



# CITY OF CAMBRIDGE

BOARD OF ZONING APPEAL

831 Massachusetts Avenue, Cambridge MA 02139

617-349-6100

2024 SEP 13 AM 10:03  
OFFICE OF THE CITY CLERK  
CAMBRIDGE, MASSACHUSETTS

## BZA Application Form

**BZA Number: 288881**

### General Information

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

Special Permit: \_\_\_\_\_ Variance:  X  Appeal: \_\_\_\_\_

**PETITIONER:** Kent Christman

**PETITIONER'S ADDRESS:** 45 Kelley Street, Cambridge, 02138

**LOCATION OF PROPERTY:** 51 Kelley St., Cambridge, MA

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

**REASON FOR PETITION:**

**DESCRIPTION OF PETITIONER'S PROPOSAL:**

Modify previously approved Variance, 218944, to add a window within a non-conforming side setback.

..

**SECTIONS OF ZONING ORDINANCE CITED:**

- Article: 8.000      Section: 8.22.3 (Non-Conforming Structure).
- Article: 5.000      Section: 5.31 (Table of Dimensional Requirements).
- Article: 10.000      Section: 10.30 (Variance).

Original  
Signature(s):

*Kent Christman*  
(Petitioner (s) / Owner)

Kent Christman

(Print Name)

Address: 45 Kelley Street, Cambridge  
 Tel. No. 617-661-6428  
 E-Mail Address: entropyserviceconsultants@comcast.net

**Date:** 12 September 2024

**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 Kent Christman  
(OWNER)

Address: 45 Kelley Street, Cambridge, MA 02138

State that I/We own the property located at 51 Kelley St, Cambridge which is the subject of this zoning application.

The record title of this property is in the name of Kent Christman

\*Pursuant to a deed of duly recorded in the date 23 August 2018, Middlesex South County Registry of Deeds at Book 71516, Page 355; or Middlesex Registry District of Land Court, Certificate No. \_\_\_\_\_ Book \_\_\_\_\_ Page \_\_\_\_\_.

Kent Christman  
SIGNATURE BY LAND OWNER OR AUTHORIZED TRUSTEE, OFFICER OR AGENT\*

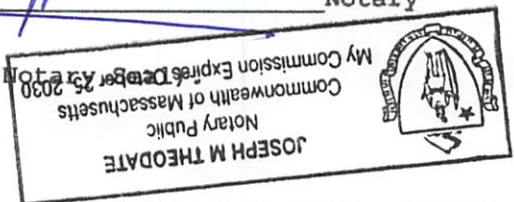
\*Written evidence of Agent's standing to represent petitioner may be requested.

Commonwealth of Massachusetts, County of Middlesex

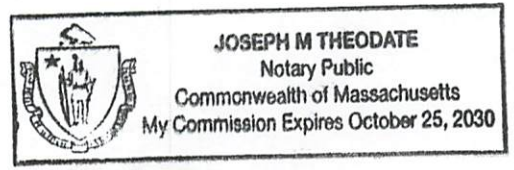
The above-name Kent G Christman personally appeared before me, this 12 of Sept, 2024, and made oath that the above statement is true.

[Signature] Notary

My commission expires 10/25/2030



• 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:

This is a minor modification (adding a single small window for light and ventilation to a façade within the side setback) to an existing approved variance. The reasons for the approved variance apply here as well:

*"Repairs and upgrades to the existing foundation and structure are not economically or practically feasible without resulting in substantial hardship to the Petitioner. It is more efficient and cost effective to replace them with a new foundation and structure, while preserving substantially similar size, character and siting conditions. Due to age and long-term wear & tear, the existing foundation and structure are in serious disrepair. The stone and brick foundation is in poor condition and failing. Electrical wiring, plumbing and heating system are outdated and/ or deemed unsafe by today's standards. The framing requires substantial stabilization and there is no insulation or air sealing. In short, the foundation and structure are materially below current building code requirements and standards and would require impractical and onerous improvements to achieve a basic level of safety and comfort"*

- 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:

This is a minor modification (adding a single small window for light and ventilation to a façade within the side setback) to an existing approved variance. The reasons for the approved variance apply here as well:

*"The poor condition of the foundation and structure require replacement, as piecemeal repairs would not effectively or efficiently comply with modern building and living standards and result in a sub-standard home. A significant number of structures on the street have been replaced and/ or materially modified/ updated in recent years or are undergoing current construction. As a result, the conditions of the existing foundation and structure are increasingly out of character with its surroundings. The proposed front setback is in keeping with the neighbors existing front setbacks on the street and in the neighborhood"*

