

CITY OF CAMBRIDGE

BOARD OF ZONING APPEAL

831 Massachusetts Avenue, Cambridge MA 02139

617-349-6100

2024 JAN 29 PM 4: 02
OFFICE OF THE CITY CLERK
CAMBRIDGE, MASSACHUSETTS

BZA Application Form

BZA Number: 255549

General Information

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

Special Permit: X

Variance:

Appeal:

PETITIONER: Hubert and Nancy Murray

PETITIONER'S ADDRESS: 204 Erie Street, Cambridge, MA 02139

LOCATION OF PROPERTY: 204 ERIE ST , Unit 204 , Cambridge, MA

TYPE OF OCCUPANCY: Accessory Building - home office

ZONING DISTRICT: Residence C Zone

REASON FOR PETITION:

/Change in Use/Occupancy/

DESCRIPTION OF PETITIONER'S PROPOSAL:

Two-family principal building in separate condominium ownerships (#202 and #204). Unit 204 includes existing accessory building (carriage house adjunct to #204) which has served as architectural office since 2002. Petitioner (#204 owner) wishes to change use of accessory building to residential to make it suitable for retirement couple (petitioner and spouse). Internal work amounts to new flooring, replanned kitchen and renovated shower. No exterior work required.

SECTIONS OF ZONING ORDINANCE CITED:

- Article: 4.000 Section: 4.21 (Accessory Uses).
- Article: 4.000 Section: 4.22 (Accessory Apartments).
- Article: 10.000 Section: 10.40 (Special Permit).

Original
Signature(s):

Hubert Murray
(Petitioner (s) / Owner)

HUBERT MURRAY
(Print Name)

Address: 204 ERIE ST, CAMBRIDGE, MA 02139
 Tel. No. 617-794-4600
 E-Mail Address: hmurray2012@gmail.com

Date: 26 January 2024

BZA Application Form

DIMENSIONAL INFORMATION

Applicant: Hubert and Nancy Murray
Location: 204 ERIE ST, Unit 204, Cambridge, MA
Phone: 617-794-4600

Present Use/Occupancy: Accessory Building - home office
Zone: Residence C Zone
Requested Use/Occupancy: Accessory Building - Accessory Apartment

		<u>Existing Conditions</u>	<u>Requested Conditions</u>	<u>Ordinance Requirements</u>	
<u>TOTAL GROSS FLOOR AREA:</u>		#202-1771gsf; #204-2166gsf; Accessory 1504gsf	As existing, unchanged: 5441gsf total	3,050 (0.6FAR)	(max.)
<u>LOT AREA:</u>		5090 GSF	5090 GSF	5000 GSF	(min.)
<u>RATIO OF GROSS FLOOR AREA TO LOT AREA:</u> ²		1.07 (#202 + #204 + Carriage House)	1.07 (#202 + #204 + Carriage House) [unchanged]	0.6	
<u>LOT AREA OF EACH DWELLING UNIT</u>		#202-1,587sf; #204-1751sf; Carriage Hse 1751sf	As existing (unchanged)	1,800sf/dwelling unit	
<u>SIZE OF LOT:</u>	WIDTH	50.68'	no change	50'	
	DEPTH	100'	no change	100'	
<u>SETBACKS IN FEET:</u>	FRONT	13'-6"	13'-6" (no change)	10'-0"	
	REAR	Carriage House - 0'-0"	Carriage House - 0'-0" (no change)	5'-0"	
	LEFT SIDE	#202 - 5'-2"; Carriage House 0'-0"	Carriage House 0'-0" (no change)	5'-0"	
	RIGHT SIDE	#204 - 10'8"; Carriage House 23'-0"	Carriage House 23'-0" (no change)	5'-0"	
<u>SIZE OF BUILDING:</u>	HEIGHT	#202/204 - 28'-0"; Carriage House 24'-0"	No change	15'-0" for Carriage House (Accessory Bldg)	
	WIDTH	Carriage House 25'6"	No change	?	
	LENGTH	Carriage House 29'-6"	No change	?	
<u>RATIO OF USABLE</u>					

<u>OPEN SPACE TO LOT AREA:</u>		2,420sf		2,420sf (no change)		36% = 1,832sf	
<u>NO. OF DWELLING UNITS:</u>		2		2 (as existing)+ 1 Accessory Apartment		2.8 @ 1800SF	
<u>NO. OF PARKING SPACES:</u>		2		2		2	
<u>NO. OF LOADING AREAS:</u>		N.A.		None		N.A.	
<u>DISTANCE TO NEAREST BLDG. ON SAME LOT</u>		13'-6"		13'-6" (no change)		10'-0"	

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.:

#202/204: 2-family residence on street (separate owners); Carriage House (part of #204) at rear. All wood frame. No new construction proposed.

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

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 204 ERIE ST , Unit 204 , 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 proposed change of use does not require any changes to the existing conditions. Since the original construction (c.1857) the existing carriage house has been non-conforming in terms of the modern Ordinance. A Variance for change of use (to accessory office) was granted in 2002, based on existing dimensions.

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 parking requirements requested and traffic will be unchanged (or possibly reduced).

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:

All adjacent units are residential and will not be adversely affected by the proposed change of use.

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:

No nuisance or hazard will be created by the proposed change of use. One additional set of (small) refuse collection bins will be required.

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:

There will be no visible change to the physical fabric of the building and the change of occupancy will be unnoticeable.

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

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 HUBERT MURRAY and NANCY U. MURRAY
(OWNER)

Address: 204 ERIE STREET, CAMBRIDGE, MA 02139

State that I/We own the property located at 204 ERIE ST, CAMBRIDGE, MA 02139 which is the subject of this zoning application.

The record title of this property is in the name of HUBERT MURRAY AND NANCY U. MURRAY

*Pursuant to a deed of duly recorded in the date 10/30/1996 Middlesex South County Registry of Deeds at Book 26786, Page 307; or Middlesex Registry District of Land Court, Certificate No. _____ Book _____ Page _____.

Hubert Murray
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 Hubert Murray personally appeared before me, this 23 of January 2024 and made oath that the above statement is true.

My commission expires 10-06-2028

Nicholas D Wolf
Notary Public in and for the State of Massachusetts
My Commission Expires October 6, 2028

- If ownership is not shown in recorded deed, e.g. if by court order, recent deed, or inheritance, please include documentation.

UNITED STATES DEPARTMENT OF JUSTICE

TO THE HONORABLE ATTORNEY GENERAL, WASHINGTON, D. C.

