



CITY OF CAMBRIDGE

BOARD OF ZONING APPEAL

831 Massachusetts Avenue, Cambridge MA 02139

617-349-6100

2024 NOV 26 PM 2:01

OFFICE OF THE CITY CLERK
CAMBRIDGE, MASSACHUSETTS

BZA Application Form

BZA Number: 1143409

General Information

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

Special Permit: _____ Variance: X Appeal: _____

PETITIONER: Jeffrey T. Berg and Shary Page Berg C/O James J. Rafferty

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

LOCATION OF PROPERTY: 11 Perry St., Cambridge, MA

TYPE OF OCCUPANCY: Two Family + Single Family **ZONING DISTRICT:** Residence C Zone

REASON FOR PETITION:


DESCRIPTION OF PETITIONER'S PROPOSAL:

Petitioner seeks to permit the relocation of a single window on a nonconforming wall of a newly created single-family dwelling approved in BZA Case No. 223906 in 2023.

SECTIONS OF ZONING ORDINANCE CITED:

Article: 5.000 Section: 5.31 Table of Dimensional Requirements).
Article: 8.000 Section: 8.22.3 (Non-Conforming Structure).
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
Cambridge, MA 02139
Tel. No. 617.492.4100
E-Mail Address: jrafferty@adamsrafferty.com

Date: November 25, 2024

OWNERSHIP INFORMATION FOR BOARD OF ZONING APPEAL RECORD

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

Jeffrey T. Berg and Shary Page Berg
(Owner or Petitioner)

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

Location of Premises: 11 Perry Street

the record title standing in the name of Jeffrey T. Berg and Shary Page Berg

whose address is 11 Perry 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 25402 Page 548 or _____ Registry

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

Jeffrey T. Berg
(Owner)

On this 16 day of March ~~February~~, 2022, before me, the undersigned notary public, personally appeared Jeffrey T. Berg proved to me through satisfactory evidence of identification, which were Mass. Driver's 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.



NIVEDITA BASNYAT
Notary Public
Commonwealth of Massachusetts
My Commission Expires
February 21, 2025

Nivedita Basnyat
Notary Public

My commission expires: 2/21/2025

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 making any modifications to the window layout on the rear wall of this nonconforming structure.

- 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 location of the existing structure and the size and shape of the lot.

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

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

There will be no detriment to the public good as the result of the relocation of a single window.

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

The Ordinance allows for the relocation of a window on a nonconforming wall of a single or two family house upon the issuance of a Special Permit. The structure is currently being converted to a single family dwelling. At the end of that work, the applicant would be eligible to apply for a Special Permit. Having to wait until the conversion work is complete and then apply for a Special Permit would be burdensome to the applicant.

- * If You have any questions as to whether you can establish all of the applicable legal requirements, you should consult with your own attorney.

DIMENSIONAL INFORMATION

Applicant: Jeffrey T. Berg and Shary Page Berg
Location: 11 Perry St., Cambridge, MA
Phone: 617.492.4100

Present Use/Occupancy: Two Family + Single Family
Zone: Residence C Zone
Requested Use/Occupancy: no change

		Existing Conditions	Requested Conditions	Ordinance Requirements	
TOTAL GROSS FLOOR AREA:		5,440 sf	no change	4,802 sf	(max.)
LOT AREA:		6,403 sf	no change	5,000 sf	(min.)
RATIO OF GROSS FLOOR AREA TO LOT AREA: ²		.85	no change	.75	
LOT AREA OF EACH DWELLING UNIT		2,134 sf	no change	1,800 sf	
SIZE OF LOT:	WIDTH	50'	no change	50'	
	DEPTH	129.9'	no change	N/A	
SETBACKS IN FEET:	FRONT	12.8'	no change	11.26'	
	REAR	2.8'	no change	27.48'	
	LEFT SIDE	0.2'	no change	7'6"	
	RIGHT SIDE	0.7'	no change	7'6"	
SIZE OF BUILDING:	HEIGHT	24' barn, 35' two family	no change	35'	
	WIDTH	see attached	no change	N/A	
	LENGTH	see attached	no change	N/A	
RATIO OF USABLE OPEN SPACE TO LOT AREA:		+/- 39	no change	+/- 36	
NO. OF DWELLING UNITS:		3	no change	N/A	
NO. OF PARKING SPACES:		2	no change	0	
NO. OF LOADING AREAS:		0	no change	N/A	
DISTANCE TO NEAREST BLDG. ON SAME LOT		+/- 20'	no change	10'	

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'.

