u>NO. OF PARKING SPACES:</u>		<u>1</u>	<u>1</u>	<u>1</u>	(min./max)
<u>NO. OF LOADING AREAS:</u>		<u>n/a</u>	<u>n/a</u>	<u>n/a</u>	(min.)
<u>DISTANCE TO NEAREST BLDG. ON SAME LOT:</u>		<u>n/a</u>	<u>n/a</u>	<u>n/a</u>	(min.)

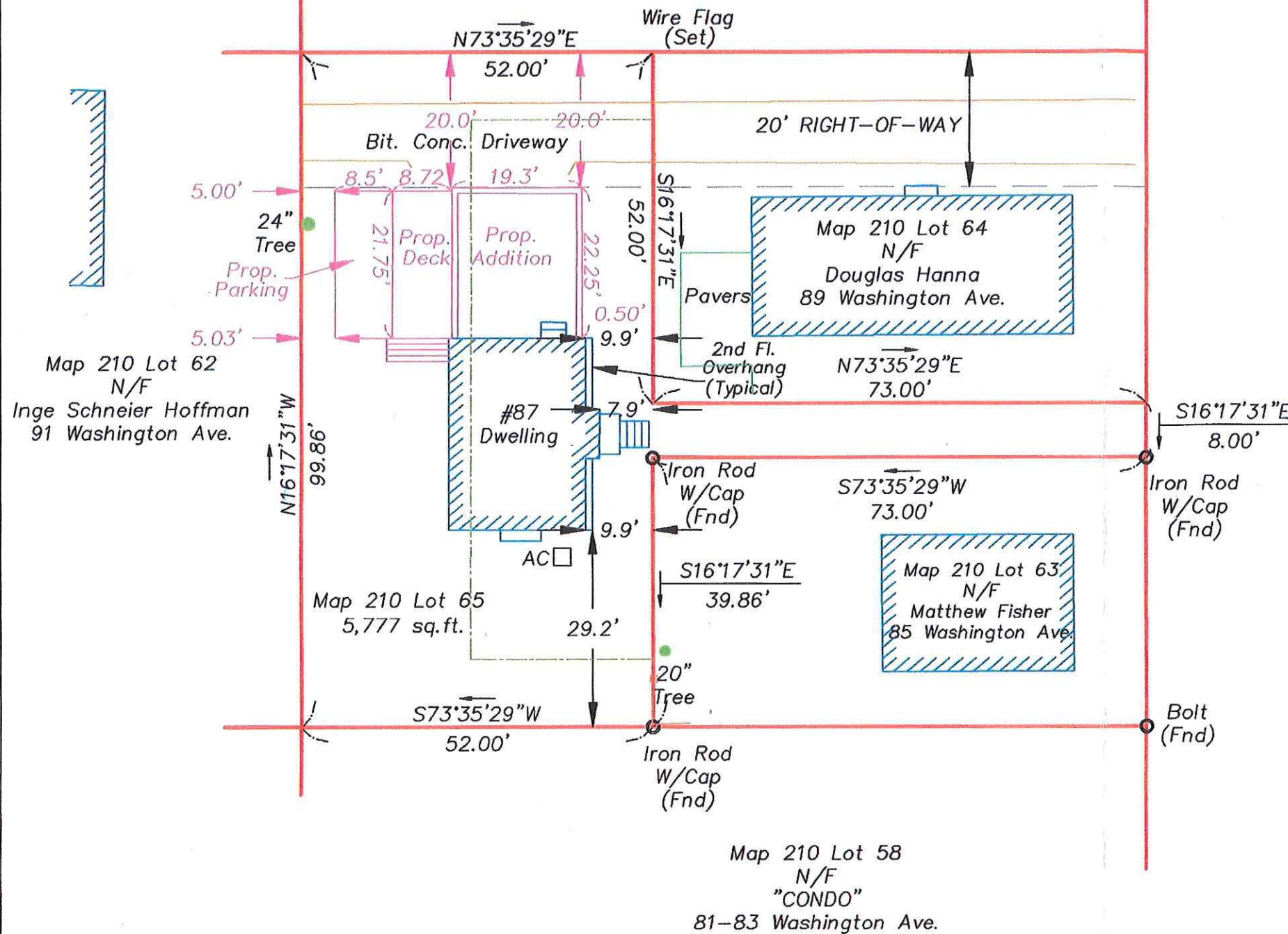
Describe where applicable, other occupancies on same lot, the size of adjacent buildings on same lot, and type of construction proposed, e.g.; wood frame, concrete, brick, steel, etc.

Addition to be wood frame on concrete foundation

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'.



Map 210 Lot 6  
N/F  
Constantin Vonwentzel  
101 Washington Ave.