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

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

This is a minor modification (adding a single small window for light and ventilation to a façade within the side setback) to an existing approved variance. The reasons for the approved variance apply here as well:

*"Proposed changes are in keeping with the character of the district, neighborhood, and street where the house is located."*

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

This is a minor modification (adding a single small window for light and ventilation to a façade within the side setback) to an existing approved variance. The reasons for the approved variance apply here as well:

*"The proposed changes are entirely in keeping with the character of the district, neighborhood, and the street where the house is located. In addition, the proposed changes will preserve existing mature trees and not materially alter open space conditions. Proposed changes will promote the purpose of the Ordinance. The changes will enhance the neighborhood architecturally and fulfill public safety, health, and energy efficiency goals. The proposed changes will have minimal encroachment of open space and preserve the existing tree canopy. Proposed changes preserve and further the intent of the Ordinance."*

## BZA Application Form

### DIMENSIONAL INFORMATION

**Applicant:** Kent Christman  
**Location:** 51 Kelley St., Cambridge, MA  
**Phone:** 617-661-6428

**Present Use/Occupancy:** Single Family Residence  
**Zone:** Residence B Zone  
**Requested Use/Occupancy:** Single Family Residence

		<u>Existing Conditions</u>	<u>Requested Conditions</u>	<u>Ordinance Requirements</u>	
<u>TOTAL GROSS FLOOR AREA:</u>		2776	2776	2512	(max.)
<u>LOT AREA:</u>		5023	5023	5000	(min.)
<u>RATIO OF GROSS FLOOR AREA TO LOT AREA: <sup>2</sup></u>		0.55	0.55	0.50	
<u>LOT AREA OF EACH DWELLING UNIT</u>		5023	5023	2500	
<u>SIZE OF LOT:</u>	WIDTH	50	50	50	
	DEPTH	100.4	100.4	N/A	
<u>SETBACKS IN FEET:</u>	FRONT	5.5 to porch, 10.4 to house	5.5 to porch, 10.4 to house	15	
	REAR	36.6 to porch, 41.6 to house	36.6 to porch, 41.6 to house	25	
	LEFT SIDE	22	22	7.5	
	RIGHT SIDE	5.6	5.6	7.5	
<u>SIZE OF BUILDING:</u>	HEIGHT	29.5	29.5	35	
	WIDTH	59.7 incl porches, 48.3 house	59.7 incl porches, 48.3 house	N/A	
	LENGTH	22.3	22.3	N/A	
<u>RATIO OF USABLE OPEN SPACE TO LOT AREA:</u>		0.55	0.55	0.40	
<u>NO. OF DWELLING UNITS:</u>		1	1	2	
<u>NO. OF PARKING SPACES:</u>		2	2	1 per unit	
<u>NO. OF LOADING AREAS:</u>		N/A	N/A	N/A	
<u>DISTANCE TO NEAREST BLDG. ON SAME LOT</u>		15.6 to porch, 20.6 to house	15.6 to porch, 20.6 to house	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.:

Existing 2-car garage, 20'D X 20.6'W X 10'H.  
 Window to be added will be the same as the existing windows.

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'.

Site Application Form

OPTIONAL INFORMATION

Responsible Design/Company: Eagle Family Residences  
 Zone: Residential B Zone  
 Present Use: Single-Family Residences