NORTH FROM PLAN 1036 OF 1989

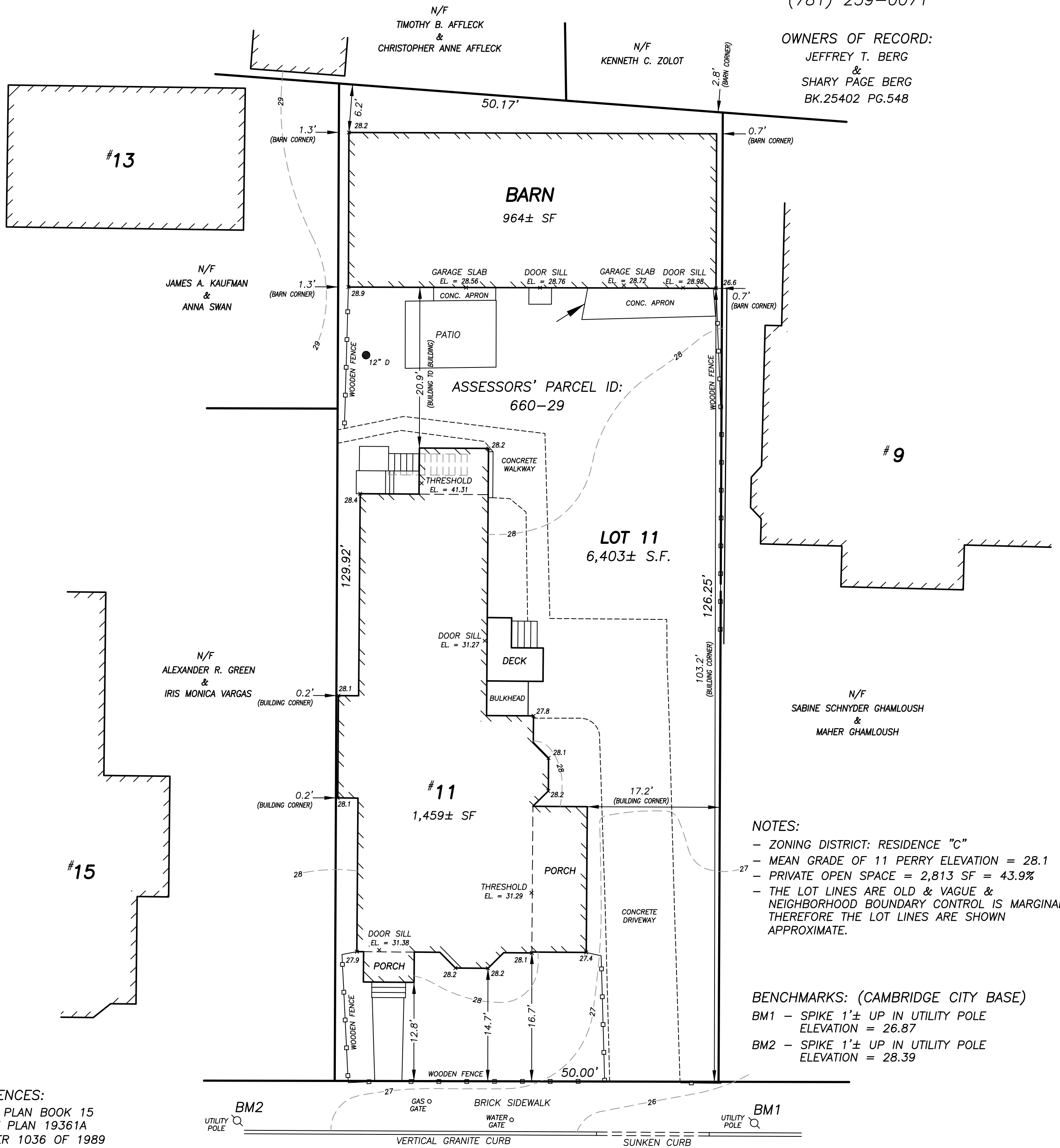
1 INCH = 10 FEET
 0 5 10 20 30

EXISTING CONDITIONS PLAN
 11 PERRY STREET
 CAMBRIDGE, MASSACHUSETTS

1 INCH = 10 FEET APRIL 26, 2023

SNELLING & HAMEL ASSOCIATES, INC.
 PROFESSIONAL LAND SURVEYORS & ENGINEERS
 10 LEWIS STREET P.O. BOX 102
 LINCOLN, MASSACHUSETTS 01773
 (781) 259-0071

OWNERS OF RECORD:
 JEFFREY T. BERG
 &
 SHARY PAGE BERG
 BK.25402 PG.548



NOTES:
 - ZONING DISTRICT: RESIDENCE "C"
 - MEAN GRADE OF 11 PERRY ELEVATION = 28.1
 - PRIVATE OPEN SPACE = 2,813 SF = 43.9%
 - THE LOT LINES ARE OLD & VAGUE & NEIGHBORHOOD BOUNDARY CONTROL IS MARGINAL, THEREFORE THE LOT LINES ARE SHOWN APPROXIMATE.