ZONING DISTRICT - A-2

SETBACKS:  
FRONT - 20'  
SIDE - 10' (SUM OF 25')  
REAR - 25'

FAR - 1178 / 5777 = 0.20

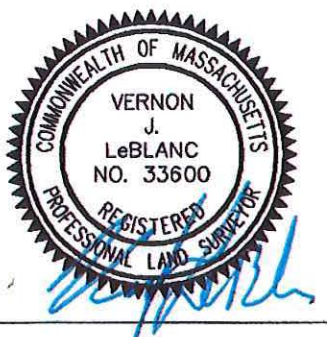
PROPOSED PLOT PLAN  
87 WASHINGTON AVENUE  
CAMBRIDGE, MASSACHUSETTS

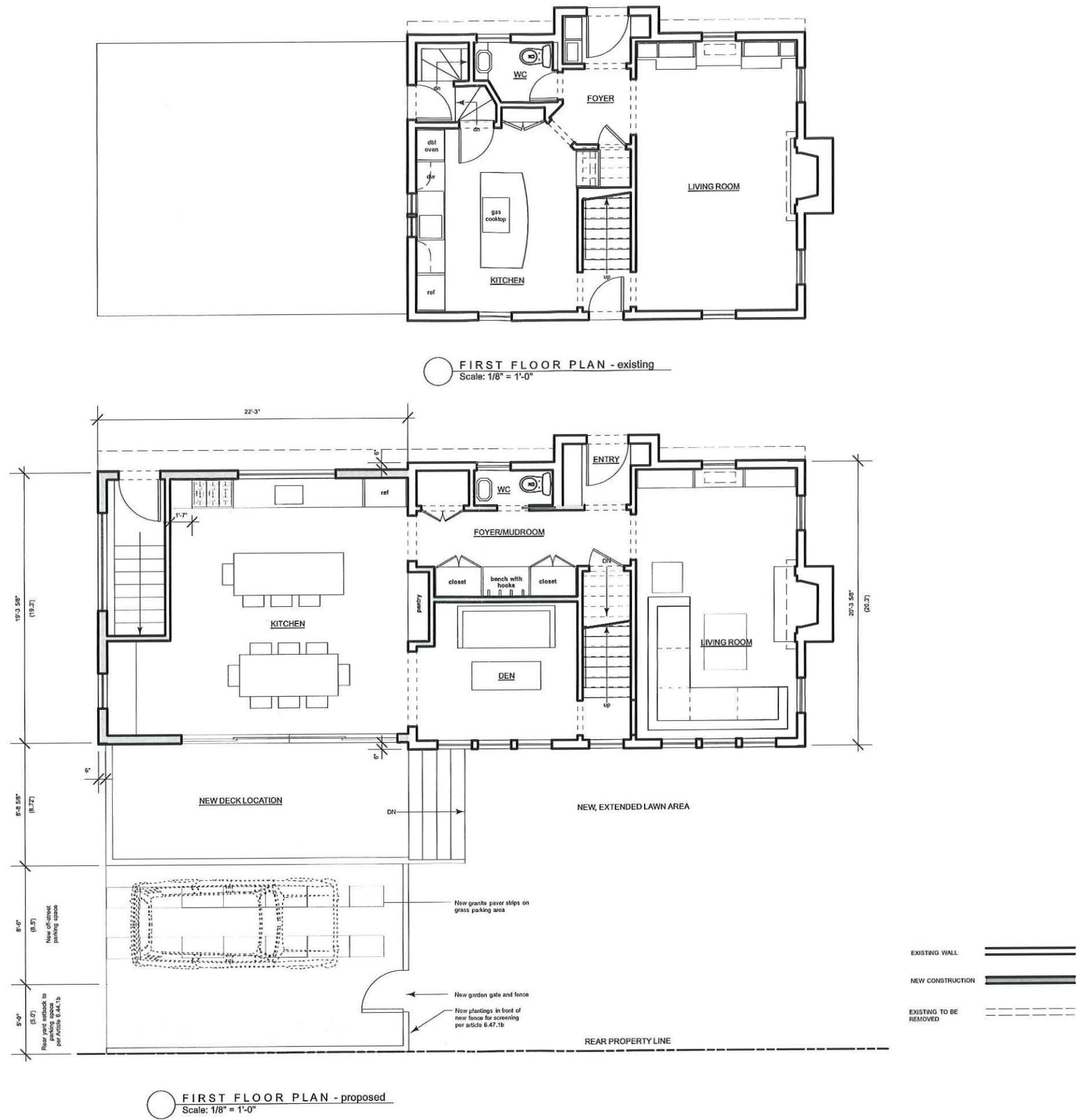
Prepared By  
LeBlanc Survey Associates, Inc.  
161 Holten Street  
Danvers, MA 01923  
(978) 774-6012

July 17, 2019 Scale: 1"=20'  
Revised: November 6, 2019

REFERENCES:  
1) Deed Book 57258 Page 344  
2) Plan #83 of 1941  
3) Land Court Plan #9900B-1

