



CITY OF CAMBRIDGE

BOARD OF ZONING APPEAL

831 Massachusetts Avenue, Cambridge MA 02139

617-349-6100

2024 AUG -2 AM 10: 01

OFFICE OF THE CITY CLERK
CAMBRIDGE, MASSACHUSETTS

BZA Application Form

BZA Number: 282977

General Information

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

Special Permit: X Variance: X Appeal:

PETITIONER: Jennifer Miles and Edward Denney C/O Maggie Booz, SmartArchitecture

PETITIONER'S ADDRESS: 33 Lawn Street, Cambridge, MA 02138

LOCATION OF PROPERTY: 15 Hawthorne Pk., Cambridge, MA

TYPE OF OCCUPANCY: Single family **ZONING DISTRICT:** Residence B Zone

REASON FOR PETITION:

/Conversion to Additional Dwelling Units/ /New Structure/

DESCRIPTION OF PETITIONER'S PROPOSAL:

The single family home plus the proposed accessory dwelling unit exceed the FAR maximum.
We are seeking to alter/add to/rebuild an existing detached garage as an accessory dwelling unit.

SECTIONS OF ZONING ORDINANCE CITED:

- Article: 5.000 Section: 5.31 (Table of Dimensional Requirements).
- Article: 4.000 Section: 4.22 (Accessory Apartments).
- Article: 10.000 Section: 10.30 (Variance).
- Article: 10.000 Section: 10.40 (Special Permit).

Original
Signature(s):

(Petitioner (s) / Owner)

MAGGIE BOOZ / SMART ARCHITECTURE

(Print Name)

Address:

33 LAWN ST., CAMB 02138

Tel. No.

617-435-2426

E-Mail Address:

maggie@smartarchitecture.net

Date: _____

BZA Application Form

DIMENSIONAL INFORMATION

Applicant: Jennifer Miles and Edward Denney
Location: 15 Hawthorne Pk., Cambridge, MA
Phone: 617-435-2426

Present Use/Occupancy: Single family
Zone: Residence B Zone
Requested Use/Occupancy: Single family+accessory dwelling unit

		<u>Existing Conditions</u>	<u>Requested Conditions</u>	<u>Ordinance Requirements</u>	
TOTAL GROSS FLOOR AREA:		3057 SF	3981 SF	3081 SF	(max.)
LOT AREA:		6659 SF	6659 SF	5000 SF	(min.)
RATIO OF GROSS FLOOR AREA TO LOT AREA: ²		.5 + .35 of 6659 = 3081 SF (.46 FAR average)	3981 SF (.59 FAR average)	.5 on 5000 SF +.35 on remaining	
LOT AREA OF EACH DWELLING UNIT		6659	3330	2500	
SIZE OF LOT:	WIDTH	39.38' street frontage, 53' average	39.38' street frontage, 53' average	50'	
	DEPTH	127' average	127' average	NA	
SETBACKS IN FEET:	FRONT	12.5' primary house	12.5'	15'	
	REAR	20.4' garage	11.7' accessory dwelling unit	5'	
	LEFT SIDE	5.9' garage	6' accessory dwelling unit	5'	
	RIGHT SIDE	34' garage	34' accessory dwelling unit	5' accessory structure	
SIZE OF BUILDING:	HEIGHT	30' primary structure	19' accessory structure	15' accessory structure	
	WIDTH	18.3' garage	27' accessory structure	NA	
	LENGTH	18.3' garage	18' accessory structure	NA	
RATIO OF USABLE OPEN SPACE TO LOT AREA:		58% open	58% open	40% open	
NO. OF DWELLING UNITS:		1	2	2 maximum	
NO. OF PARKING SPACES:		2-3	2-3	1-2	
NO. OF LOADING AREAS:		NA	NA	NA	
DISTANCE TO NEAREST BLDG. ON SAME LOT		16' primary structure to garage	16' primary structure to accessory	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.:

The accessory structure proposed would be wood frame on a 4' poured concrete frost wall/footing.

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'.

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 Jennifer Miles and Edward Denney (OWNER)

Address: 15 Hawthorne Park, Cambridge, MA. 02138

State that I/We own the property located at 15 Hawthorne Park, Cambridge, which is the subject of this zoning application.

The record title of this property is in the name of Jennifer Miles and Edward Denney

*Pursuant to a deed of duly recorded in the date 9-29-06, Middlesex South County Registry of Deeds at Book 48255, Page 338; or Middlesex Registry District of Land Court, Certificate No. _____ Book _____ Page _____.

Edward B. Denney
SIGNATURE BY LAND OWNER OR AUTHORIZED TRUSTEE, OFFICER OR AGENT

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

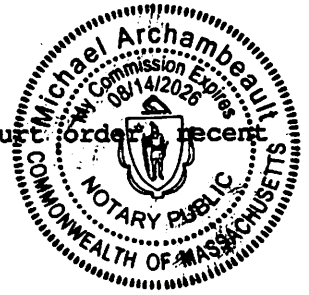
Commonwealth of Massachusetts, County of MIDDLESEX

The above-name Jennifer Miles + Edward Denney personally appeared before me, this 12th of July, 2024, and made oath that the above statement is true.

[Signature] Notary

My commission expires 8/14/2026 (Notary Seal).

- 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:

The petitioners have a now-adult son, Sam, who manages significant health challenges long term, which he has done for his entire life, and who is considering moving back home. They wish to create for him an independant habitable dwelling so that he can maintain his independence with support nearby. Given the housing costs in Cambridge/Somerville, it is not possible for him to do so. Given Sam's low wage history due to his medical challenges, he has qualified for Medicaid in Vermont, where he currently lives. The Petitioners, and Sam, feel that could they establish an Accessory Dwelling Unit on their ample property in place of a garage they don't use, Sam will have a stable living environment with the support he requires.

- 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 floor area of the primary structure plus the proposed accessory structure exceed the square footage allowed on the site, even though the requested dwelling unit is a modest 900 SF. The first floor of the proposed structure is being planned to accomodate the storage that the existing garage contains, as well as mechanical systems for the living unit. The second floor of the structure is the actual living area, and has been designed for maximum efficiency. The lot is uncharacteristically narrow at the front, wedge shaped, instead of being a typical Res B district 50' wide lot.

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

- 1)** Desirable relief may be granted without substantial detriment to the public good for the following reasons:

The proposed building is sited in the northwest corner of the lot, and the lot abuts playing fields currently used by BB&N School. The accessory unit, while it tecnically could be pushed back to 5' from the north property line, is still 11' away from the property line, which is the rear property line of the 3-family condo to the north. This creates a still-substantial distance between the accessory structure proposed and the neighboring building. It is designed to accomodate one occupant, and so will not create detrimental occupancy, noise, or light. Its height is deliberately low so as to minimize shadow.

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

Our Ordinance encourages the creation of additional dwelling units when a property is ample enough to do so, and especially when an existing accessory structure exists that has established a built presence on a site. The circumstances of these Petitioners is certainly unique, but the dwelling unit proposed is advantageous to creation of housing, as well as multi-generational family life.

***If you have any questions as to whether you can establish all of the appllicable legal requirements, you should consult with an 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 15 Hawthorne Pk., 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:

The existing garage on the site was built well before February 1, 2019. The exterior of the proposed replacement accessory structure has been designed to be compatible with the neighborhood character and appearance, as dictated in the Ordinance. And above all, this structure meets the intent of section 4.22 of the Ordinance, one that addresses our acute housing shortage and the unaffordability of rentals and purchases in Cambridge, particularly for residents of limited means.

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 additional traffic will be created, nor patterns of access or egress changed due to this proposed accessory dwelling unit. Some driveway pavement is reduced in the proposal.