BENCHMARKS: (CAMBRIDGE CITY BASE)
 BM1 - SPIKE 1± UP IN UTILITY POLE
 ELEVATION = 26.87
 BM2 - SPIKE 1± UP IN UTILITY POLE
 ELEVATION = 28.39

PLAN REFERENCES:
 - PLAN 24 IN PLAN BOOK 15
 - LAND COURT PLAN 19361A
 - PLAN NUMBER 1036 OF 1989
 - PLAN NUMBER 634 OF 1948

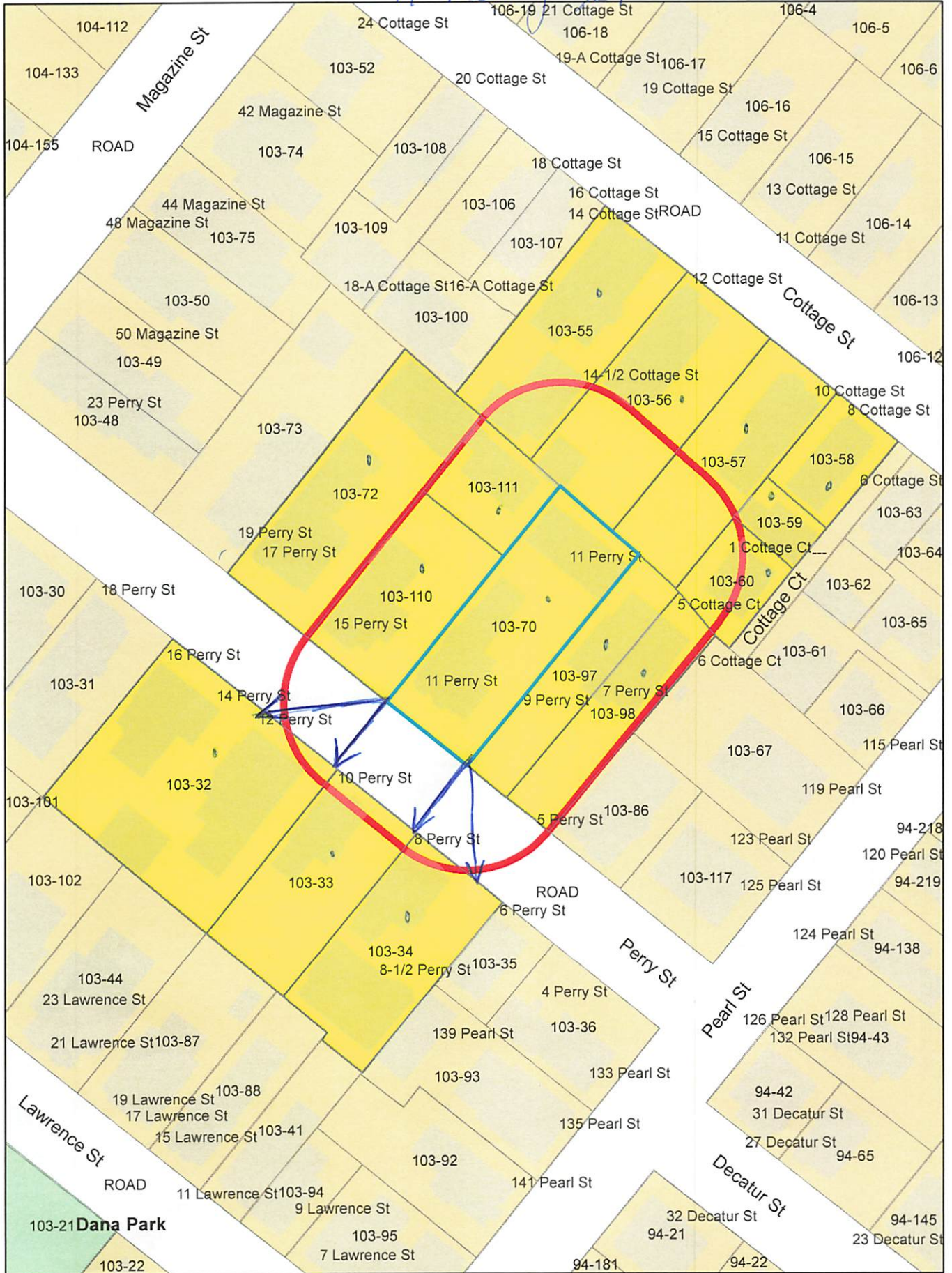
I HEREBY STATE THAT THE LOCATION OF THE FEATURES SHOWN HEREON IS THE RESULT OF A FIELD SURVEY PERFORMED AS OF OCTOBER 8, 2022.