HOR. SCALE IN FEET  
0 20 50 100





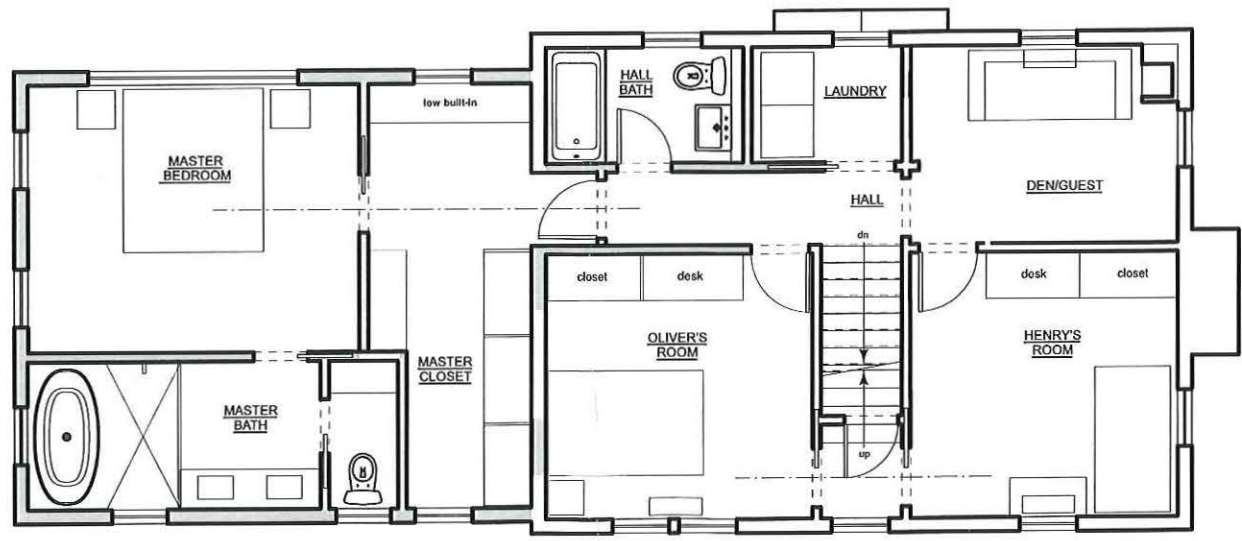
87 WASHINGTON AVE, CAMBRIDGE, MA 02445		THE KELLY-REYNOLDS RESIDENCE	
A2.0	DATE:	ISSUED FOR:	SHEET TITLE:
	06.28.2019	PROGRESS SET	EXTERIOR ELEVATIONS
	08.03.2019	PROGRESS SET	
	10.04.2019	PROGRESS SET	
	10.24.2019	PROGRESS SET	
		11.07.2019	PROGRESS SET

NOURYKELLO ARCHITECTS  
46 Vassar Street, Suite 4A  
Cambridge, MA 02139  
tel 617.529.1328 fax 617.422.0981