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:

The construction of this proposed accessory dwelling unit would have no affect on the development of adjacent uses.

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:

The proposed dwelling unit is small, approximately 450 SF of actual living space, and best suits a single person (for whom it is designed). Therefore, little density is increased and no detriment or nuisance caused to the citizens of Cambridge.

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 building would be a lovely addition to the site, and an improvement over the slab-on-grade flimsily built garage that exists there now, prioritizing people and living over cars.

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

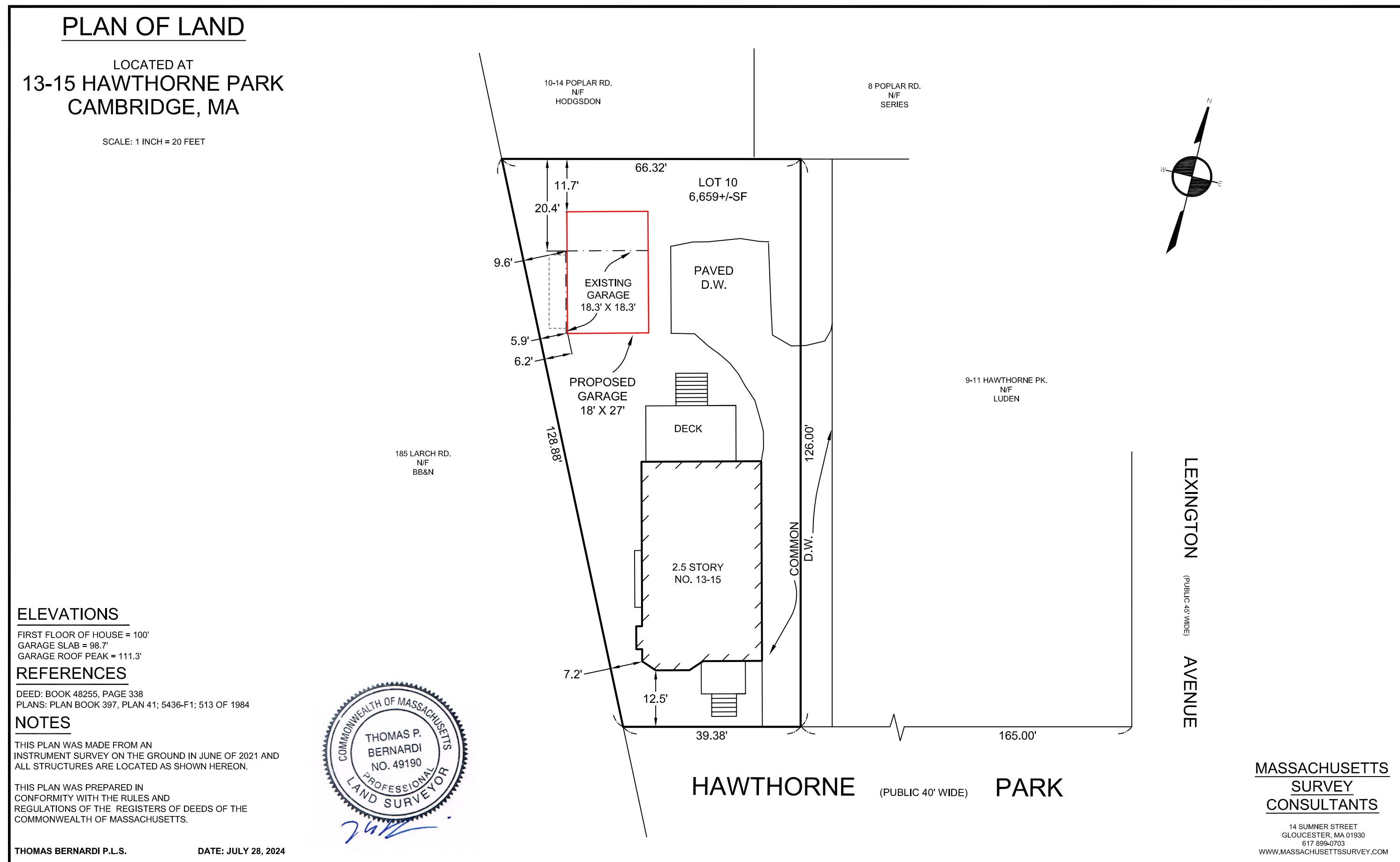
MILES - DENNEY RESIDENCE

15 HAWTHORNE PARK, CAMBRIDGE, MA

ARCHITECT
SMART ARCHITECTURE
 33 LAWN STREET, CAMBRIDGE, MA 02138
 T: 617.576.2720 www.smartarchitecture.net

DRAWING INDEX:

- A-0.0 Cover Page + Plot Plan
- A-2.0 Existing Plan
- A-3.0 Proposed Plans
- A-6.0 Existing Elevations
- A-7.0 Proposed Elevations



Board of Zoning Appeal
 Application



General Drawing Note:
 Do not scale off these drawings. Written dimensions take precedence. Contractor to verify all written dimensions in field before proceeding with work. Notify architect and owner of any dimensional discrepancies before proceeding with work. Exterior dimensions given are to framing, interior dimensions given are to finished surfaces.

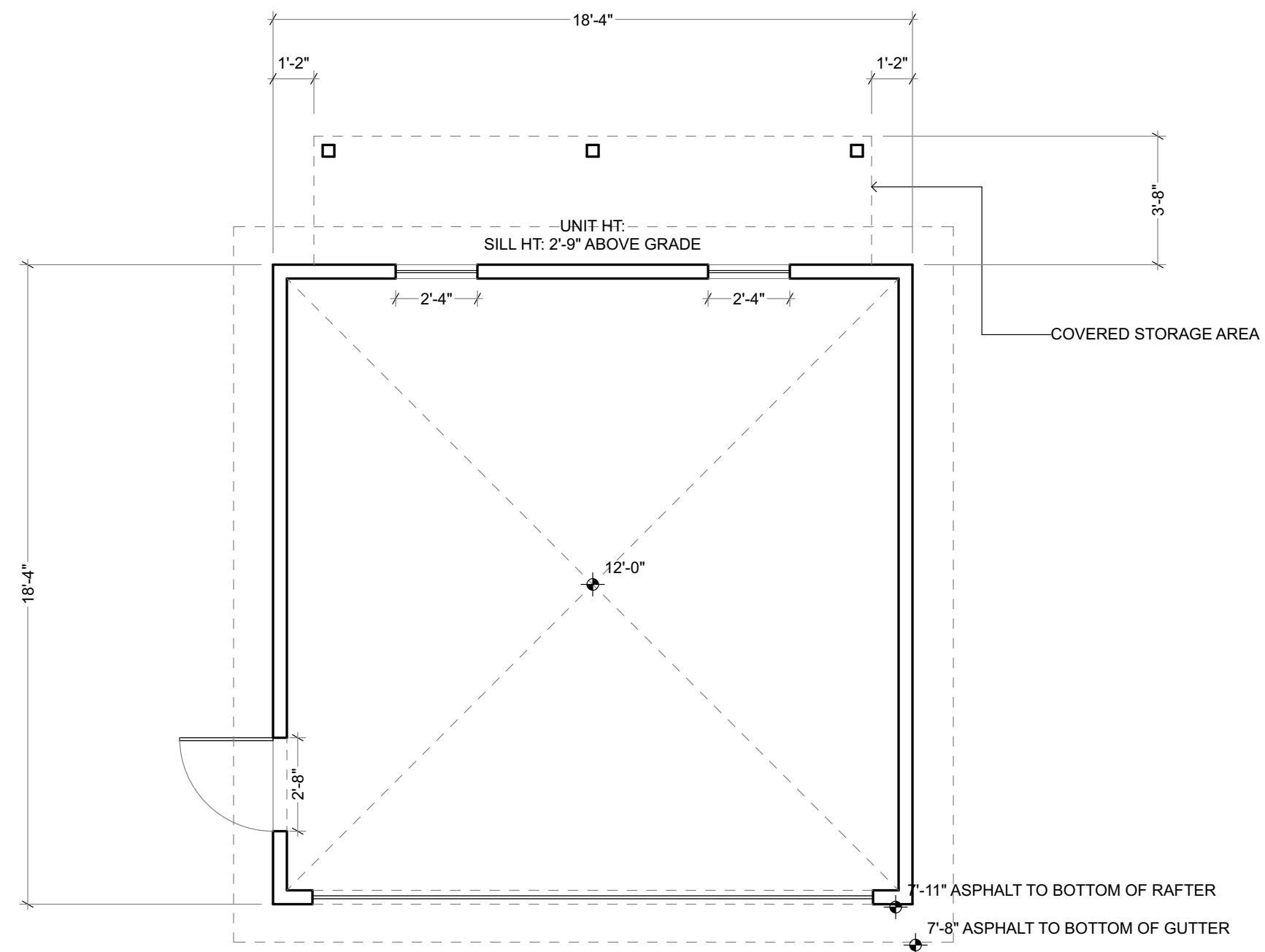
SMART ARCHITECTURE
 33 LAWN STREET, CAMBRIDGE, MA 02138