FROM: [Name]

ADDRESS: [Address]

STATE: [State]

CITY: [City]

ZIP: [ZIP]

DATE: [Date]

RE: [Subject]

[Text]

Page [Page Number]

[Text]

[Text]

[Text]

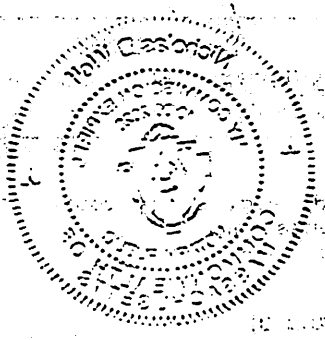
[Text]

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[Text]

[Text]

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Southern Middlesex - 20/20 Perfect Vision i2 Document Detail Report

Current datetime: 1/18/2024 11:22:36 AM

Doc#	Document Type	Town	Book/Page	File Date	Consideration
823	DEED		26786/302	10/30/1996	294000.00
Property-Street Address and/or Description					
204 ERIE UNIT 204					
Grantors					
PEARLMAN ROBERT &AL, PEARLMAN ANN S &AL					
Grantees					
MURRAY HUBERT &UX, MURRAY NANCY U &AL					
References-Book/Pg Description Recorded Year					
Registered Land Certificate(s)-Cert# Book/Pg					

26786 PC 302

J-H

UNIT DEED

GRANTOR: Robert Pearlman and Ann Sheldon Pearlman, now of
621 Old Quarry Road North, Larkspur, CA 94939

GRANTEE: Hubart Murray and Nancy U. Murray, husband and wife as
tenants by the entirety, now of 68 Cliff Ave,
Lexington, MA 02173

UNIT: 204 **PERCENTAGE INTEREST:** 55%

CONSIDERATION: \$294,000.00

POST OFFICE ADDRESS: 202-204 Erie Street, Unit 204
Cambridge, Massachusetts 02139

Prop: 204 Erie St Unit 204 Cambridge

GRANTOR, the owner of the **UNIT** described above in the
202-204 Erie Street Condominium, created by Master Deed dated
September 8, 1983 and recorded with the Middlesex South District
Registry of Deeds in Book 15209, Page 74, as such may be amended
by instruments of record, in accordance with the provisions of
M.G.L. Chapter 183A, for the **CONSIDERATION** paid as stated above,
hereby grants the said **UNIT** to the **GRANTEE** with **QUITCLAIM**
COVENANTS.

The **UNIT** is laid out as shown on a plan recorded with the said
Master Deed and to which is affixed a verified statement in the
form provided for in M.G.L. Chapter 183A, Section 9.

The **UNIT** is conveyed together with the above-listed **PERCENTAGE**
INTEREST (a) in the common areas and facilities of the
202-204 Erie Street Condominium as described in the Master
Deed, (b) in the 202-204 Erie Street Condominium Trust; recorded
with said Master Deed in said Registry of Deeds, as such may be
amended by instruments of record, and with the exclusive rights
and easements as described in said Master Deed.

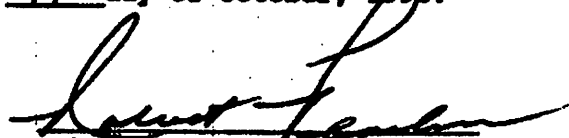
The **GRANTEE** acquires the **UNIT** with the benefit of, and subject
to, the provisions of M.G.L. Chapter 183A, relating to
condominiums, as that statute is written as of the date hereof,
the Master Deed and the Condominium Trust referred to above as
the same maybe amended, and any by-laws and rules and regulations
from time to time adopted thereunder, and all matters of record
stated or referred to in the Master Deed as completely as if each
were fully set forth herein; and subject to real estate taxes
attributable to the **UNIT** which are not yet due and payable.

REG MASS. EXCISE TAX: 1340.64 DTT
REG 10/20/96 0312:09 823 23.00

EX 26786 PG 303

Being the premises conveyed to GRANTOR by deed dated September 3, 1985 and recorded with Middlesex South Registry of Deeds in Book 16406, Page 501.

WITNESS our hands and seals this 14th day of October, 1996.


Robert Pearlman


Ann Sheldon Pearlman

STATE OF CALIFORNIA

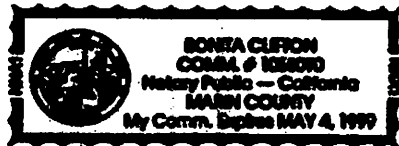
Marin, ss.
(county)

Oct. 14, 1996

Then personally appeared the above-named Robert Pearlman and Ann Sheldon Pearlman and acknowledged the foregoing instrument to be their free act and deed, before me.


Notary Public:
My Commission Expires: 5/4/99

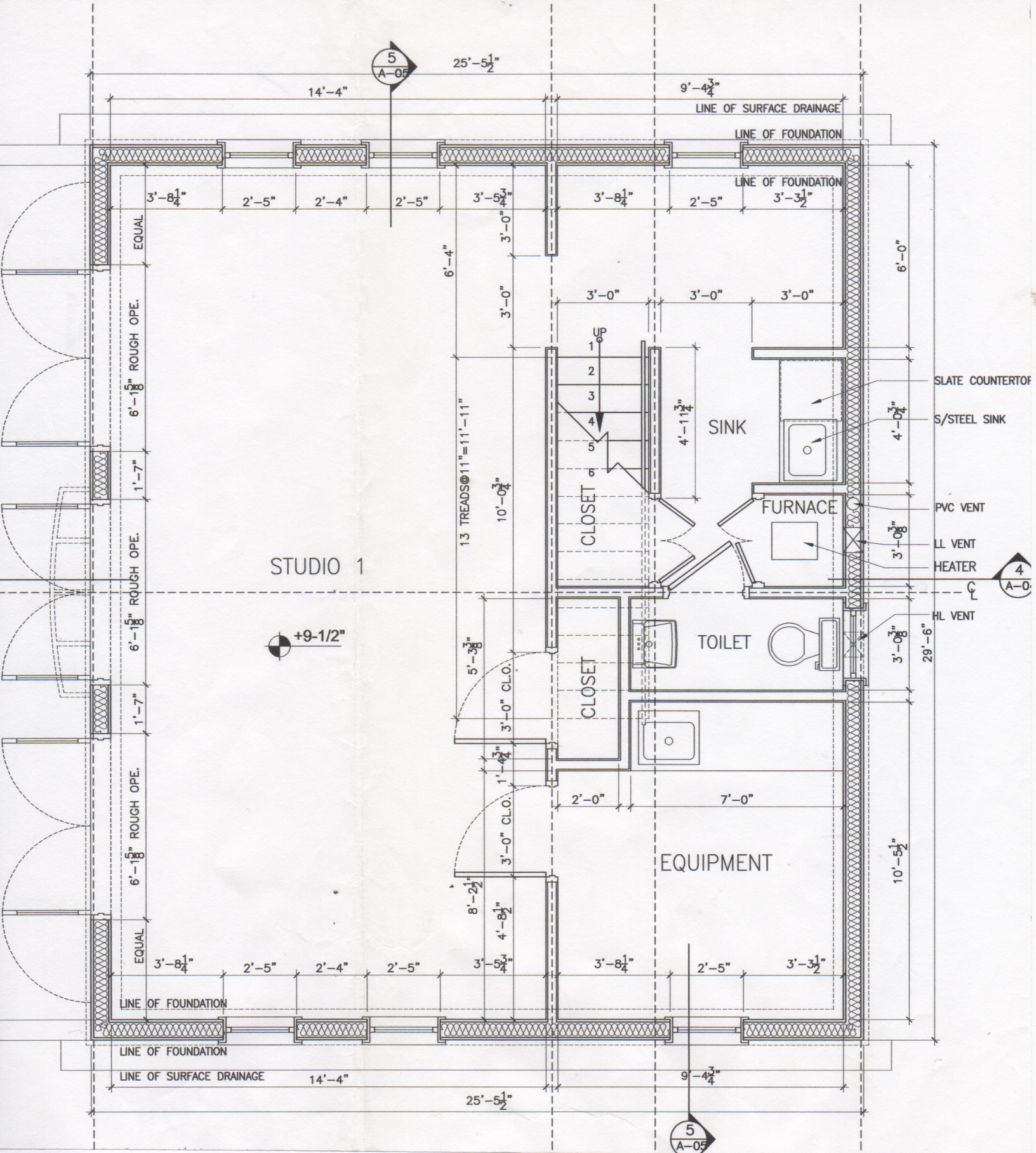
[deeds/pearlman.deed]