1 SECOND FLOOR PLAN -existing  
Scale: 1/8" = 1'-0"

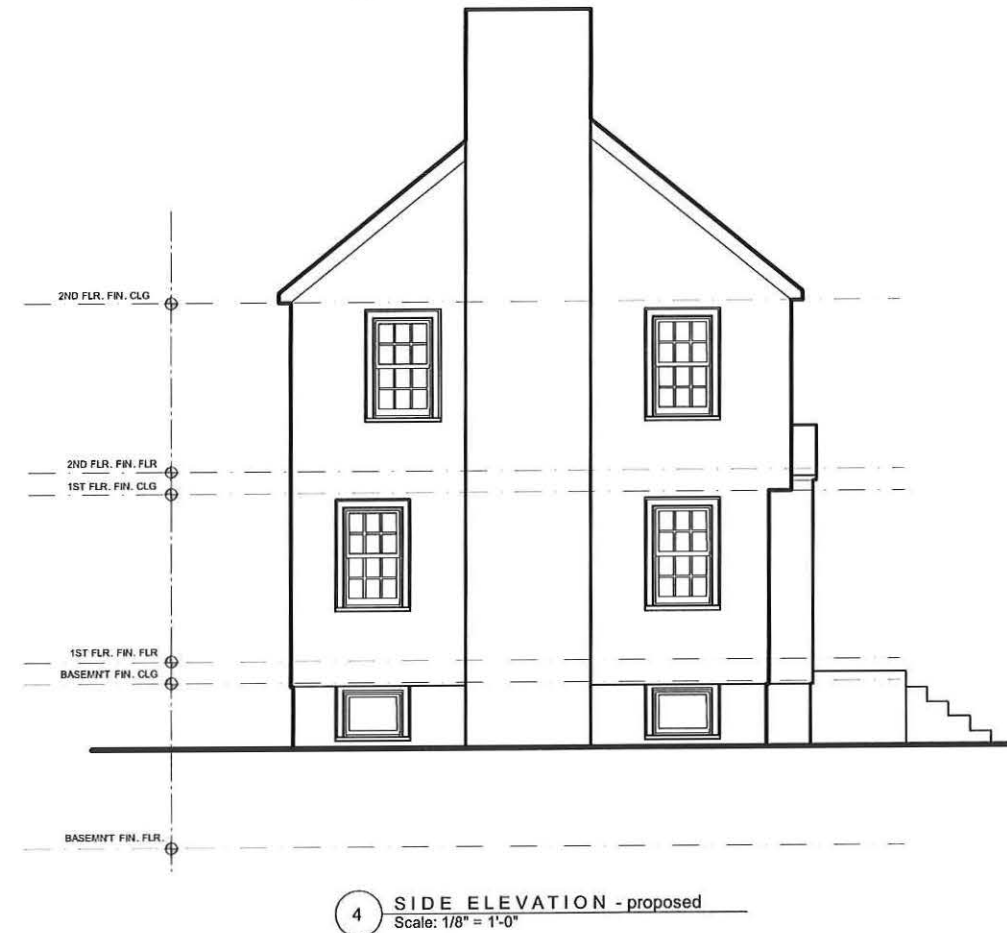
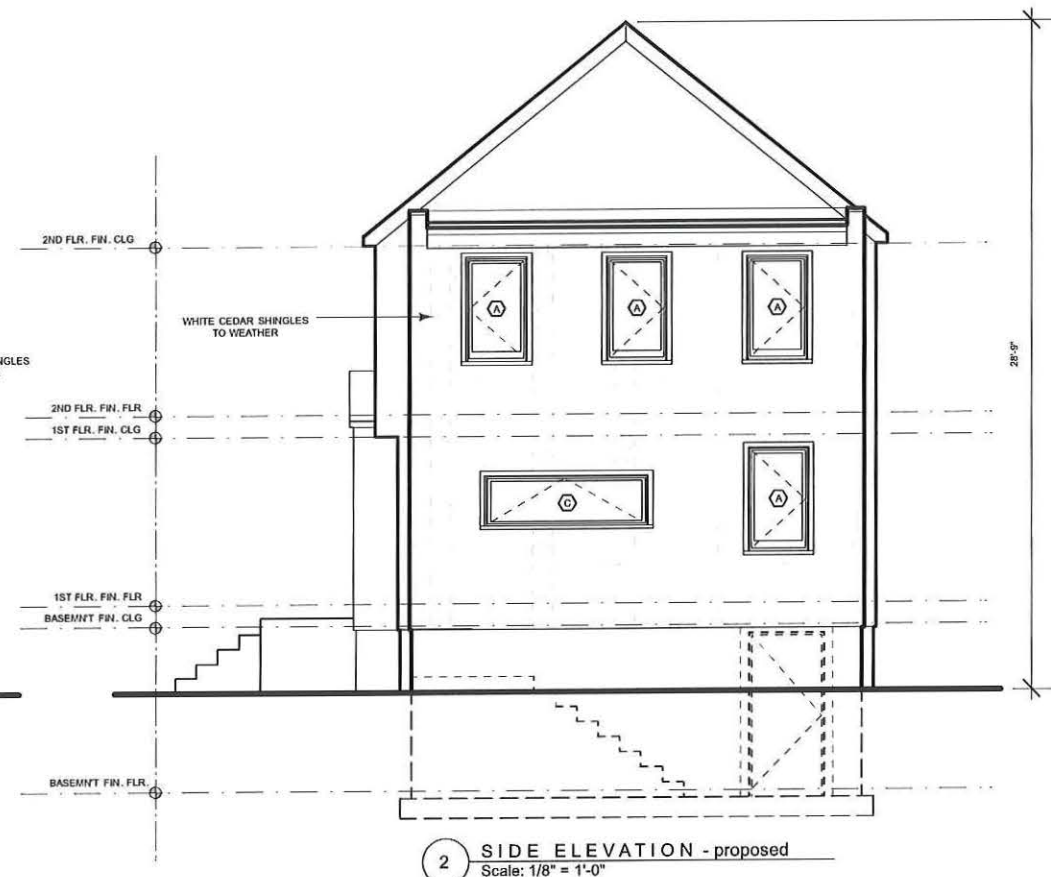


2 SECOND FLOOR PLAN - proposed  
Scale: 1/8" = 1'-0"

EXISTING WALL  
NEW CONSTRUCTION  
EXISTING TO BE REMOVED

87 WASHINGTON AVE, CAMBRIDGE, MA 02140			THE KELLY-REYNOLDS RESIDENCE			NOURY-ELLO ARCHITECTS 48 WASHINGTON ST, SUITE 4A BOSTON, MA 02118 tel 617.529.1326 fax 617.422.0981		
DATE:			ISSUED FOR:			SHEET TITLE:		
06.28.2019			PROGRESS SET			EXTERIOR ELEVATIONS		
08.03.2019			PROGRESS SET					
10.04.2019			PROGRESS SET					
10.24.2019			PROGRESS SET					
11.07.2019			PROGRESS SET					
A1.2								