Miles Denney Residence
 15 Hawthorne Park
 Cambridge, MA 02138

Job number	2106
Scale	as noted
Date	07.31.24
Drawn by	rb
Checked by	msb

Cover Page + Plot Plan

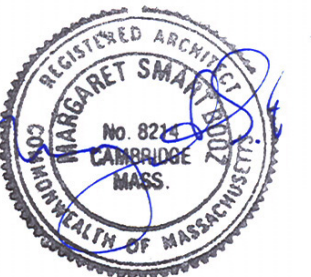
A-0.0



EXISTING GARAGE PLAN

1/4" = 1'-0"

1



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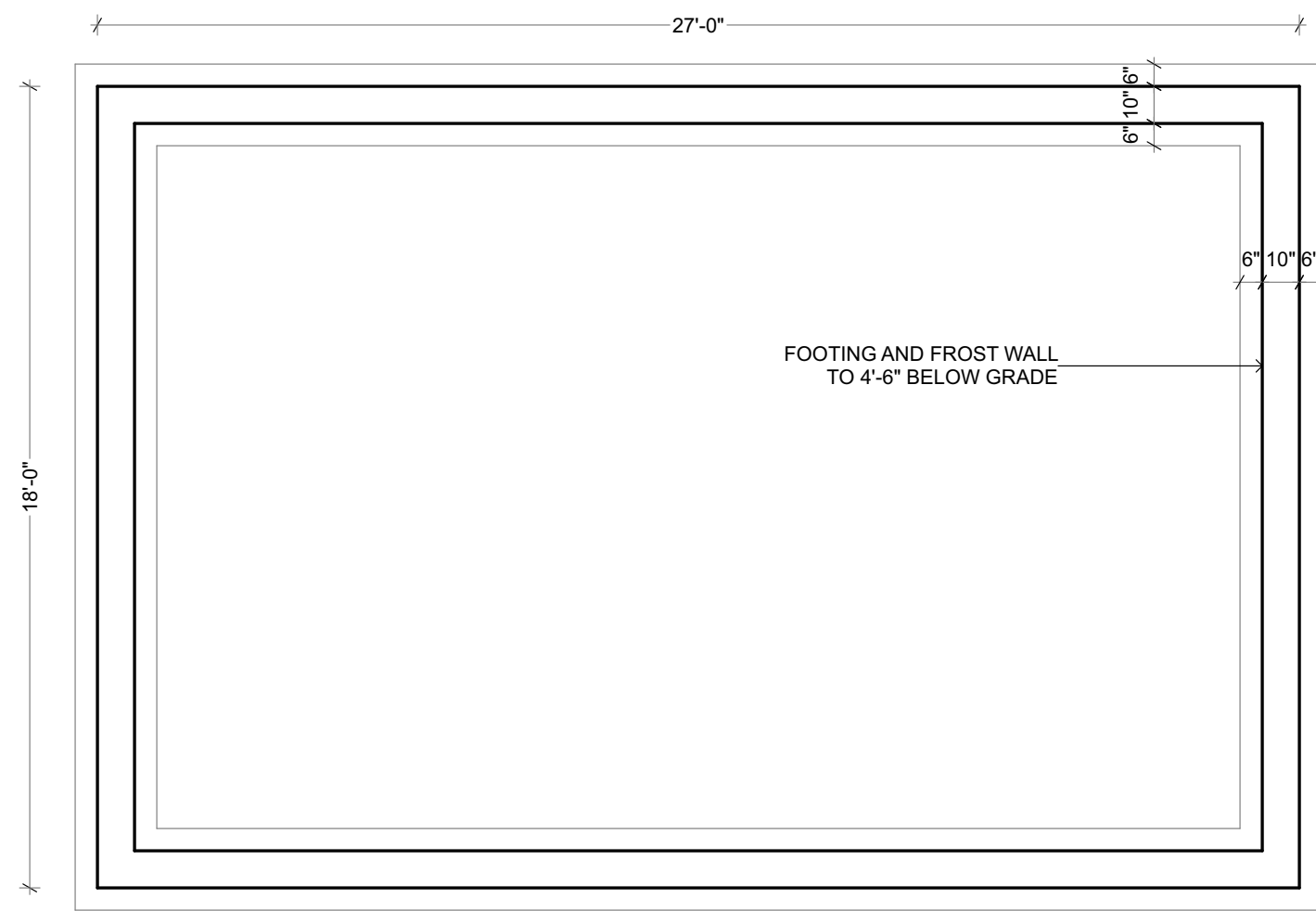
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Existing Plan