TAX 1340.64
CASH 1340.64

5250025 09:37
EXCESS TAX

CANCELLED
DEEDS REG. SA
MIDDLE SOUTH
10/31/96

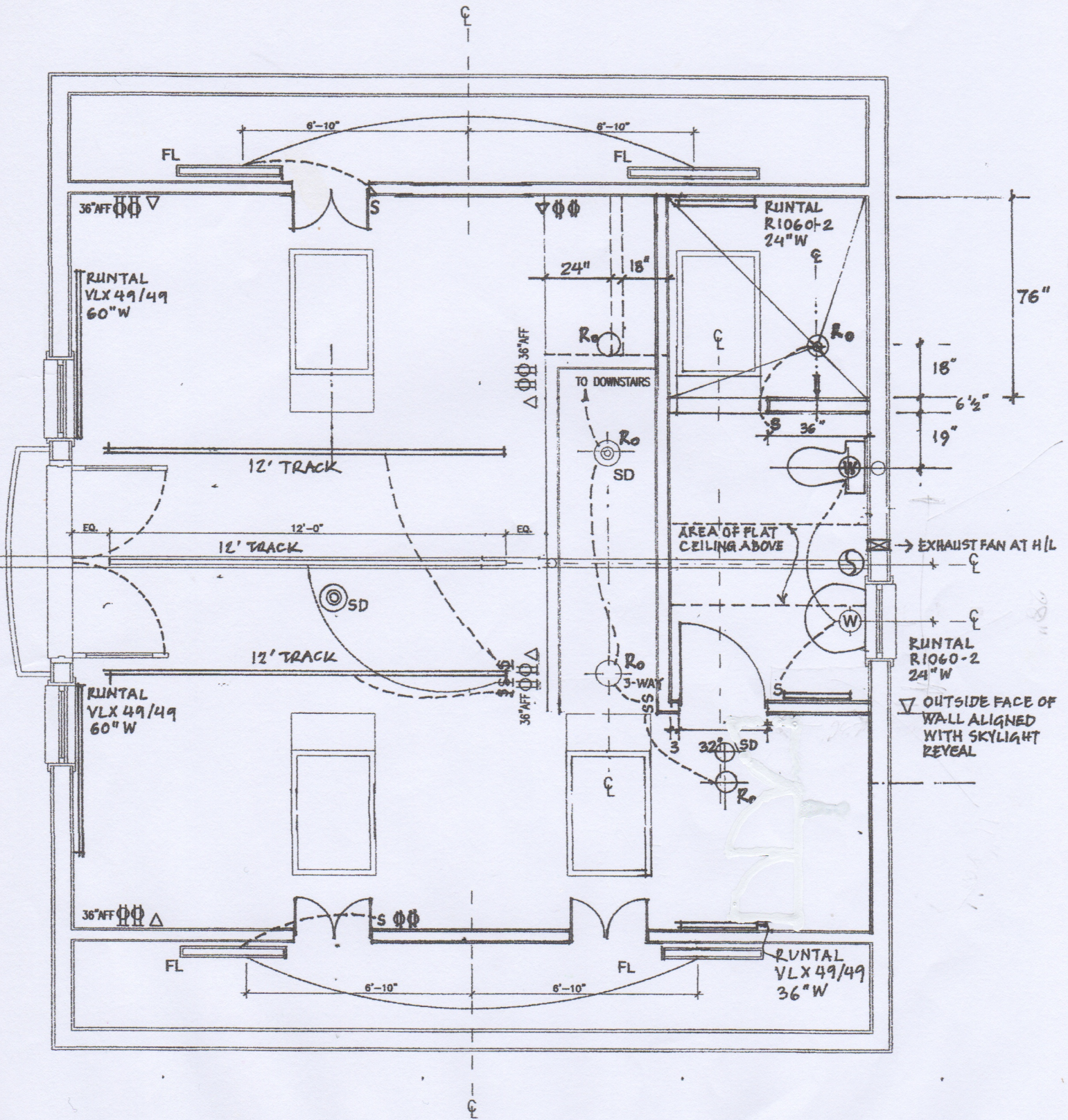


GROUND FLOOR PLAN, CARRIAGE HOUSE, 204 ERIE STREET, CAMBRIDGE, MA 02139

Existing Condition Scale 1/4" = 1'-0"