NOURVELLO ARCHITECTS  
46 Waltham Street, Suite 4A  
Boston, MA 02118  
tel 617.529.1326 fax 617.422.0981

87 WASHINGTON AVE, CAMBRIDGE, MA 02445

THE KELLY-REYNOLDS RESIDENCE

SHEET TITLE:  
EXTERIOR ELEVATIONS

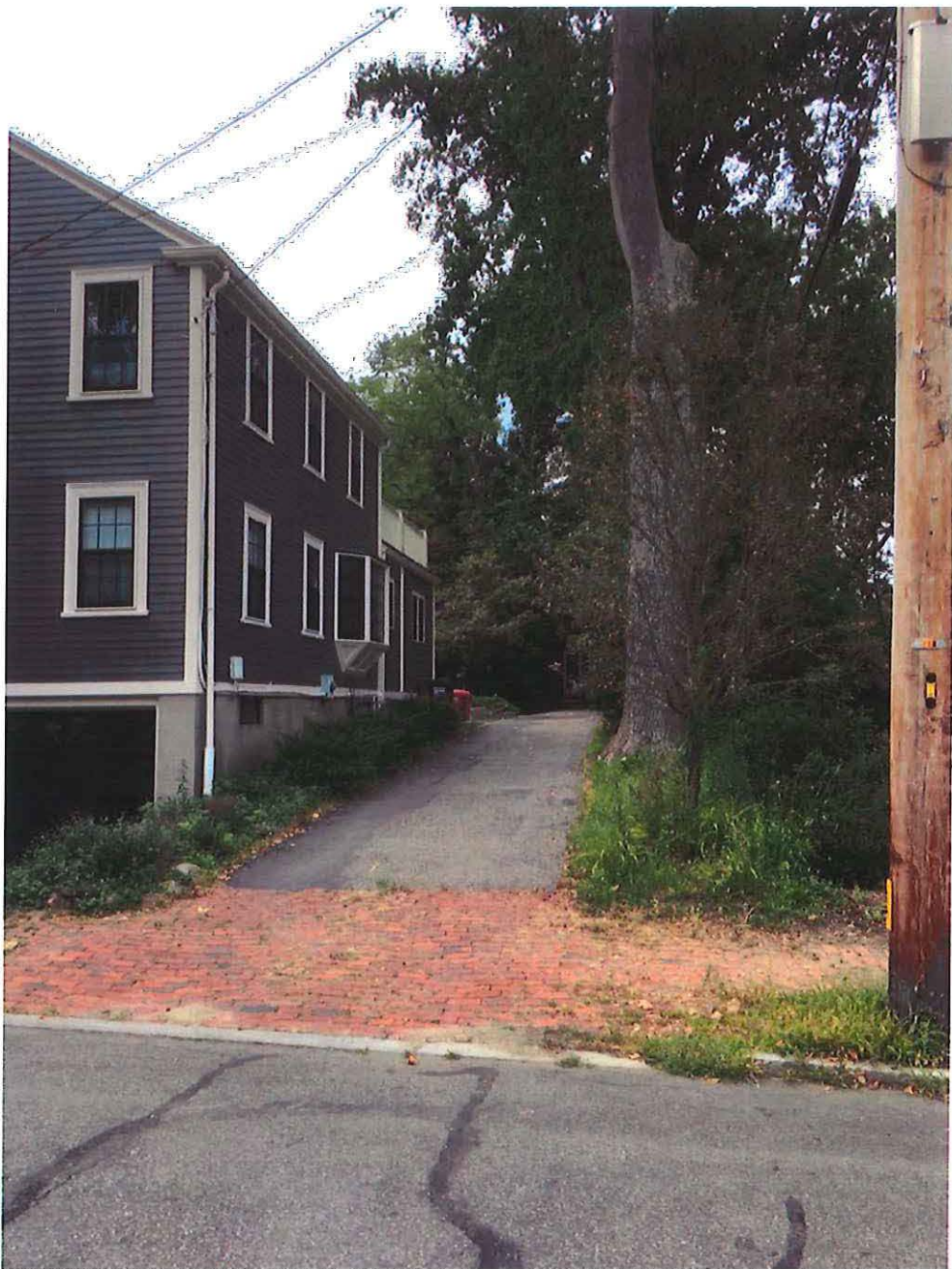
DATE:	ISSUED FOR:
06.28.2019	PROGRESS SET
08.03.2019	PROGRESS SET
10.04.2019	PROGRESS SET
10.24.2019	PROGRESS SET
11.07.2019	PROGRESS SET