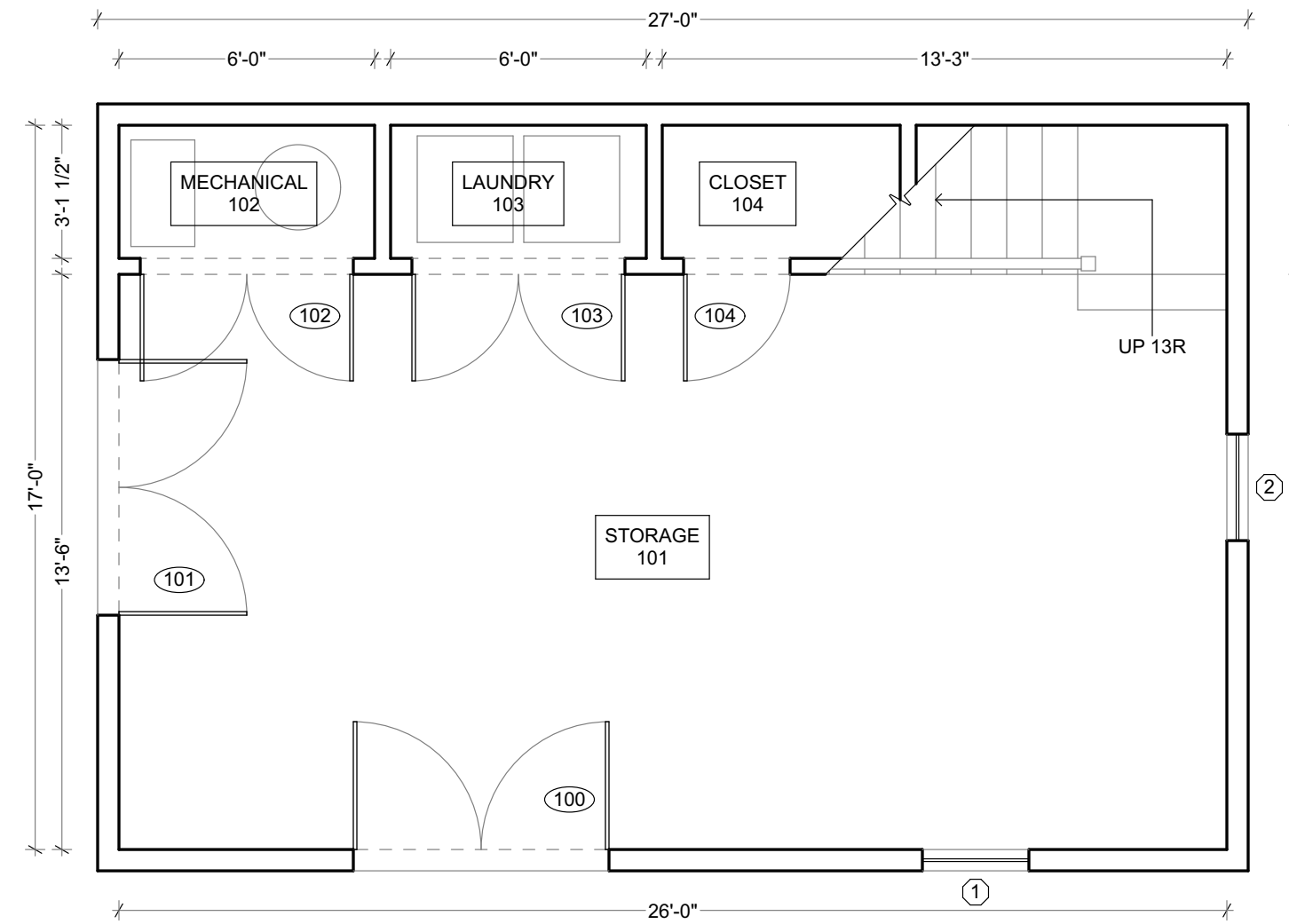
A-2.0



PROPOSED FOUNDATION PLAN

1/4" = 1'-0"

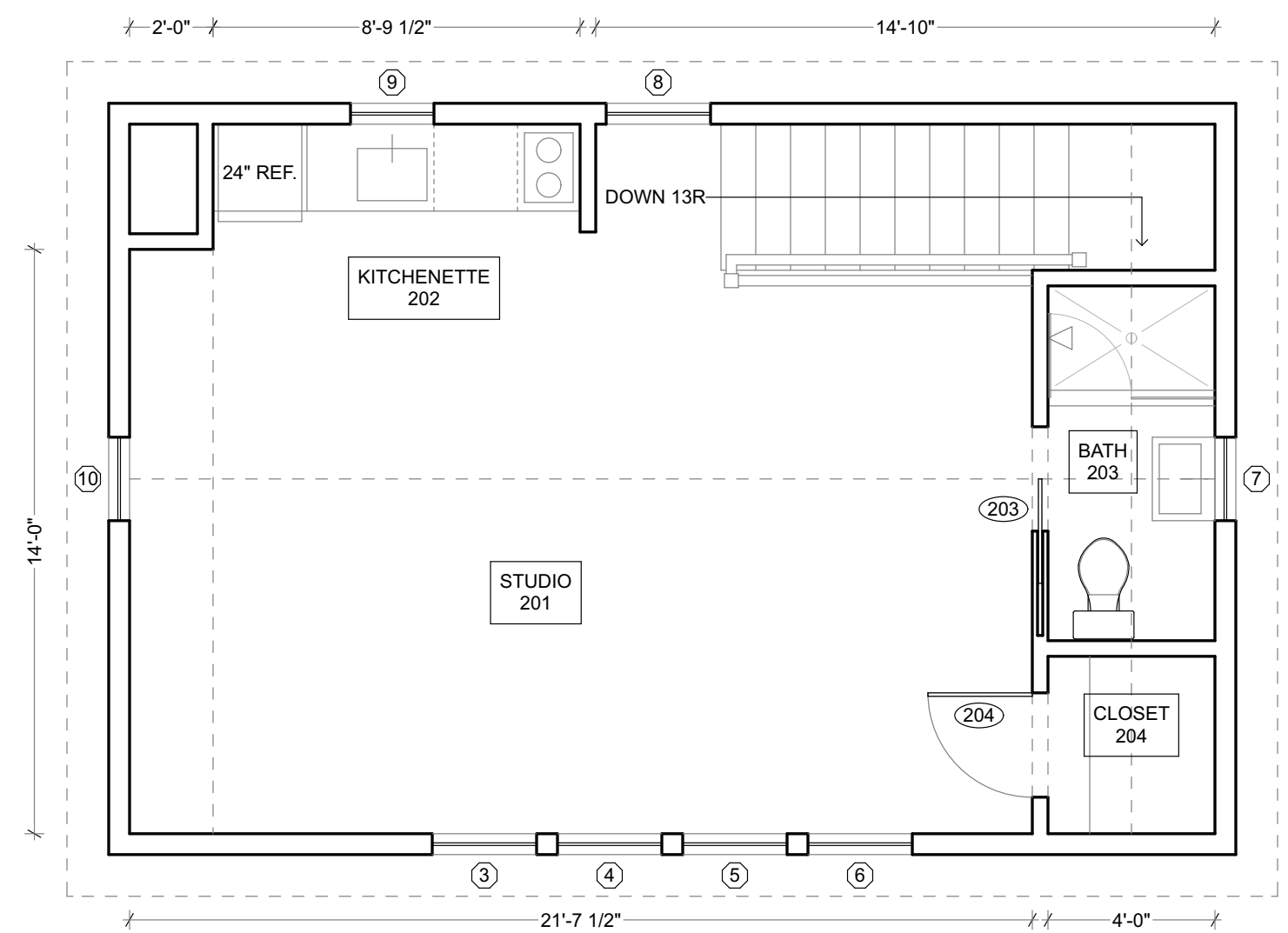
1



PROPOSED LEVEL 1 PLAN

1/4" = 1'-0"

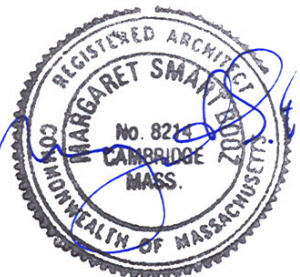
2



PROPOSED LEVEL 2 PLAN

1/4" = 1'-0"

3



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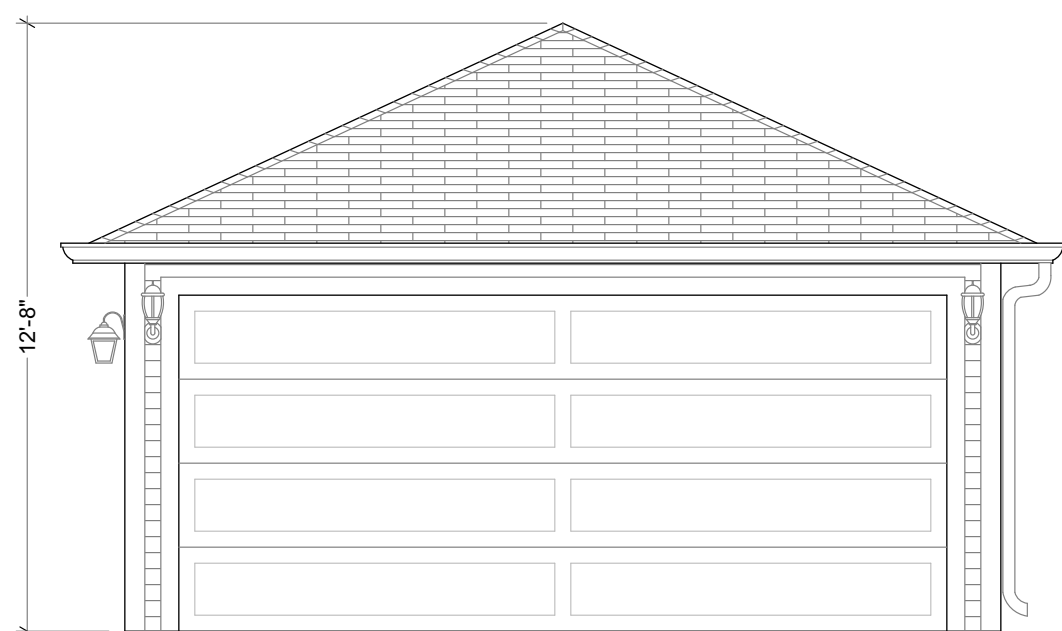
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33 LAWN STREET, CAMBRIDGE, MA 02138