FIRST FLOOR PLAN

204 ERIE STREET CARRIAGE HOUSE CHANGE OF USE | for Hubert and Nancy Murray | January 2024

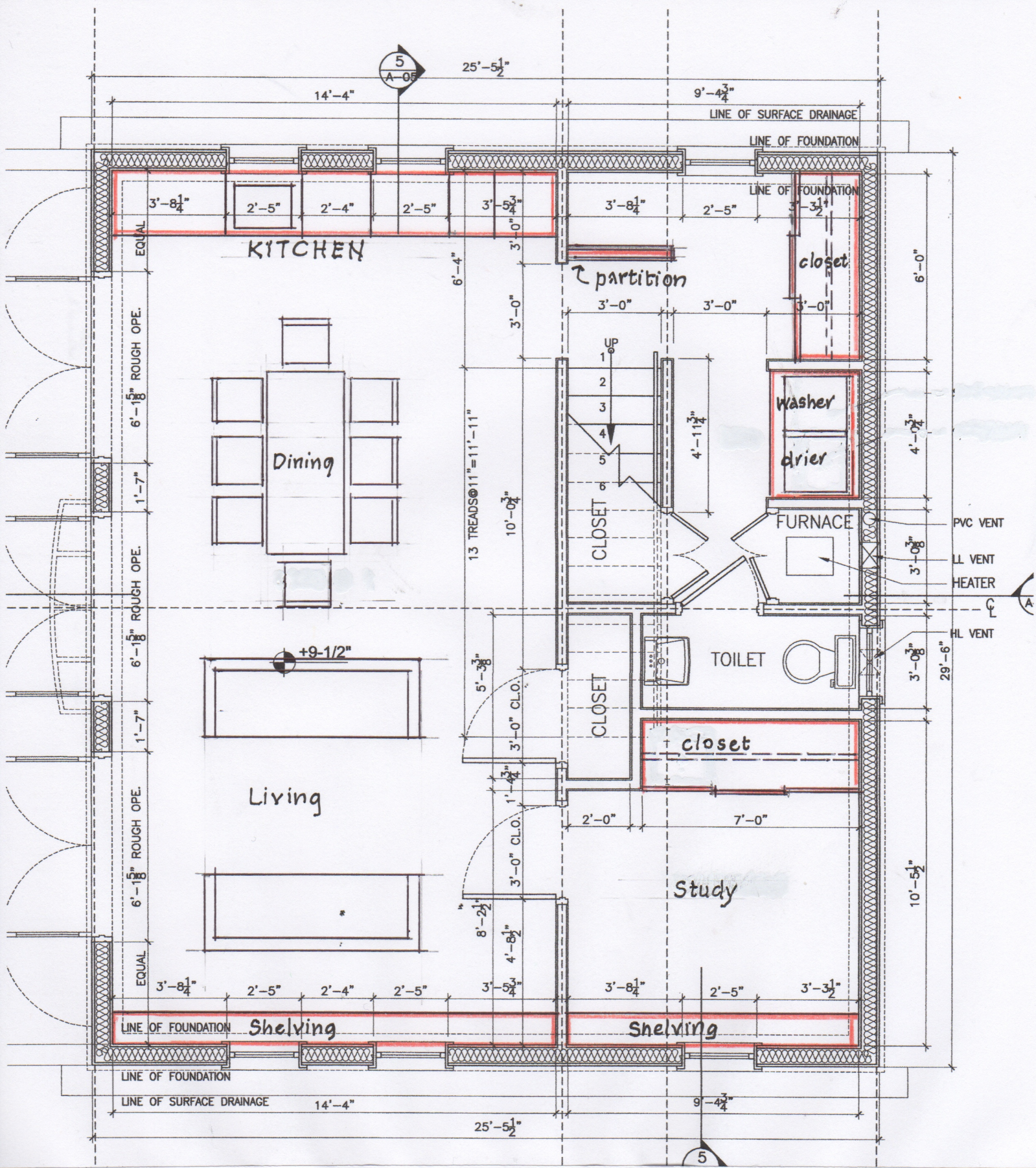


SECOND FLOOR POWER

SECOND FLOOR PLAN, CARRIAGE HOUSE, 204 ERIE STREET, CAMBRIDGE, MA 02139

Existing Condition Scale 1/4" = 1'-0"

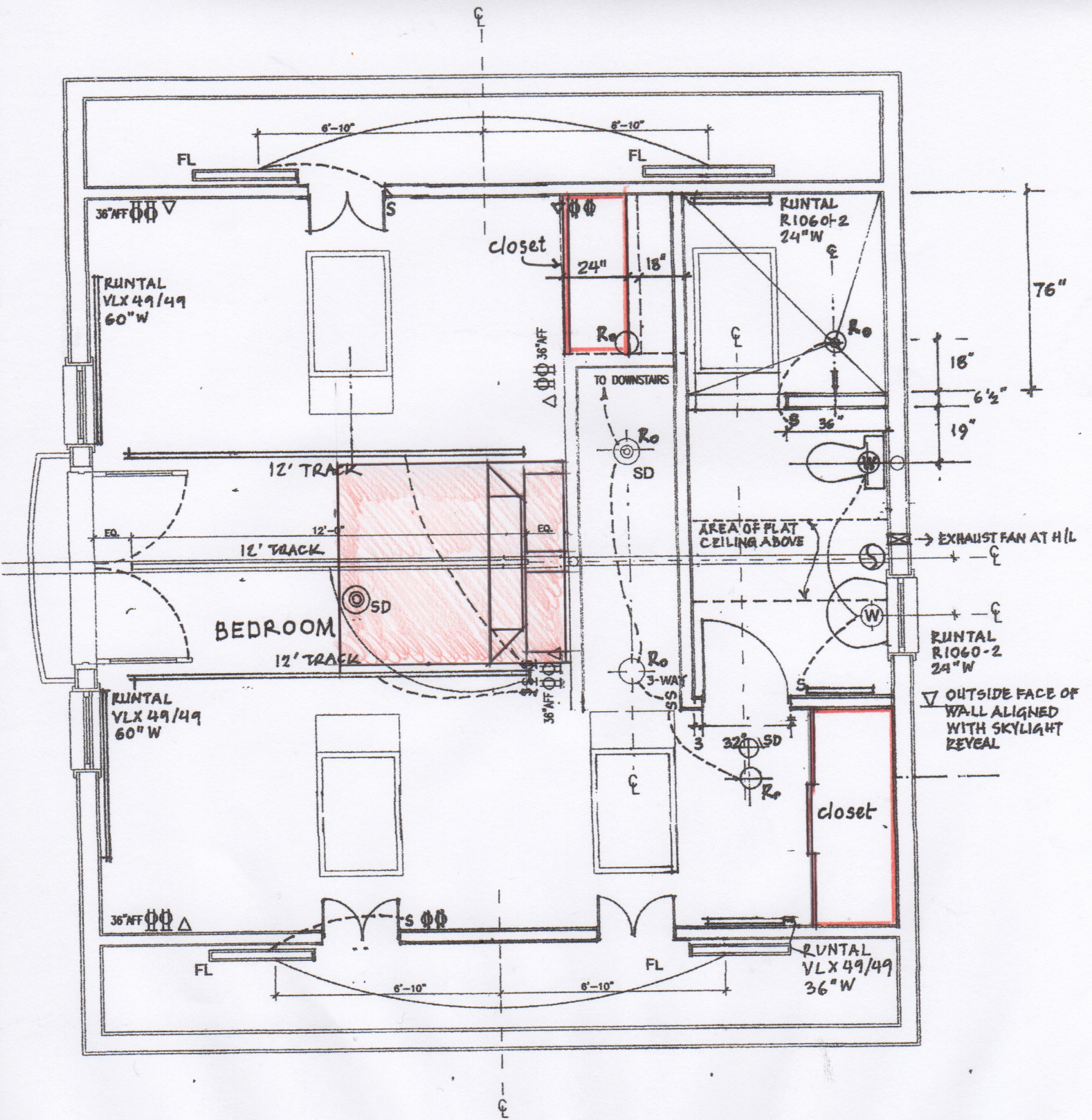
204 ERIE STREET CARRIAGE HOUSE CHANGE OF USE | for Hubert and Nancy Murray | January 2024



GROUND FLOOR PLAN, CARRIAGE HOUSE, 204 ERIE STREET, CAMBRIDGE, MA 02139

Proposed Ground Floor Kitchen and Living Room

Scale 1/4" = 1'-0"



SECOND FLOOR PLAN, CARRIAGE HOUSE, 204 ERIE STREET, CAMBRIDGE, MA 02139

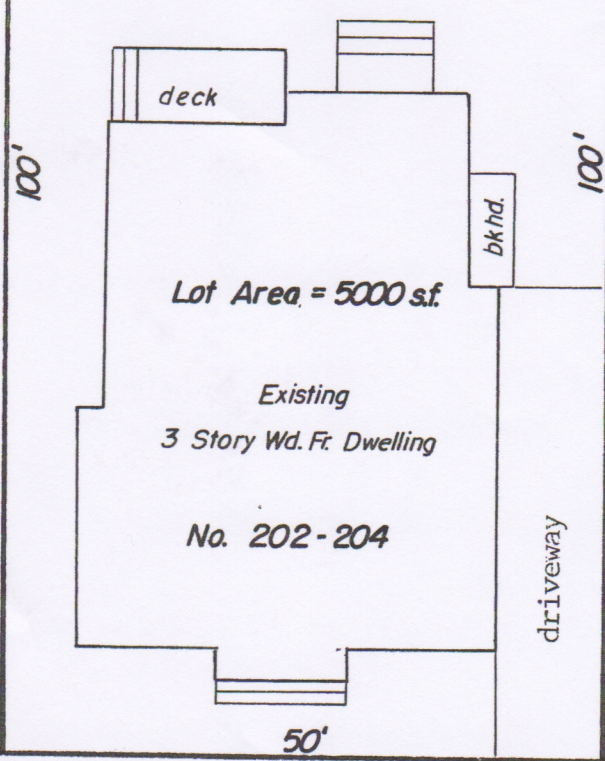
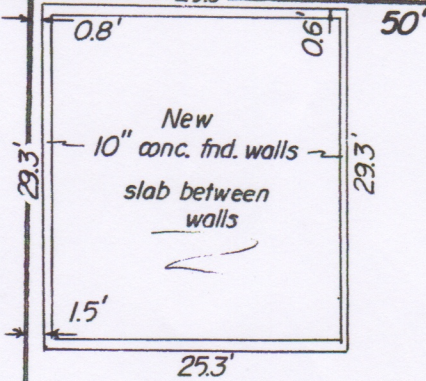
Proposed Second Floor Bedroom, bathroom (ex'g) and closets Scale 1/4" = 1'-0"

