



CITY OF CAMBRIDGE

Massachusetts
BOARD OF ZONING APPEAL
831 Mass Avenue, Cambridge, MA.
617) 349-6100

CASE NO: BZA-109493

LOCATION: 343 1/2 Broadway Office 1 Zone
Cambridge, MA

PETITIONER: Angelika O'Connor

PETITION: Variance: Changing the use of the house from a one-family to a
two-family residence, with no exterior alterations.

VIOLATIONS: Art. 5.000, Sec. 5.31 (Table of Dimensional Requirements) &
Sec. 5.26 (Conversion).

DATE OF PUBLIC NOTICE: March 25, 2021 & April 1, 2021

DATE OF PUBLIC HEARING: April 8, 2021 & May 27, 2021

MEMBERS OF THE BOARD:

CONSTANTINE ALEXANDER - CHAIR
BRENDAN SULLIVAN - VICE-CHAIR
ANDREA A. HICKEY
JIM MONTEVERDE
LAURA WERNICK

ASSOCIATE MEMBERS:

SLATER W. ANDERSON
ALISON HAMMER
JASON MARSHALL
MATINA WILLIAMS
WENDY LEISERSON

Members of the Board of Zoning Appeal heard testimony and viewed materials submitted regarding
the above request for relief from the requirements of the Cambridge Zoning Ordinance. The Board is
familiar with the location of the petitioner's property, the layout, and other characteristics as well as
the surrounding district.

Case No: BZA-109493
Location: 343½ Broadway
Petitioner: Angelika O'Connor

On May 27, 2021, Petitioner Angelika O'Connor appeared before the Board of Zoning Appeal requesting a variance in order to change the use of the house from a one-family to a two-family residence, with no exterior alterations. The Petitioner requested relief from Article 5, Sections 5.31 and 5.26 of the Cambridge Zoning Ordinance ("Ordinance"). The Petitioner submitted materials in support of the application including information about the project, plans, and photographs.

Ms. O'Connor stated that her house was a single family located in a three-floored duplex. She stated that she wished to convert her home from a single family to a two family in order to allow her to age in place and rent out the new unit to generate rental income to help with expenses and maintenance. She stated that there would be a parking space for each unit.

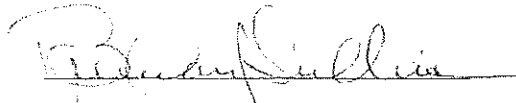
A neighbor spoke in support of the proposal.

After discussion, the Chair moved that the Board make the following findings based upon the application materials submitted and all evidence before the Board and that based upon the findings the Board grant the requested relief as described in the Petitioner's submitted materials and the evidence before the Board: that the Board find that a literal enforcement of the provisions of the Ordinance would involve a substantial hardship to the Petitioner, because it would preclude her from having a rental apartment in the building; that the Board find that the existing building was rather excessive for the Petitioner's immediate needs, and required a lot of upkeep and expense, where the addition of a unit would be enormously helpful in allaying those expenses; that the Board find that that the hardship was related to the house being part of a duplex, resulting in a number of violations of dimensional requirements; that the Board note that at one time the home was listed as a two-family residence, and acknowledged so by the City; that the Board find that there was sufficient parking to accommodate the additional unit; that the Board find that desirable relief could be granted without substantial detriment to the public good, and would not nullify or substantially derogate from the intent or purpose of the Ordinance; that the Board find that granting relief would assist in allowing people to remain in their homes, in providing housing for people of all income levels, and assisting people as they change in life to accommodate their aging in place by allowing them to stay in their property.

The Chair further moved that the Board specifically find that based upon all the information presented, there are circumstances involving a substantial hardship relating to this property within the meaning of M.G.L. c. 40A § 10 and that the Board grant the variance for the requested relief.

The five-member Board voted unanimously in favor of the findings and of granting the variance (Sullivan, Anderson, Monteverde, Marshall, and Williams). Therefore, the variance is granted.

The Board of Zoning Appeal is empowered to waive local zoning regulations only. This decision therefore does not relieve the Petitioner in any way from the duty to comply with local ordinances and regulations of the other local agencies, including, but not limited to the Historical Commission, License Commission and/or compliance with requirements pursuant to the Building Code and other applicable codes.


Brendan Sullivan, Chair

Attest: A true and correct copy of decision filed with the offices of the City Clerk and Planning Board on 7-14-21 by Maria Pacheco Clerk.

Twenty days have elapsed since the filing of this decision.

No appeal has been filed _____.

Appeal has been filed and dismissed or denied.

Date: _____ City Clerk.