Miles Denney Residence
15 Hawthorne Park
Cambridge, MA 02138

Job number	2106
Scale	as noted
Date	07.31.24
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Checked by	msh

Proposed Plans

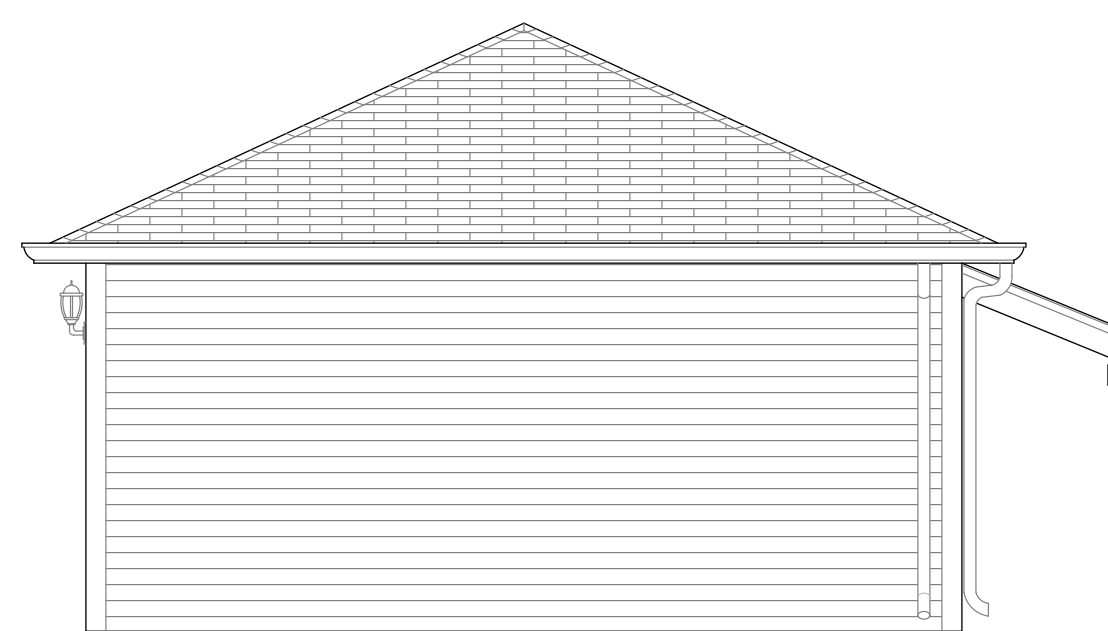
A-3.0



EXISTING GARAGE EAST ELEVATION

1/4" = 1'-0"

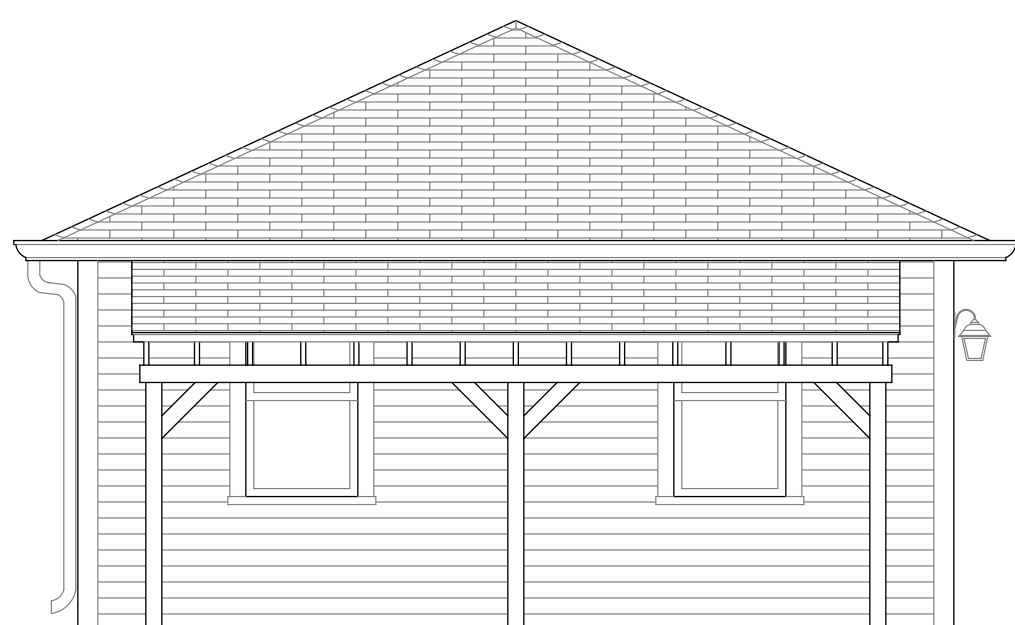
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EXISTING GARAGE NORTH ELEVATION

1/4" = 1'-0"

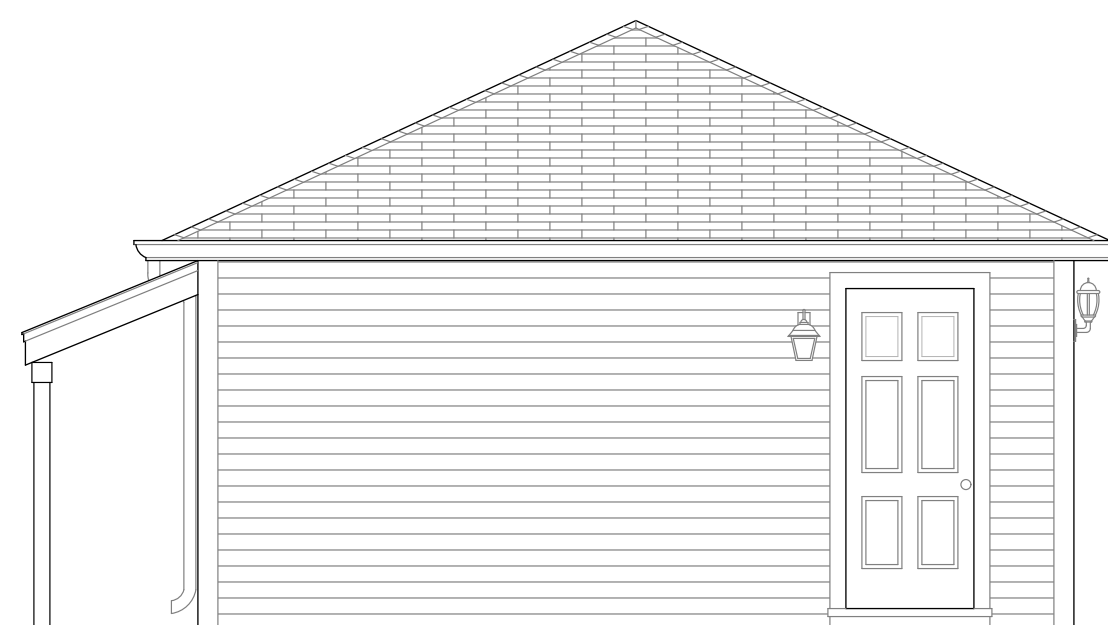
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EXISTING GARAGE WEST ELEVATION