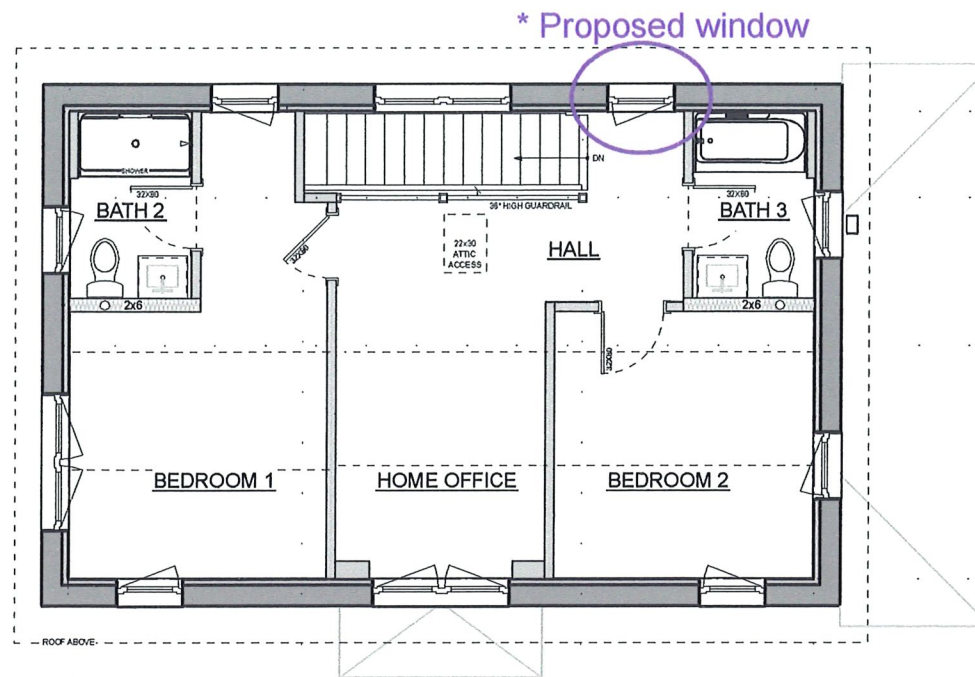
Address: 81 Kelley St., Cambridge, MA  
 Phone: 617-861-1234  
 Applicant: Karl Osherson

Condition	Existing Conditions	Proposed Conditions	Reference
TOTAL GROSS FLOOR AREA	2778	2778	2512
LOT AREA	3093	3093	3000
Ratio of Gross Floor Area to Lot Area	0.90	0.90	0.90
Front Setback	8.0 to porch, 10.4 to house	8.0 to porch, 10.4 to house	18
Rear Setback	8.0 to porch, 41.8 to house	8.0 to porch, 41.8 to house	22
Left Side Setback	22	22	7.8
Right Side Setback	22	22	7.8
Height	29.5	29.5	28
Width	48.8 to porch, 48.8 to house	48.7 to porch, 48.8 to house	N/A
Length	23.8	23.8	N/A
Ratio of Usable Open Space to Lot Area	0.88	0.88	0.90
No. of Dwelling Units	1	1	2
No. of Parking Spaces	2	2	1 per unit
No. of Loading Areas	N/A	N/A	N/A
Distance to Nearest Bldg. or Alleyway	13.8 to porch, 20.9 to house	13.8 to porch, 20.9 to house	10

Windows shall be the same as the existing windows.  
 Existing garage: 20'0" X 20'6" X 10'0"  
 Existing wood front porch, back steel deck.  
 All exterior walls shall be finished with brick or stone.  
 The size of adjacent buildings on either side and type of construction shall be noted.  
 DISTRICT OF CAMBRIDGE ZONING ORDINANCE ARTICLE 800, SECTION 8.00 (DISTRICT OF ENVIRONMENTAL REGULATIONS)  
 2. TOTAL GROSS FLOOR AREA (INCLUDING BASEMENT T.O. IN HEIGHT AND ATTIC AREA) SHALL BE AT LEAST 10% GREATER THAN (A) DIVIDED BY LOT AREA.  
 3. OPEN SPACE SHALL NOT INCLUDE PARKING AREAS, WALKWAYS OR DRIVEWAYS AND SHALL HAVE A MINIMUM DIMENSION OF 10'.