204 ERIE STREET CARRIAGE HOUSE CHANGE OF USE | for Hubert and Nancy Murray | January 2024

PEARL ST.

n/f Daniel V. French & Katherine E. Greeley

n/f Douglas Smith, et al
25.3'



n/f Dorothy Williams

149.12'

ERIE

(Public - 40' Wide)

STREET

PLOT PLAN

202 - 204 ERIE ST.

CAMBRIDGE, MASS.

Scale: 1" = 16'

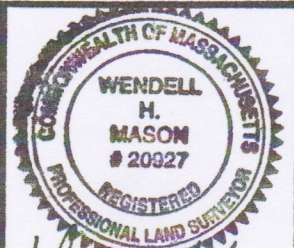
Date: May 23, 2003

Wendell H. Mason

Professional Engineer & Land Surveyor

122 Essex Street Beverly, Massachusetts 01915

Tel. (978) 922-5686



Wendell H. Mason

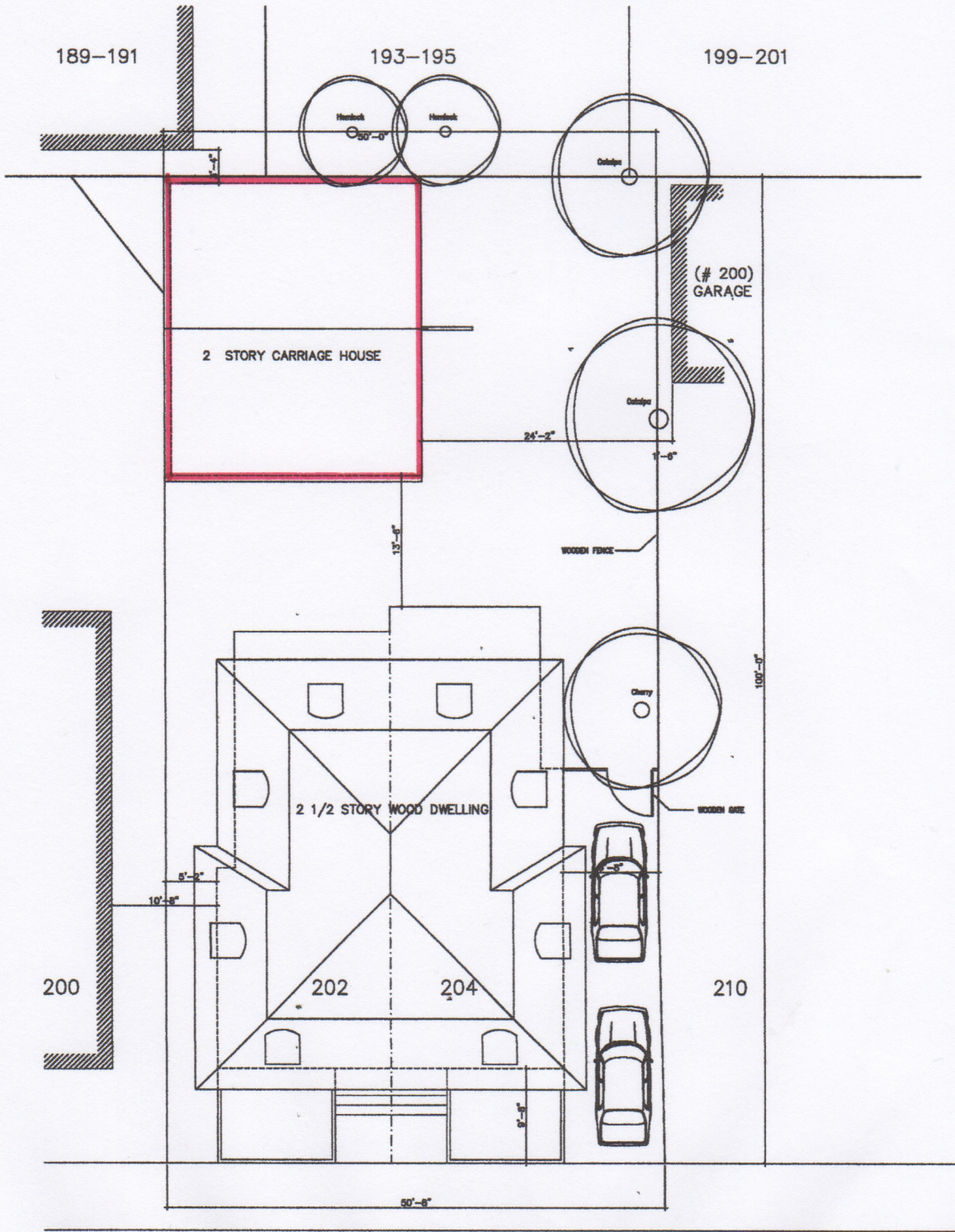


LOCUS, 204 ERIE STREET, CAMBRIDGE, MA 02139

204 ERIE STREET CARRIAGE HOUSE CHANGE OF USE |for Hubert and Nancy Murray | January 2024



HAMILTON ST



ERIE ST

SITE PLAN 202 / 204 ERIE STREET, CAMBRIDGE, MA 02139

Existing Condition Scale 1/16" = 1'-0"