1/4" = 1'-0"

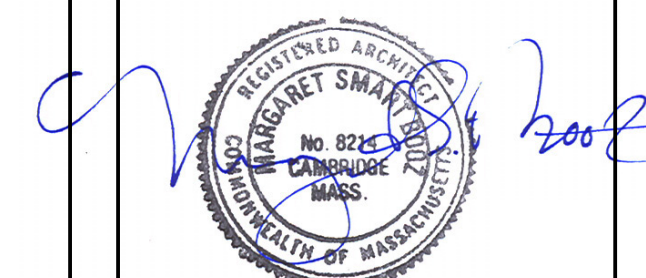
3



EXISTING GARAGE SOUTH ELEVATION

1/4" = 1'-0"

4



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SMART ARCHITECTURE
33 LAWN STREET, CAMBRIDGE, MA 02138

Miles Denney Residence
15 Hawthorne Park
Cambridge, MA 02138

Job number	2106
Scale	as noted
Date	07.31.24
Drawn by	rb
Checked by	msb

Existing Elevations

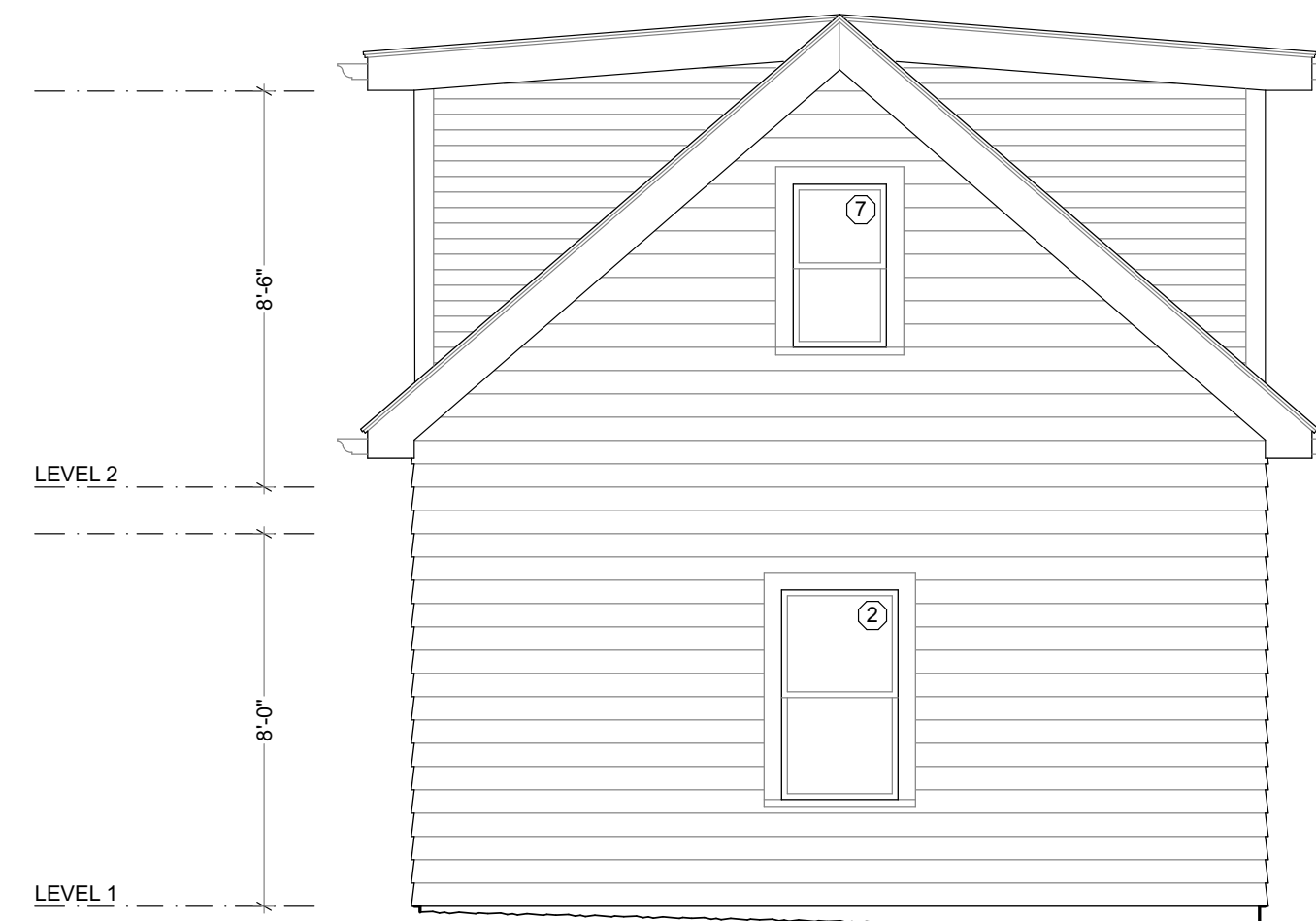
A-6.0



PROPOSED EAST ELEVATION

1/4" = 1'-0"