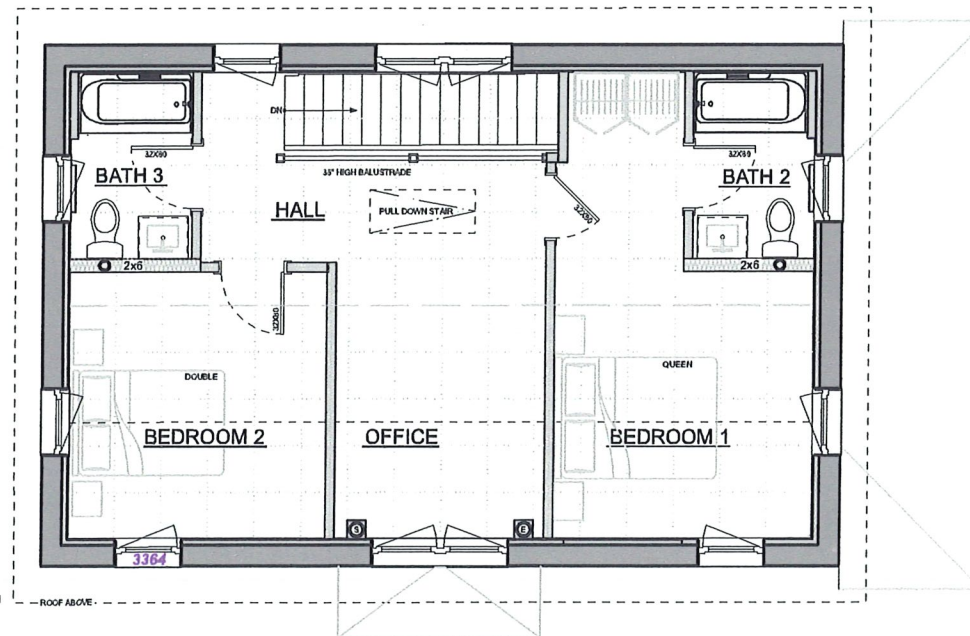
**SOUTHEAST ELEVATION - PROPOSED MODIFICATION**



**SECOND FLOOR PLAN - PROPOSED MODIFICATION**



**SOUTHEAST ELEVATION - CURRENT VARIANCE**



**SECOND FLOOR PLAN - CURRENT VARIANCE**

**51 KELLEY STREET**  
**CAMBRIDGE, MASSACHUSETTS**



**FOR MODIFICATION  
 OF VARIANCE 218944**

CIVIL ENGINEER:	
H.V.A.C.:	
ELECTRICAL:	
OTHER:	
ISSUE DESCRIPTION	
BY	MP REVISION 1 - ROOF CHANGE TO VENTED ROOF
DATE	12/20/24
CLIENT:	KENT CHRISTMAN
PROJECT TYPE:	RESIDENCE
LOCATION:	51 KELLEY STREET CAMBRIDGE, MA 02138
STAMP:	
DATE:	18 JUNE 2024
SCALE:	1/4" = 1'-0"
UNITY TEAM:	EC/RM/MP/DS
SHEET TITLE:	PROPOSED COMPARED TO CURRENT VARIANCE
SHEET NUMBER:	V001