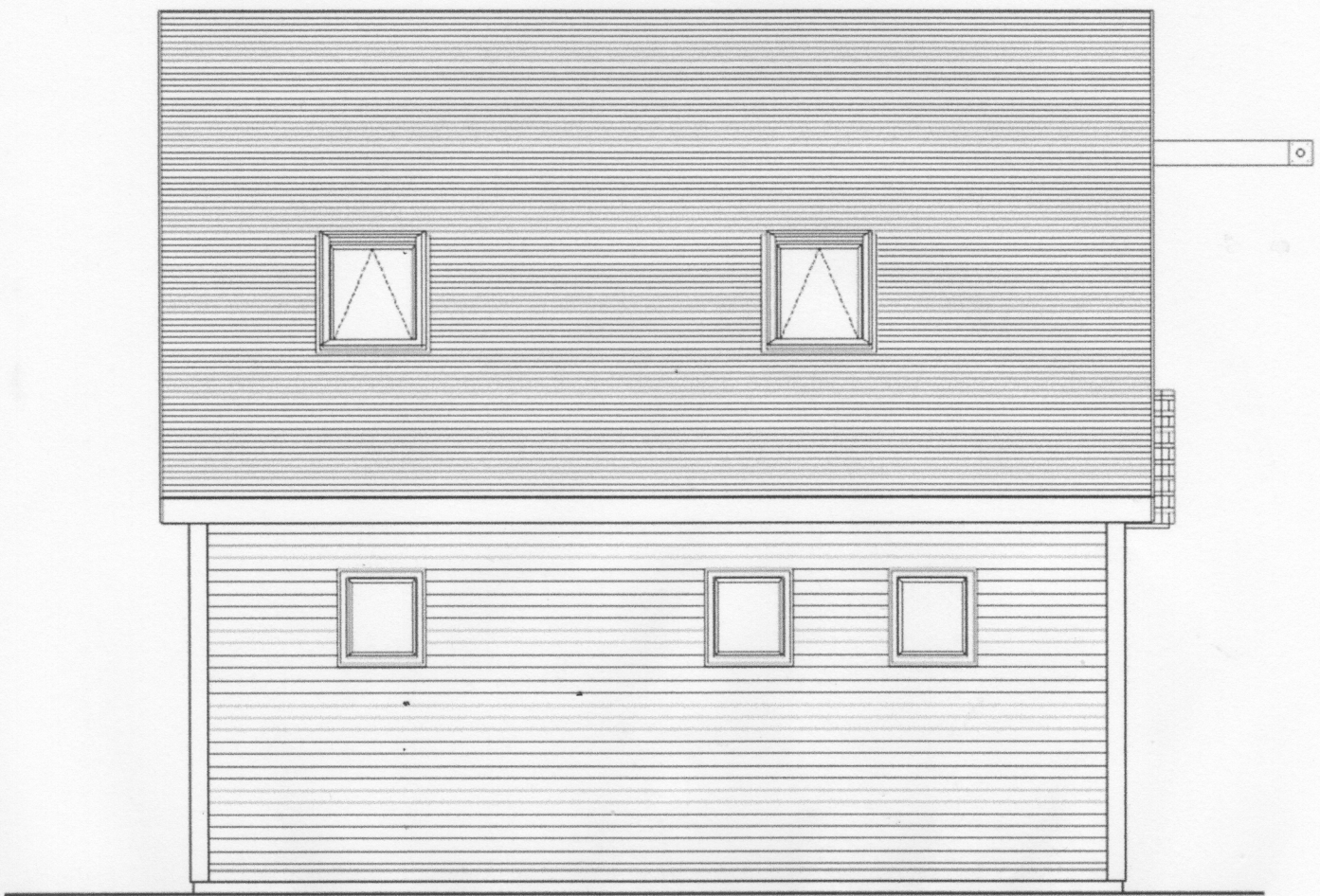
204 ERIE STREET CARRIAGE HOUSE CHANGE OF USE | for Hubert and Nancy Murray | January 2024



NW ELEVATION, CARRIAGE HOUSE, 204 ERIE STREET, CAMBRIDGE, MA 02139

Existing Condition NTS

204 ERIE STREET CARRIAGE HOUSE CHANGE OF USE | for Hubert and Nancy Murray | January 2024



NE ELEVATION, CARRIAGE HOUSE, 204 ERIE STREET, CAMBRIDGE, MA 02139

Existing Condition NTS

204 ERIE STREET CARRIAGE HOUSE CHANGE OF USE | for Hubert and Nancy Murray | January 2024



SE ELEVATION, CARRIAGE HOUSE, 204 ERIE STREET, CAMBRIDGE, MA 02139

Existing Condition NTS

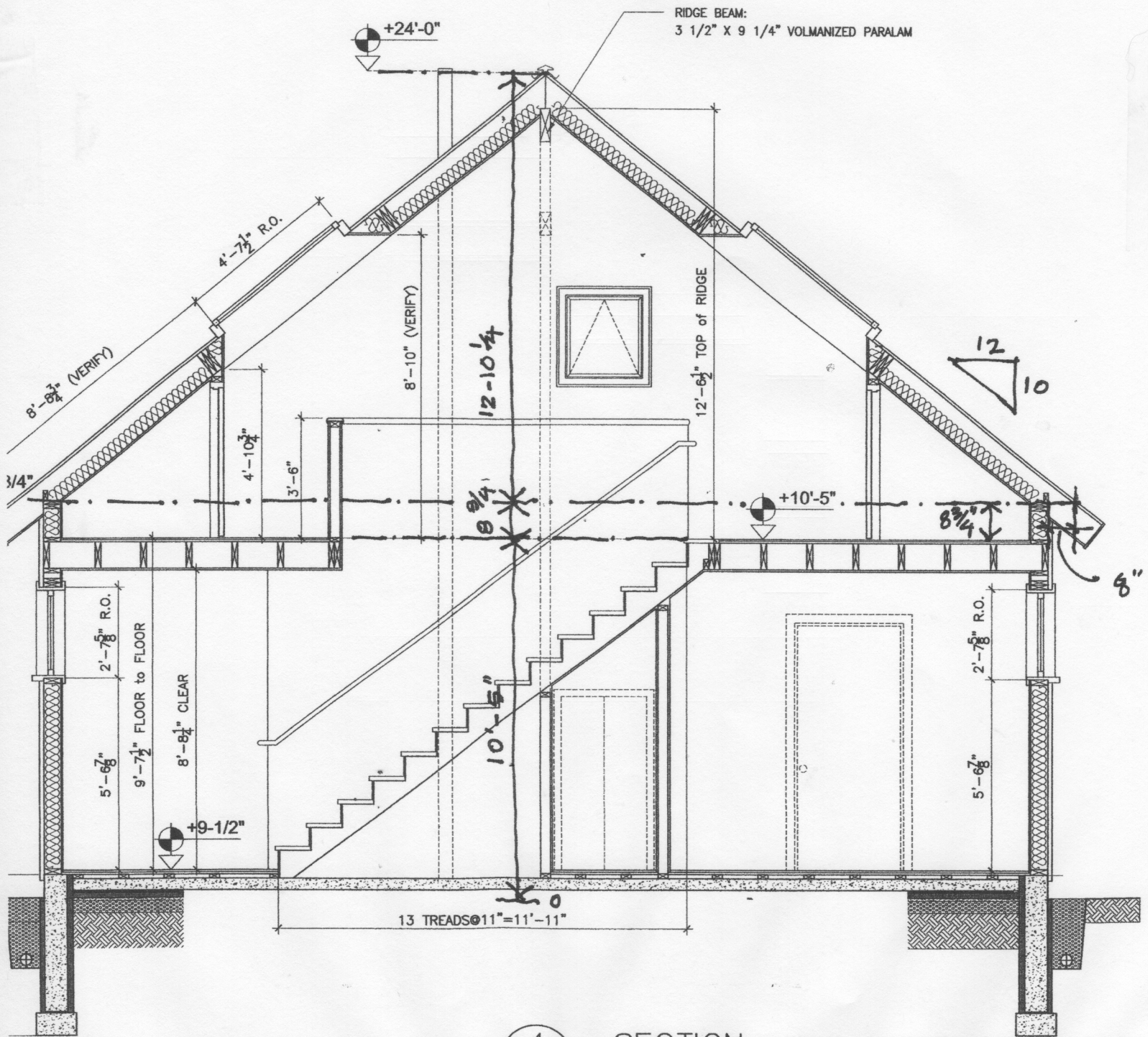
204 ERIE STREET CARRIAGE HOUSE CHANGE OF USE | for Hubert and Nancy Murray | January 2024