A2.0





VIEW FROM WASHINGTON AVE (MIDDLE BUILDING IN BACKGROUND)



VIEW OF RIGHT-OF-WAY DRIVE FROM WASHINGTON AVE

P1	DATE:	ISSUED FOR:	SHEET TITLE:	87 WASHINGTON AVE, CAMBRIDGE, MA 02140  <b>THE KELLY-REYNOLDS RESIDENCE</b>	<b>NOURY-ELLO ARCHITECTS</b> 46 Wallham Street, Suite 4A Boston, MA 02118 tel 617.529.1326 fax 617.422.0981
	09.03.2019	CONSERVATION APPLICATION	EXISTING CONDITIONS PHOTOGRAPHS		





NORTHEAST CORNER VIEW FROM RIGHT-OF-WAY DRIVE



NORTH ELEVATION VIEW FROM RIGHT-OF-WAY DRIVE

<b>P2</b>	DATE:	ISSUED FOR:	SHEET TITLE:	87 WASHINGTON AVE, CAMBRIDGE, MA 02140  <b>THE KELLY-REYNOLDS RESIDENCE</b>	<b>NOURY-ELLO ARCHITECTS</b> 46 Waltham Street, Suite 4A Boston, MA 02118 tel 617.529.1326 fax 617.422.0981
	09.03.2019	CONSERVATION APPLICATION	EXISTING CONDITIONS PHOTOGRAPHS		