John R. Hamel
 JOHN R. HAMEL
 PROFESSIONAL
 LAND SURVEYOR



APRIL 26, 2023
 DATE:

11 Perry St.



11 Perry St.

Petitioner

103-59
SHANNON, KATHLEEN
1 COTTAGE CT
CAMBRIDGE, MA 02139

103-57
ZOLOT, KENNETH C.
10 COTTAGE ST., #2
CAMBRIDGE, MA 02139

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

103-70
BERG, JEFFREY T. & SHARY PAGE BERG
11 PERRY ST
CAMBRIDGE, MA 02139-3911

103-98
LOH, PENN S. &
JACQUELYN A. CEFOLA, TRUSTEES
7 PERRY ST
CAMBRIDGE, MA 02139

103-110
GREEN, ALEXANDER R. &
IRIS MONICA VARGAS
15 PERRY ST
CAMBRIDGE, MA 02139

103-33
FINLEY, NATHANIEL C. &
SHANNON M. FINLEY
10 PERRY ST
CAMBRIDGE, MA 02139

103-57
ZOLOT, KENNETH C.
10 COTTAGE ST., UNIT #3
CAMBRIDGE, MA 02139

103-56
BABALAS, EMANUEL AND DEBRA A. BABALAS
354 PAYSON ROAD
BELMONT, MA 02478-3402

103-57
ZOLOT, KENNETH C.
10 COTTAGE ST., #1
CAMBRIDGE, MA 02139

103-58
FULLER, STEPHEN D.
8 COTTAGE ST
CAMBRIDGE, MA 02139

103-111
KAUFMAN, JAMES A. AND ANNA SWAN
13 PERRY ST
CAMBRIDGE, MA 02139

103-32
FRISHMAN, ANDREW &
LEIGH ANNE NEEDLEMAN, TRS
14 PERRY ST
CAMBRIDGE, MA 02139

103-32
BROWNE, FELIX O.
12 PERRY ST UNIT 1
CAMBRIDGE, MA 02139

103-72
ANDERS, GEORGE M.
17 PERRY ST - UNIT 3
CAMBRIDGE, MA 02139

103-72
HABER, EDWARD F. & JAMIE LOGAN
271 DEAN RD
BROOKLINE, MA 02445

103-55
WEI, JESSE & NANCY WEI
18 ROCKINGHAM ST
CAMBRIDGE, MA 02139

103-55
BRUNER, ERIC & CATHERINE SWEENEY
14 1/2 COTTAGE ST
CAMBRIDGE, MA 02139

103-34
ANTONOPOULOS JOHN
8 PERRY ST
CAMBRIDGE, MA 02139

103-55
MARKS, ZOE E. & ERICA CHENOWETH
14 COTTAGE ST UNIT 3
CAMBRIDGE, MA 02139

103-32
LEE, ALICE I.
12 PERRY ST UNIT 4
CAMBRIDGE, MA 02139

103-72
BENDAPUDI PRANUT
17 PERRY ST - UNIT 17-1
CAMBRIDGE, MA 02139

103-55
MURRAY PAMELA JANE HORWITZ
CHRISTOPHER MAX
14 COTTAGE ST - UNIT 14-2
CAMBRIDGE, MA 02139

103-97
GHAMLOUSH, SABINE SCHNYDER &
MAHER GHAMLOUSH
9 PERRY ST
CAMBRIDGE, MA 02139

103-57
ZOLOT, KENNETH C.
TR. OF THE ZOLOT COTTAGE REAL ESTATE
10 COTTAGE ST
CAMBRIDGE, MA 02139

103-32
MONOSSON, DEBORAH J.
TRS DEBORAH J MONOSSON TR
16 PERRY ST
CAMBRIDGE, MA 02139

103-32
HANUMARA, R CHOUDARY TRS &
NEVAN HANUMARA THE R. CHOUDARY
HANUMARA REV TR
12 PERRY ST - UNIT 5
CAMBRIDGE, MA 02139

103-60
MUSCO, LISA MARIORENZI &
PAUL S. MUSCO
5 COTTAGE CT
CAMBRIDGE, MA 02139