SW ELEVATION, CARRIAGE HOUSE, 204 ERIE STREET, CAMBRIDGE, MA 02139

Existing Condition NTS

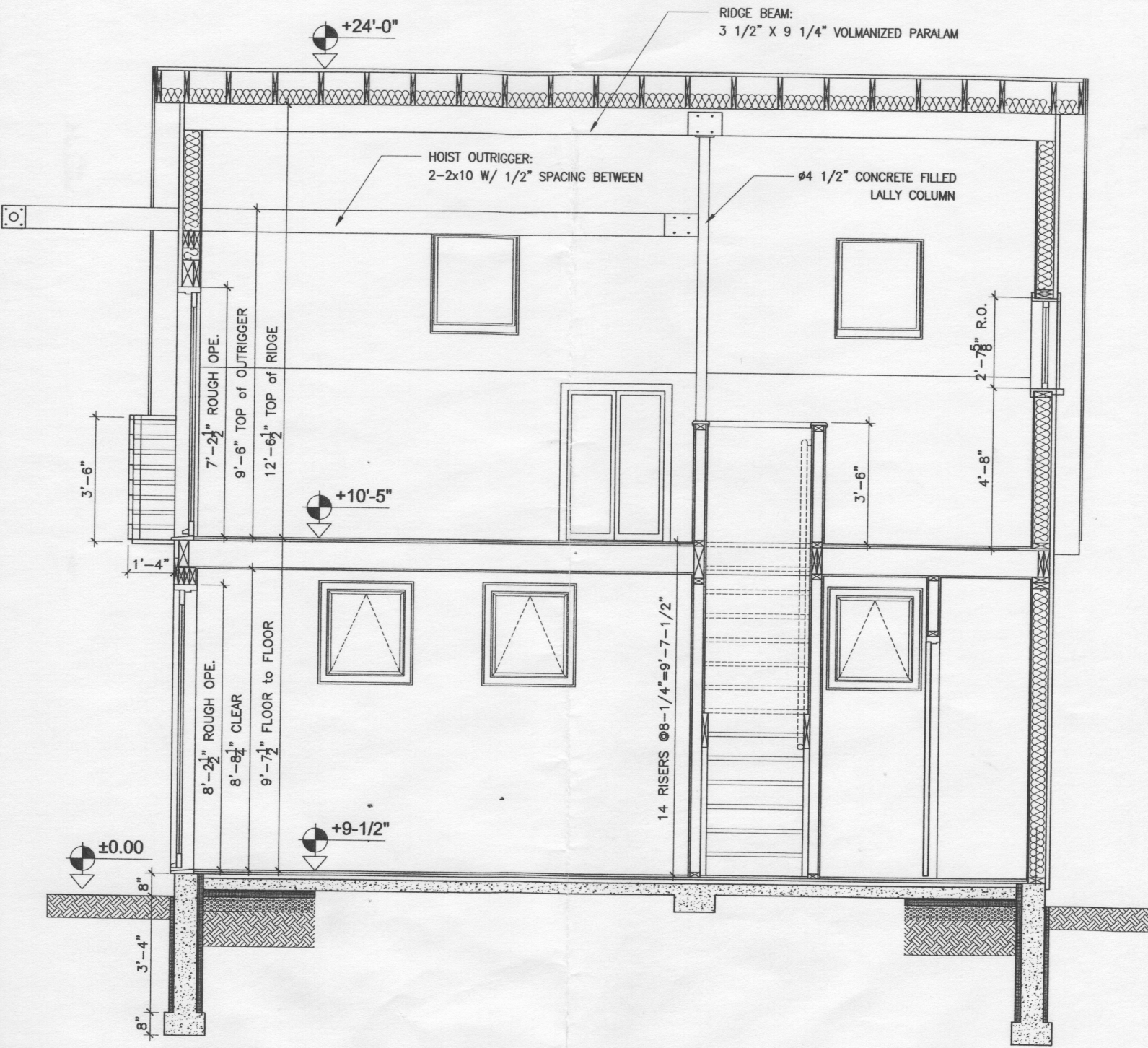
204 ERIE STREET CARRIAGE HOUSE CHANGE OF USE | for Hubert and Nancy Murray | January 2024



NE-SW SECTION, CARRIAGE HOUSE, 204 ERIE STREET, CAMBRIDGE, MA 02139

Existing Condition Scale 1/4" = 1'-0"

204 ERIE STREET CARRIAGE HOUSE CHANGE OF USE | for Hubert and Nancy Murray | January 2024



NW-SE SECTION, CARRIAGE HOUSE, 204 ERIE STREET, CAMBRIDGE, MA 02139

Existing Condition Scale 1/4" = 1'-0"

204 ERIE STREET CARRIAGE HOUSE CHANGE OF USE | for Hubert and Nancy Murray | January 2024



- 189-191 HAMILTON
- 193-195 HAMILTON
- 199-201 HAMILTON
- 210 ERIE
- 202/204 ERIE
- 200 ERIE

200 ERIE

202/204 ERIE

210 ERIE



204 ERIE STREET, CAMBRIDGE, MA 02139
Change of Use for Carriage House. January 2024



204 ERIE: OFF-STREET
PARKING AND ACCESS

204 ERIE: CARRIAGE HOUSE /
STUDIO





L to R: 204 Erie Carriage House | 199-201 Hamilton | 210 Erie



204 Erie Carriage House
193-195 Hamilton (back yard)
199-201 Hamilton



210 Erie



L to R: 204 Erie house | 204 Erie Carriage House



204 Erie back yard and gate to street



L to R: 202 Erie yard /
200 Erie rear and yard /
199-205 Erie condominium
in distance

Alley between 200 and 202
Erie 202 Erie, #204 Carriage
House at end. (Alley only
accessible to #202)


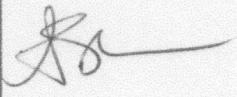
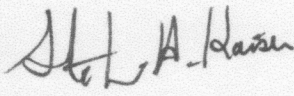
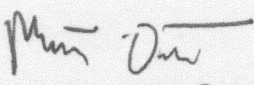
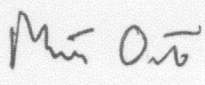
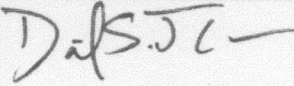