NORTHWEST CORNER VIEW FROM RIGHT-OF-WAY DRIVE



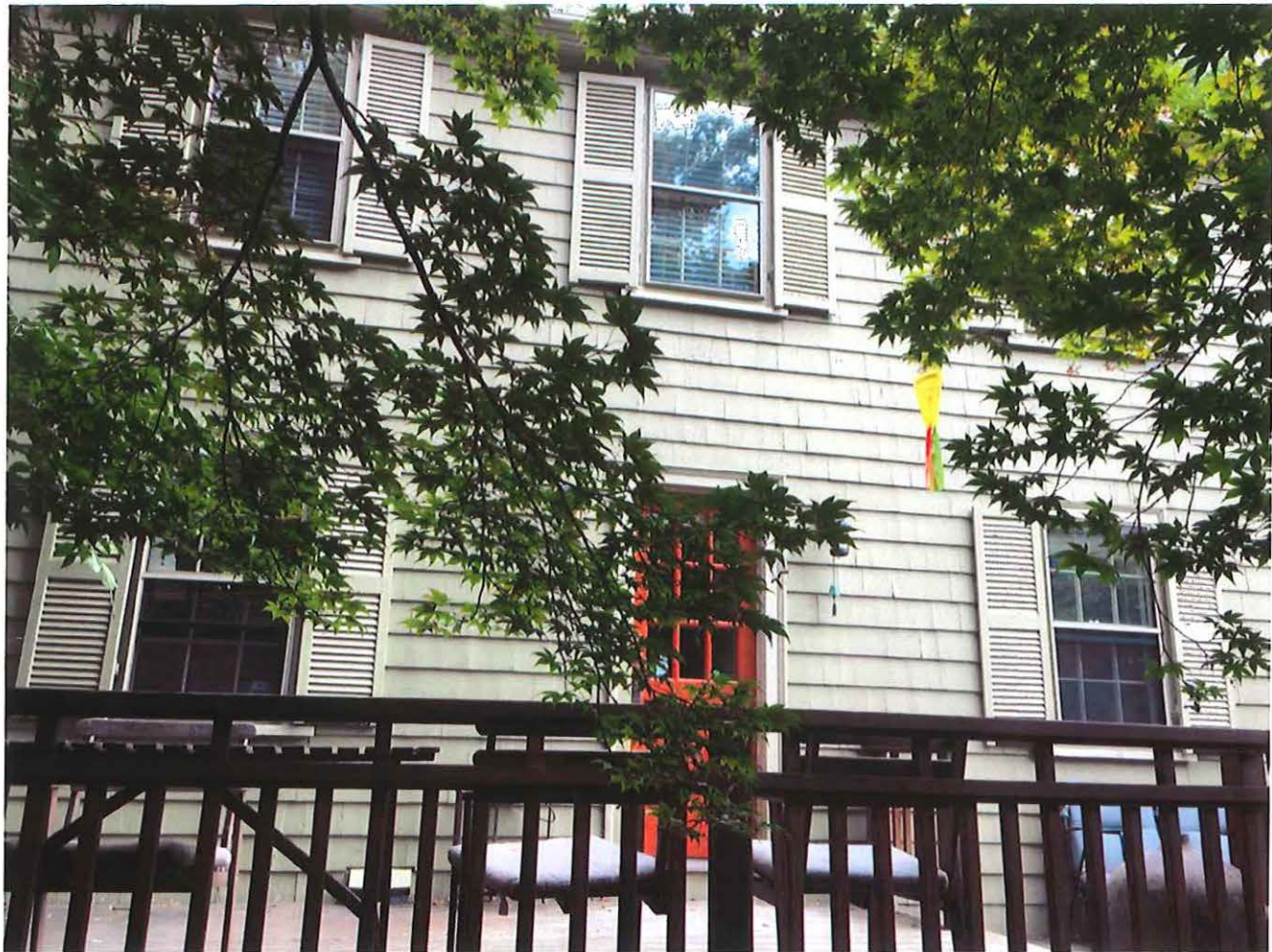
NORTHWEST CORNER VIEW FROM RIGHT-OF-WAY DRIVE

P3	DATE:	ISSUED FOR:	SHEET TITLE:	87 WASHINGTON AVE, CAMBRIDGE, MA 02140  <b>THE KELLY-REYNOLDS RESIDENCE</b>	<b>NOURY-ELLO ARCHITECTS</b> 46 Wallham Street, Suite 4A Boston, MA 02118 tel 617.529.1326 fax 617.422.0981
	09.03.2019	CONSERVATION APPLICATION	EXISTING CONDITIONS PHOTOGRAPHS		