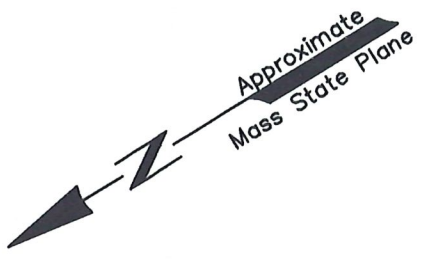
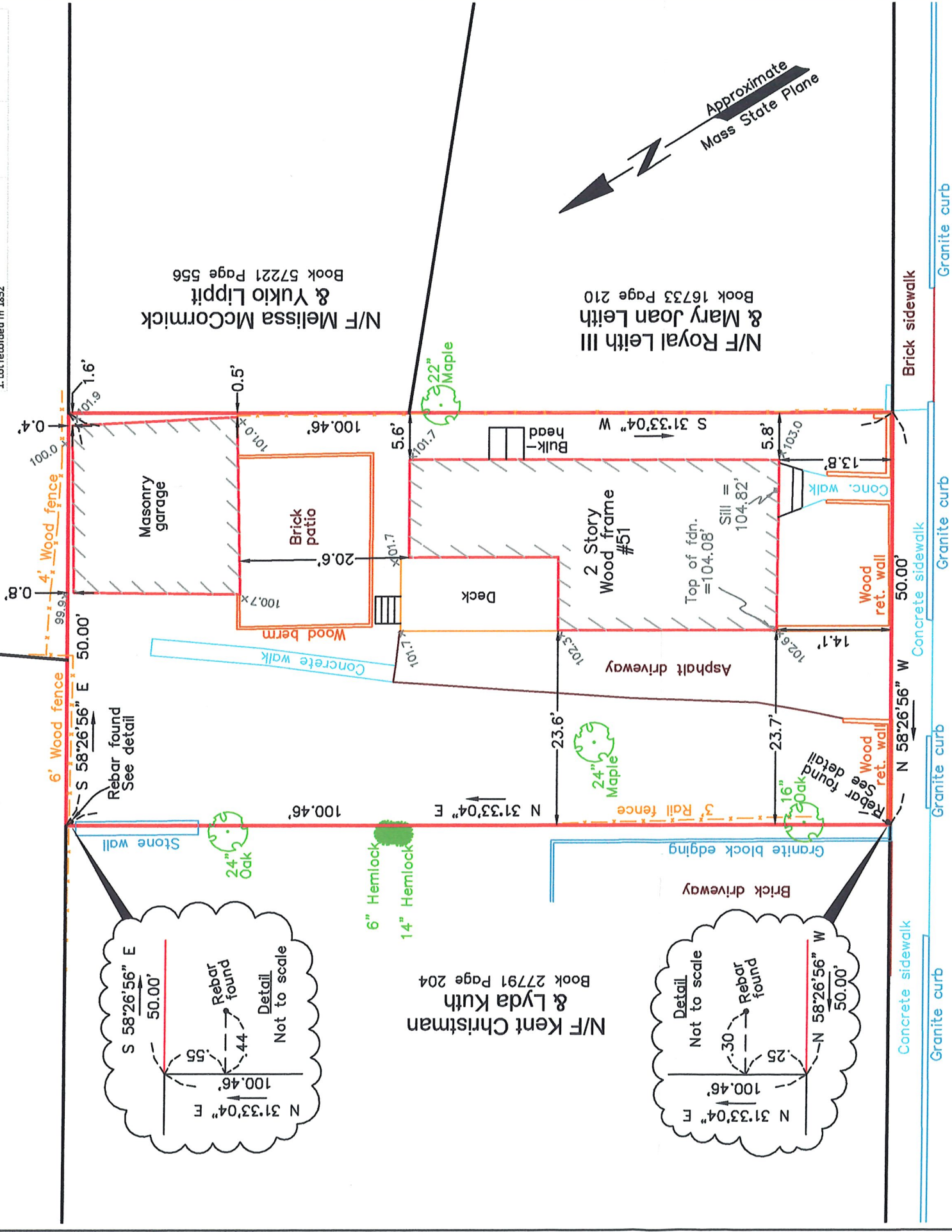
UNITY BUILDING TECHNOLOGIES, COPYRIGHT 2024

Zoning Calculations		
District: Residence B		
	Required	Existing
Lot area	N/A <sup>1</sup>	5,023
Lot width	N/A <sup>1</sup>	50.0
Front yard	15	13.8
Rear yard	25	41.6
Left side yard	7.5 (sum 15 <sup>1</sup> )	23.6 (sum 29.2)
Right side yard	7.5 (sum 15 <sup>1</sup> )	5.6 (sum 29.2)
Height	35	26.5
Distance between buildings	10	20.6
Accessory building side yard	5	0.5
Accessory building rear yard	5	0.4
Total open space	40%	91.0%
% Meeting private open space req.	50%	51.8%
% Meeting permeable open space req.	50%	96.3%

<sup>1</sup>. Lot recorded in 1852.

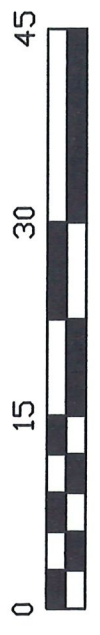
N/F 119 Huron Ave  
Condominium  
Book 19933 Page 208

N/F Yugon Kim  
& Kirra Newman  
Book 62600 Page 439



**R. C. Kelley Street**

30' Wide - 1905 City Layout



In my professional opinion, I certify to Kent Christman, Lyda Kuth, and the City of Cambridge that as a result of a survey made on the ground to the normal standard of care of professional land surveyors practicing in Massachusetts, I find that the property falls outside of the special flood hazard area as shown on the F.I.R.M. for Middlesex County, Massachusetts, Map #25017C0419E Dated: June 4, 2010 and that the locations of the improvements are as shown hereon.

**Plan of Land**  
in  
**Cambridge, Massachusetts**  
Prepared For: **Kent Christman & Lyda Kuth**

Scale: 1" = 15' Date: May 15, 2015



*Justin D. Maloney*  
PROFESSIONAL LAND SURVEYOR  
DATE: 5/15/15



7 Walnut Road  
Somerville, MA 02145  
617-744-9002  
maloneygeo.com

Deed recorded at Middlesex Registry of Deeds, Bk 59847 Pg 471  
Plan Book 4A, Plan 20  
Assessors Map 229, Lot 44  
Zoning District: Residence B



51 KELLEY STREET  
SITE PHOTOS  
11 SEPTEMBER 2024



11 September 2024

To: Board of Zoning Appeal, City of Cambridge

RE: Modification to Variance 218944

I am asking for the addition of a small window to the Southeast façade of my house project at 51 Kelley Street. This would be a modification of the existing Variance #218944. All other aspects of the variance would remain the same.