Top right: 204 Erie Carriage House seen from side alley of 189-191 Hamilton

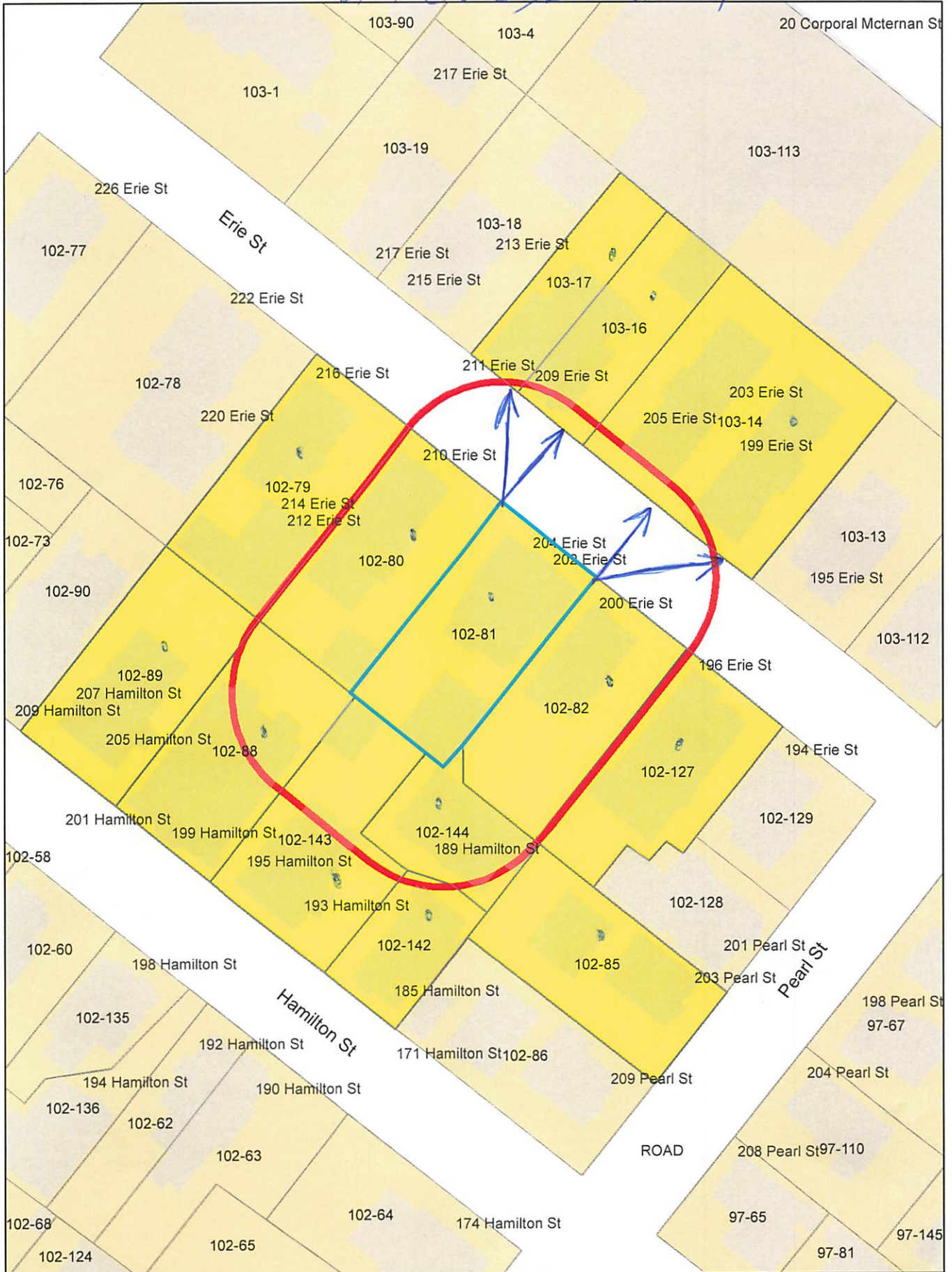
Top and bottom left: 204 Erie Carriage House seen from back yard of 193-195 Hamilton (solar panels installed Aug.2020)

TO THE BOARD OF ZONING APPEALS, CITY OF CAMBRIDGE

I have reviewed the plans pertaining to the change of use of the Carriage House at 204 Erie Street and have no objections to the proposal.

NAME (print)	ADDRESS	SIGNATURE	DATE
Katherine E. Greeley	200 ERIE STREET		1/22/24
AMINA SHEIKH	202 ERIE STREET		1/19/2024
Campbell Murray	210 ERIE STREET	<i>Campbell Murray</i>	1/22/2024
STEPHEN KAISER	189 HAMILTON / 191 HAMILTON		1/21/24
 MARTIN OSTROW	193 HAMILTON		1/19/24
Daniel S Cross	199-201 HAMILTON		Jan. 20, 2023

204 Erie St. #204



204 Erie St. #204

Petitioner

102-80
MURRAY, THEODORA ELIZABETH TEXTOR &
ADIN CAMPBELL MURRAY
50 NEWTON ST
BROOKLINE, MA 02445

102-85
203 PEARL DEVELOPMENT LLC
17 WILLOWDALE RD
WINCHESTER, MA 01890

102-81
MURRAY, HUBERT & NANCY U. MURRAY
204 ERIE ST #204
CAMBRIDGE, MA 02139

102-79
SANDBERG, BRIAN DAVID, CRAIG S.
STELMAC & BRENDA LEE-BOOTH
216 ERIE ST
CAMBRIDGE, MA 02139

102-88
CABRAL, FATIMA
199-201 HAMILTON STREET - UNIT 3
CAMBRIDGE, MA 02139

102-89
LOGAN, CHARLES C. & CLAUDIA A. LOGAN
205 HAMILTON ST.
CAMBRIDGE, MA 02139

102-144
KAISER, STEPHEN H.
191 HAMILTON ST.
CAMBRIDGE, MA 02139-3923

102-143
OSTROW, MARTIN I.
193-195 HAMILTON ST
CAMBRIDGE, MA 02139-3923

102-88
POTIA, ZEENAT & DANIEL CROSS
199 HAMILTON ST - UNIT 4
CAMBRIDGE, MA 02139

102-89
UPDIKE, DAVID & WAMBUI GITHIORA
205-207 HAMILTON ST. U207
CAMBRIDGE, MA 02139

102-142
FOUNTAIN, LISA
185-187 HAMILTON ST UNIT 3
CAMBRIDGE, MA 02139

103-16
BROCCO, LYNNE M.
TR. OF THE LYNNE M. BROCCO REV. TR.
209 ERIE ST
CAMBRIDGE, MA 02139

102-127
MILLER, WILLIAM K. & LAUREN W. TOMASELLI
196 ERIE ST UNIT 2
CAMBRIDGE, MA 02139

102-142
FENN, LEE H. & MARGARITA L. FENN
185-187 HAMILTON STREET - UNIT 1
CAMBRIDGE, MA 02139

103-14
LUTZ, JEREMEY MICHAEL & LYNN ANNE
SIMPSON TRUSTEES
199-205 ERIE ST UNIT 199
CAMBRIDGE, MA 02139

103-14
LAKHANI, SHAHEEN & KARIM LAKHANI
203 ERIE ST
CAMBRIDGE, MA 02139

103-14
YAMASHITA, DENNIS,
TR. THE DENNIS S. YAMASHITA TRUST
201 ERIE ST
CAMBRIDGE, MA 02139

103-14
XIE, XIAOLING & RAMAKOTI SURESH
205 ERIE ST
CAMBRIDGE, MA 02139

102-127
HIGGINS, MARY C.
TR. OF THE MARY C. HIGGINS 2018 REVOC TR
196 ERIE ST - UNIT 3
CAMBRIDGE, MA 02319

102-82
GREELEY, KATHERINE E. TRUSTEE
200 ERIE ST
CAMBRIDGE, MA 02139-3922

102-81
COHEN SAMUEL JEESE & AMINA SHEIKH
202 ERIE ST
CAMBRIDGE, MA 02139

102-142
MORRIS, SARAH P. JEFFREY MICHAEL
185-187 HAMILTON ST UNIT 2
CAMBRIDGE, MA 02139

102-88
RABER MAIA
199 HAMILTON ST UNIT 2
CAMBRIDGE, MA 02139

103-17
DONG-SMITH CHANGXIAN
211 ERIE ST
CAMBRIDGE, MA 02139

102-127
ROSENHECK, LOUISA
196 ERIE ST - UNIT 1
CAMBRIDGE, MA 02139