NORTHWEST CORNER VIEW FROM EXISTING DECK ENTRY



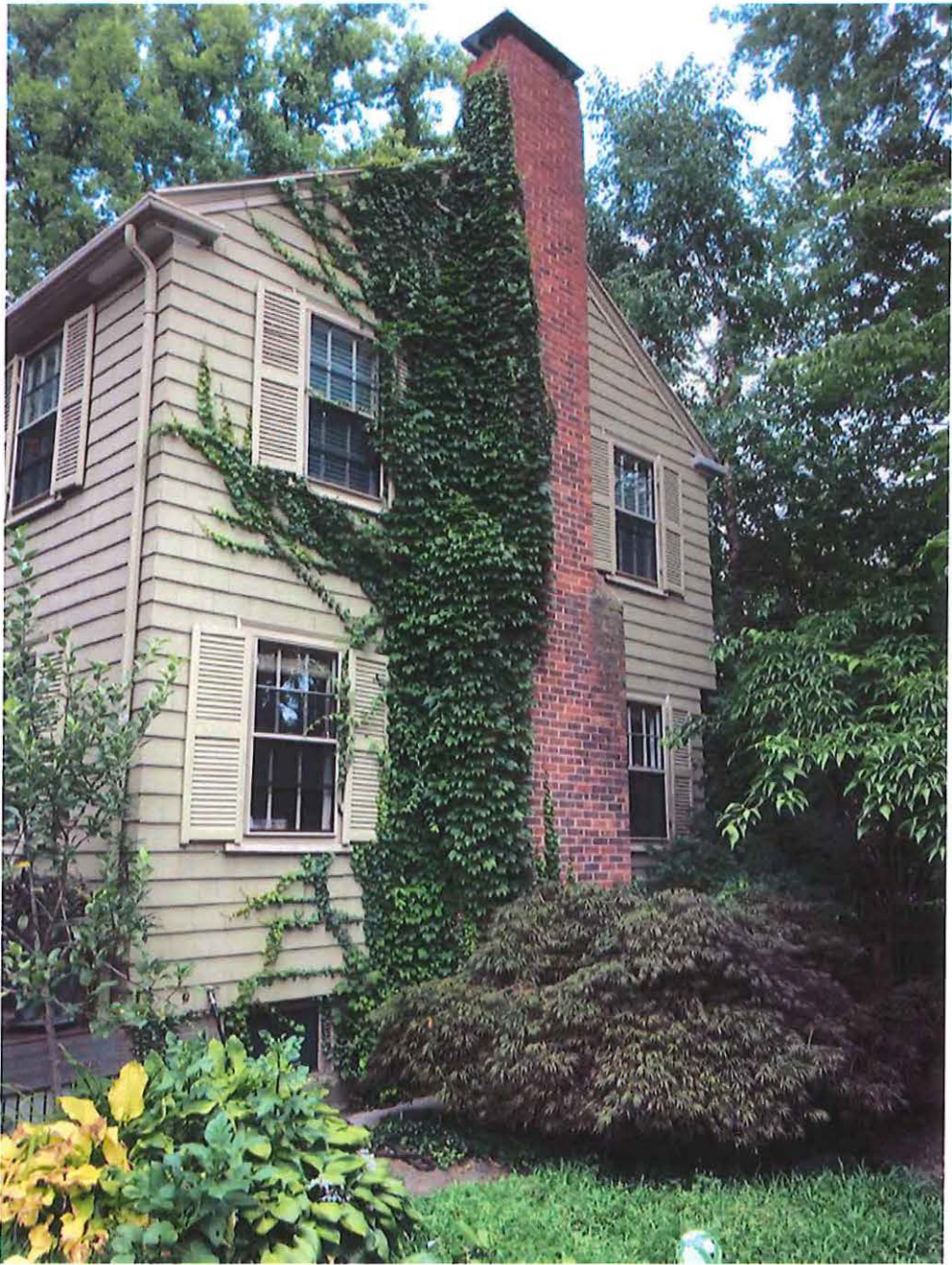
WEST ELEVATION VIEW FROM REAR YARD

P4	DATE:	ISSUED FOR:	SHEET TITLE:	87 WASHINGTON AVE, CAMBRIDGE, MA 02140  <b>THE KELLY-REYNOLDS RESIDENCE</b>	<b>NOURY-ELLO ARCHITECTS</b> 46 Wallham Street, Suite 4A Boston, MA 02118 tel 617.529.1326 fax 617.422.0981
	09.03.2019	CONSERVATION APPLICATION	EXISTING CONDITIONS PHOTOGRAPHS		





SOUTHWEST CORNER VIEW FROM SIDE YARD



SOUTH ELEVATION VIEW FROM SIDE YARD

P5	DATE:	ISSUED FOR:	SHEET TITLE:	87 WASHINGTON AVE, CAMBRIDGE, MA 02140  <b>THE KELLY-REYNOLDS RESIDENCE</b>	NOURY-ELLO ARCHITECTS 46 Wallham Street, Suite 4A Boston, MA 02118 tel 617.529.1326 fax 617.422.0981
	09.03.2019	CONSERVATION APPLICATION	EXISTING CONDITIONS PHOTOGRAPHS		



This is a detailed street map of a residential neighborhood in Washington, D.C. The map shows a grid of streets including Upland Rd, Washington Ave, Hillside Ave, and others. A red outline highlights a specific area, and a blue arrow points to a specific location within that area. The map includes numerous house numbers and street names, providing a clear view of the local geography.

87 Washington Ave

Petitioner

210-65  
KELLY, SARAH J.  
87 WASHINGTON AVE  
CAMBRIDGE, MA 02140

210-64  
HANNA, DOUGLAS M.  
89 WASHINGTON AVE  
CAMBRIDGE, MA 02140

MICHAEL W. WIGGINS, ATTORNEY  
ONE LIBERTY SQUARE – SUITE 1210  
BOSTON, MA 02109

210-62  
HOFFMANN, INGE SCHNEIER  
91 WASHINGTON AVE-REAR  
CAMBRIDGE, MA 02140

210-58  
ISAACSON, JOHN M. & CONSUELO ISAACSON  
81 WASHINGTON AVE #MH  
CAMBRIDGE, MA 02140

210-58  
KOECHNER, DIRK W. & SUSAN KOECHNER  
83 WASHINGTON AVE  
CAMBRIDGE, MA 02139

210-57  
HOFF, EDWARD J. & KATHLEEN M. O'CONNELL  
TRUSTEE OF 75 WASHINGTON AVE TRUST  
17 HILLSIDE AVE  
CAMBRIDGE, MA 02140

210-42  
SCANNEL, DENNIS J. JR. & JANE N. KAMENSKY  
107 WASHINGTON AVE  
CAMBRIDGE, MA 02140

210-41  
BROICH ALEXANDER H. & BARBARA THIMM  
144 UPLAND RD  
CAMBRIDGE, MA 02140

210-34  
DAHL, OPHELIA & LISA FRANTZIS  
92 WASHINGTON AVE  
CAMBRIDGE, MA 02140

210-33  
PRITCHARD, DAVID E. & ANDRA PRITCHARD  
88 WASHINGTON AV  
CAMBRIDGE, MA 02140

210-33  
BOROFSKY, RICHARD & ANTRA KALNINS  
86 WASHINTON AV  
CAMBRIDGE, MA 02140

210-21  
BOGHOSSIAN, DAVID M. &  
ELIZABETH D. BARTLE  
45 BELLEVUE AVE  
CAMBRIDGE, MA 02139

210-20  
REED, JOHN S. & SUE WELSH REED  
48 BELLEVUE AVE  
CAMBRIDGE, MA 02140

210-17  
CAMBRIDGE NURSERY SCHOOL INC  
6 HILLSIDE PL  
CAMBRIDGE, MA 02140

210-52  
BYRNE, ALEXANDER &  
CAROLE KENNEDY HOOVEN  
1-3 HILLSIDE PL., #3  
CAMBRIDGE, MA 02138

210-52  
AKAR, ABDALLAH  
1 HILLSIDE PL  
CAMBRIDGE, MA 02140

210-6  
VONWENTZEL, CONSTANTIN & SHOMA ADITYA  
101 WASHINGTON AVE  
CAMBRIDGE, MA 02140

210-63  
FISHER, MATTHEW  
85 WASHINGTON AVE  
CAMBRIDGE, MA 02140