Adding this window came about during further consideration of the layout of the second-floor bedrooms. In the plan submitted for the approved zoning variance, the primary bedroom was located at the street side of the house. By reversing/mirroring the second-floor plan front to rear, the primary bedroom was moved to the quieter and greener side at the back of the house. As a result, the window at the top of the stairs on the second floor moved toward the street as the stairs were reversed as well.

At the same time, it became apparent that having a window providing light and air to the primary bedroom where the window at the top of the stairs had been located would be of benefit to the occupants of the house. Both the window at the top of the stairs and the added primary bedroom window were reduced in height from that of the window originally located at the top of the stairs.

I believe this is an improvement to the design, beneficial to the house & neighborhood, and done in the spirit of the originally approved variance.

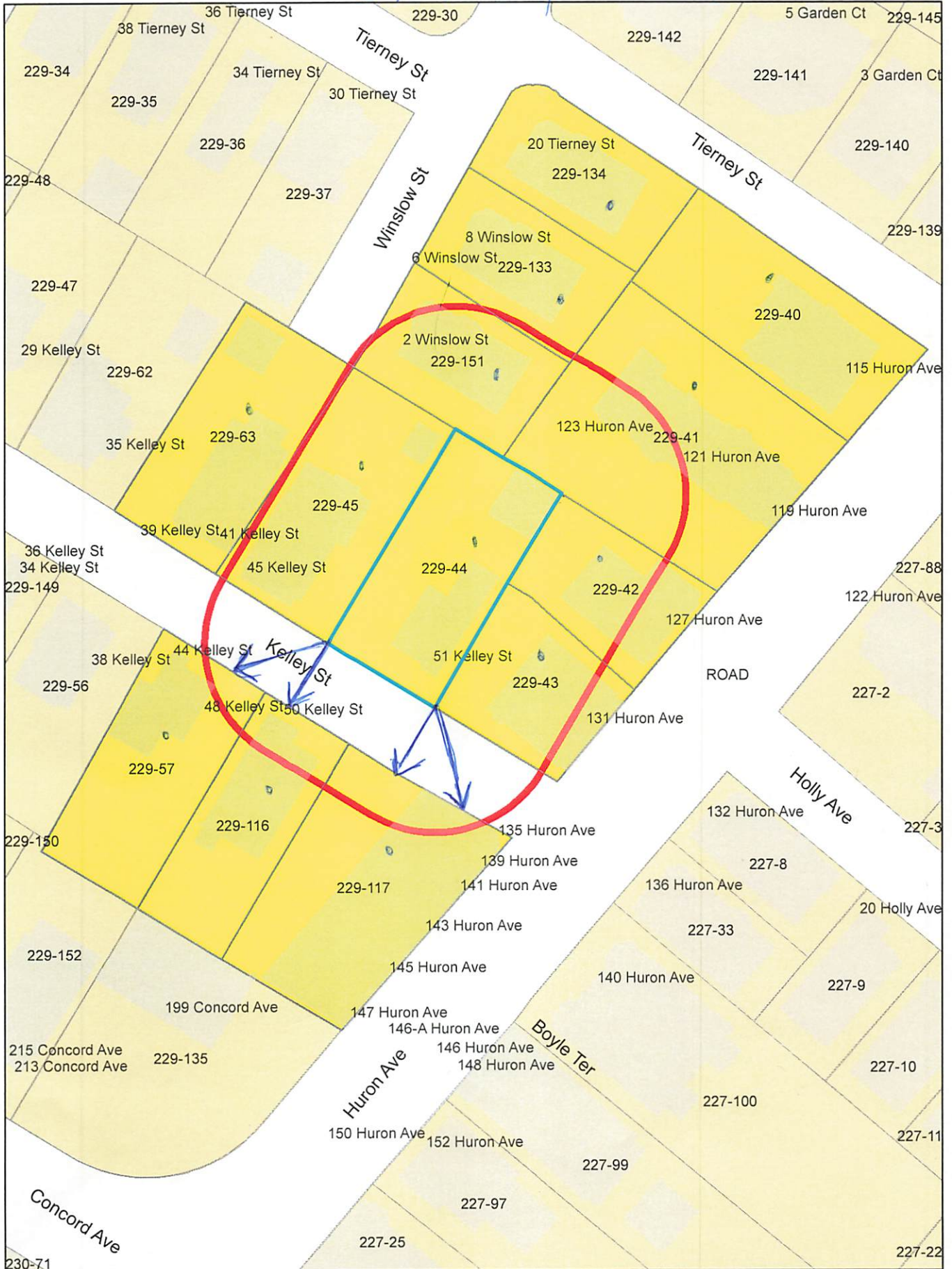
I have shown these window changes to my neighbors immediately adjacent to the Southeast and they have no objections to this change.