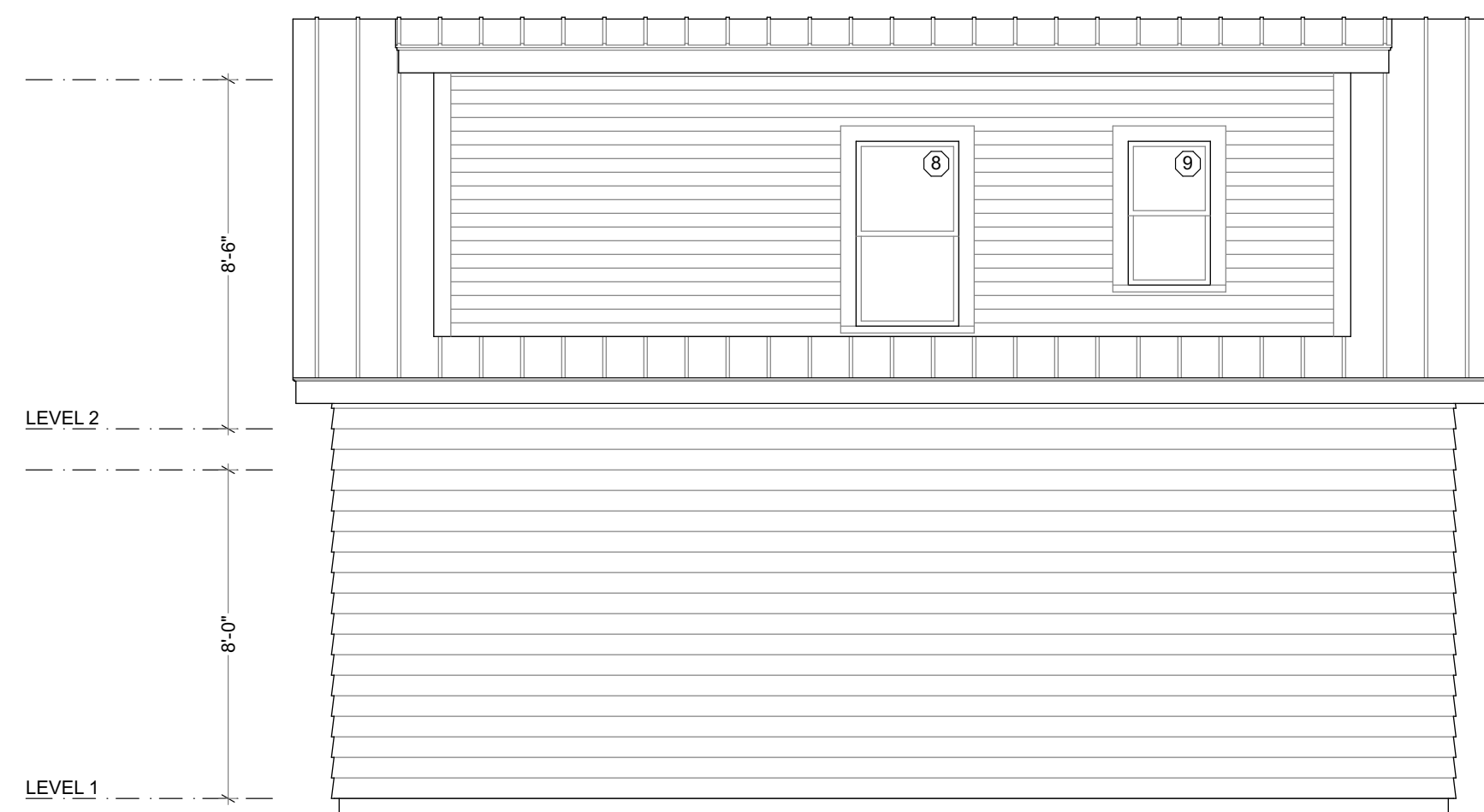
1



PROPOSED NORTH ELEVATION

1/4" = 1'-0"

2



PROPOSED WEST ELEVATION

1/4" = 1'-0"

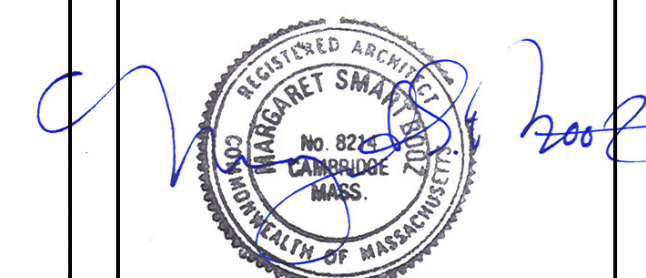
3



PROPOSED SOUTH ELEVATION

1/4" = 1'-0"

4



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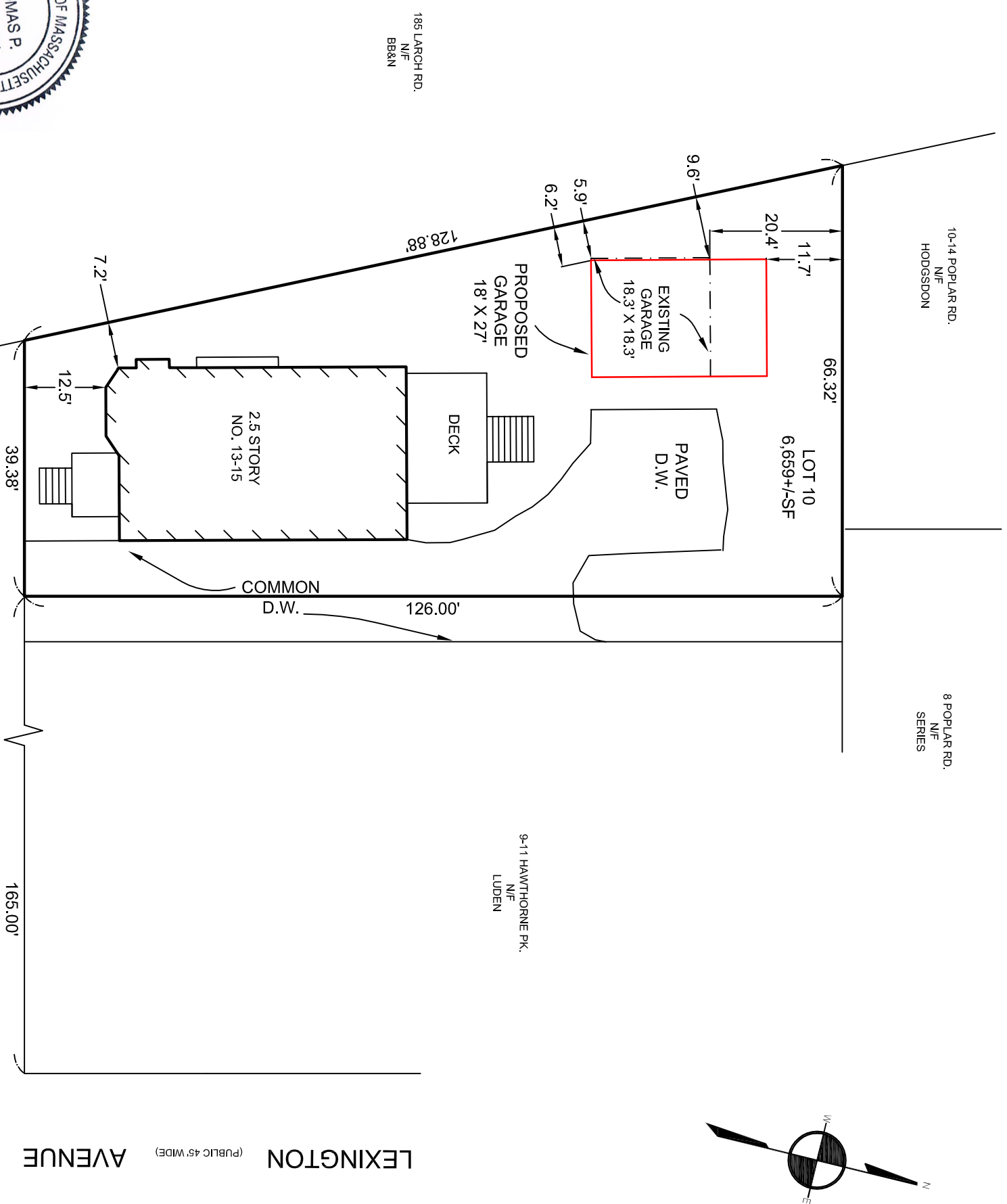
Proposed Elevations

A-7.0

PLAN OF LAND

LOCATED AT
13-15 HAWTHORNE PARK
CAMBRIDGE, MA

SCALE: 1 INCH = 20 FEET



ELEVATIONS

FIRST FLOOR OF HOUSE = 100'
GARAGE SLAB = 98.7'
GARAGE ROOF PEAK = 111.3'

REFERENCES

DEED: BOOK 48255, PAGE 338
PLANS: PLAN BOOK 397, PLAN 41, 5436-F1, 513 OF 1984

NOTES

THIS PLAN WAS MADE FROM AN INSTRUMENT SURVEY ON THE GROUND IN JUNE OF 2021 AND ALL STRUCTURES ARE LOCATED AS SHOWN HEREON.

THIS PLAN WAS PREPARED IN CONFORMITY WITH THE RULES AND REGULATIONS OF THE REGISTERERS OF DEEDS OF THE COMMONWEALTH OF MASSACHUSETTS.

THOMAS BERNARDI P.L.S.