Sincerely,



Kent G. Christman  
45 Kelley Street  
Cambridge, MA 02138  
617-661-6428  
[entropyserviceconsultants@comcast.net](mailto:entropyserviceconsultants@comcast.net)  
CS-007932

51 Kelley Street



51 Kelley St.

Petitioner

229-43  
LEITH, ROYAL WILLIS, III,  
TRS MARY JOAN LEITH, TRS  
131 HURON AVE  
CAMBRIDGE, MA 02138

229-63  
FREIRMAN, RICHARD E. & LYNN M. GERVENES  
39-4 R.C. KELLEY ST.  
CAMBRIDGE, MA 02138

229-44  
CHRISTMAN, KENT  
45 KELLEY ST  
CAMBRIDGE, MA 02138

229-40  
FREUDER, EUGENE C. &  
PAMELA S. FRIEDMAN  
113 HURON AVE UNIT 2  
CAMBRIDGE, MA 02138

229-41  
HODGSON, JONATHAN W. &  
ANDREA J. HODGSON  
119 HURON AVE UNIT A  
CAMBRIDGE, MA 02138

229-57  
STIRATELLI, ROBERT G. & ALLISON S. BARD  
44 KELLEY ST  
CAMBRIDGE, MA 02138

229-41  
PERRY, ELIZABETH J. & NARA DILLON  
121 HURON AVENUE  
CAMBRIDGE, MA 02138

229-45  
CHRISTMAN, KENT G  
45 KELLEY ST  
CAMBRIDGE, MA 02138

229-117  
RCG OBSERVATORY RETAIL LLC,  
17 IVALOO ST  
SOMERVILLE, MA 02143

229-134  
CEVELO, BENJAMIN Q. & JAMIE L. CEVELO  
20 TIERNEY ST UNIT 1  
CAMBRIDGE, MA 02138

229-134  
TRAVERS, THOMAS ROBERT &  
DURBA GHOSH  
20 TIERNEY STREET UNIT 2  
CAMBRIDGE, MA 02138

229-151  
KIM, YUGON & KIRRA NEWMAN  
2-4 WINSLOW ST  
CAMBRIDGE, MA 02138

229-116  
SOLOMON, LEONARD  
TRS LENNY SOLOMON 2020 REV TR  
50 R C KELLEY ST  
CAMBRIDGE, MA 02138

229-42  
LIPPIT YUKIO M MCCORMICK MELISSA M  
127 HURON AVE  
CAMBRIDGE, MA 02138

229-40  
ECKERT, CARTER JOEL  
TRS THE CARTER J ECKERT LIVING TR  
115 HURON AVE  
CAMBRIDGE, MA 02138

229-133  
6-8 WINSLOW STREET CA ASSOCIATES LLC  
212 UPLAND RD  
CAMBRIDGE, MA 02140

229-134  
SEMERCİ, OGUZ ALEXANDRA ROSE SHAW  
20 TIERNEY ST - UNIT 3  
CAMBRIDGE, MA 02138

229-41  
BENNETT, KRISTIN A.  
119 HURON AVE - UNIT C  
CAMBRIDGE, MA 02138





# City of Cambridge

MASSACHUSETTS

BOARD OF ZONING APPEAL

831 Mass Avenue, Cambridge, MA.  
(617) 349-6100

BZA

## POSTING NOTICE – PICK UP SHEET

The undersigned picked up the notice board for the Board of Zoning Appeals Hearing.

Name: Kent Christman Date:                       
(Print)

Address: 51 Kelley St.

Case No. BZA - 288881

Hearing Date: 10/24/24

Thank you,  
Bza Members