DATE: JULY 28, 2024



HAWTHORNE PARK
(PUBLIC 40' WIDE)

LEXINGTON AVENUE
(PUBLIC 45' WIDE)

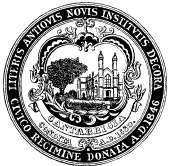
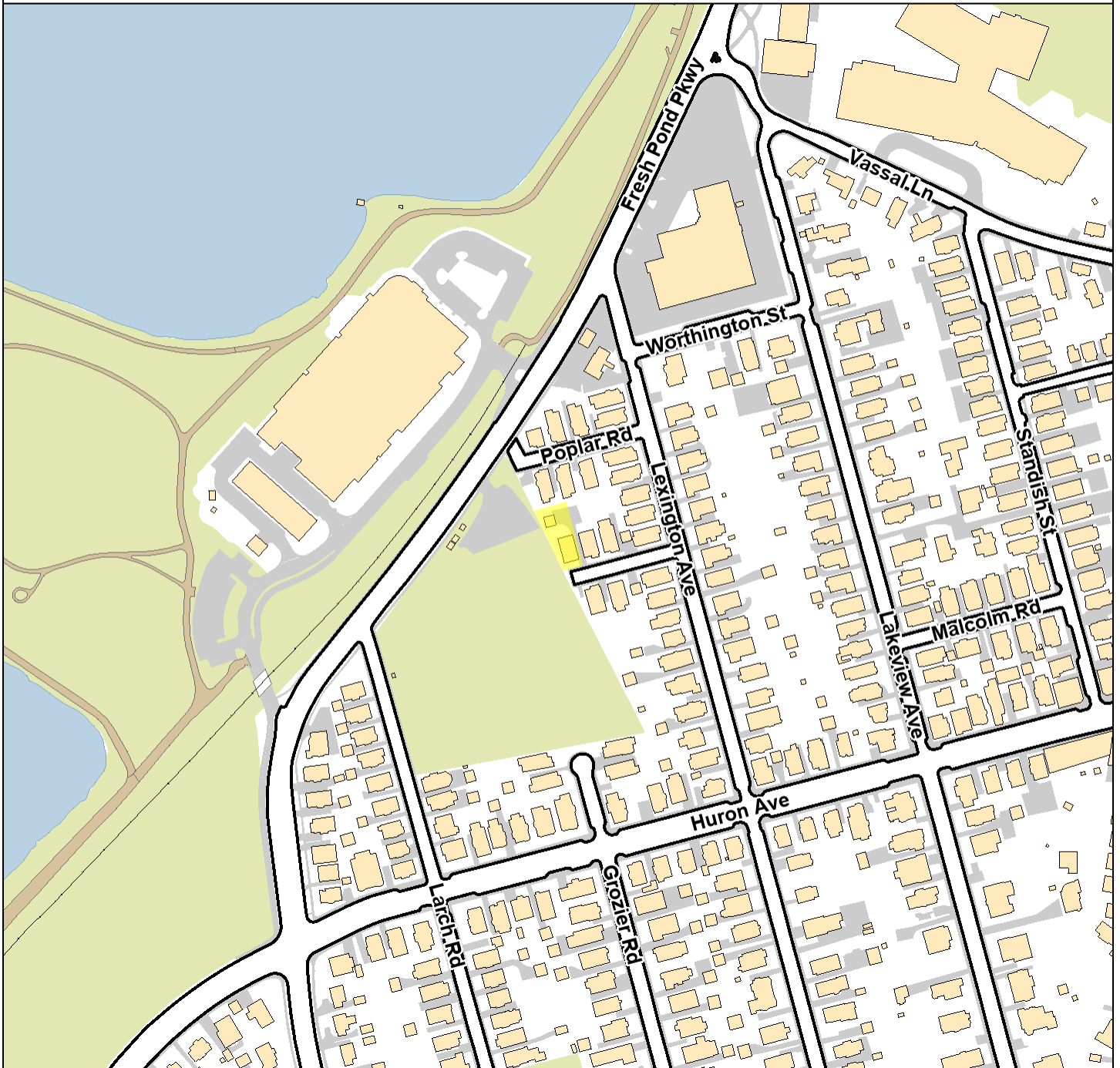
MASSACHUSETTS
SURVEY CONSULTANTS
14 SUMNER STREET
GLOUCESTER, MA 01930
617 699-0703
WWW.MASSACHUSETTSURVEY.COM











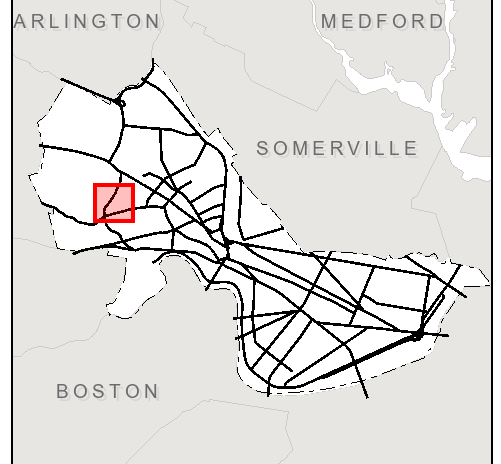
City of Cambridge
Massachusetts

1" = 286 ft

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www.cambridgema.gov/gis

- Rail
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- Paved Surfaces
 - Paved Roads
 - Bridges
 - Unpaved Roads
 - Unpaved Parking
 - Sidewalks
 - Driveways
 - Alleys
 - Other Paved Surface
 - Public Footpath



15 Hawthorne Pk.

Petitioner

248-70
MARTIN, CRISTA & LORA DESALVO
8 HAWTHORNE PK UNIT 1
CAMBRIDGE, MA 02138

248-73
DENNEY, EDWARD B. & JENNIFER MILES
15 HAWTHORNE PK
CAMBRIDGE, MA 02138

SMART ARCHITECTURE
C/O MAGGIE BOOZ, ARCHITECT
33 LAWN STREET
CAMBRIDGE, MA 02138

248-84
PERROTTI, JEFFREY
10 POPLAR RD. UNIT#2
CAMBRIDGE, MA 02139

248-69
CHASMAN, DANIEL
12 HAWTHORNE PK
CAMBRIDGE, MA 02138

248-79
BUCKINGHAM BROWNE AND
NICHOLS SCHOOL
80 GERRYS LANDING ROAD
CAMBRIDGE, MA 02138

248-84
BAER, STEPHEN C. & CHRISTINE BAER
10 POPLAR RD UNIT 3
CAMBRIDGE, MA 02138

248-86
SMOLENSKI, THOMAS M. &
NISHA SMOLENSKI
218 LEXINGTON AVE
CAMBRIDGE, MA 02138

248-74
LUDEN, ERIC & JEANNE SYBYLLA SMITH
9-11 HAWTHORNE PK unit 2
CAMBRIDGE, MA 02138

248-74
JOSLIN, RICHARD S.,
TR. THE RICHARD S. JOSLIN REV LIV TR.
9-11 HAWTHORNE PK UNIT 1
CAMBRIDGE, MA 02138

248-69
CHEN JENNIFER T MONTLAKE SIMON
10 HAWTHORNE PARK
CAMBRIDGE, MA 02138

248-75
5-7 HAWTHORNE PARK LLC
150 BARTON RD
WELLESLEY, MA 02481

248-70
FORREST, ALEXANDER J LANA M EWING
6-8 HAWTHORNE PARK UNIT 2
CAMBRIDGE, MA 02138

248-48
SULLIVAN, CATHERINE E.
HENRY E STEVENSON III TRS
28 PARTRIDGE RD
LEXINGTON, MA 02420

248-85
BARLOW, BENJAMIN H. CAROLINE NOLAN
212-214 LEXINGTON AVE
CAMBRIDGE, MA 02138

248-83
8 POPLAR ROAD LLC
ONE GARFIELD CIR - UNIT 6
BURLINGTON, MA 01803

248-83
SHABBIR, ABID SOPHIA MIAN
8 POPLAR RD UNIT 8A
CAMBRIDGE, MA 02138

248-84
BACHMAN, RONALD CLAYTON
10 POPLAR RD UNIT1
CAMBRIDGE, MA 02138