



CITY OF CAMBRIDGE
MASSACHUSETTS
BOARD OF ZONING APPEAL
831 MASSACHUSETTS AVENUE
CAMBRIDGE, MA 02139
617 349-6100

2017 APR 24 PM 4:14

OFFICE OF THE CITY CLERK
CAMBRIDGE, MASSACHUSETTS

BZA APPLICATION FORM

Plan No: BZA-013025-2017

GENERAL INFORMATION

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

Special Permit: ✓ Variance: ✓ Appeal:

PETITIONER: Howard Schultz & Victoria Winston C/O Maggie Booz, Architect

PETITIONER'S ADDRESS: 625 Mount Auburn Street, Suite 206 Cambridge, MA 02138

LOCATION OF PROPERTY: 10 Cleveland St Cambridge, MA 02138

TYPE OF OCCUPANCY: Residential ZONING DISTRICT: Residence C-1 Zone

REASON FOR PETITION :

Additions

DESCRIPTION OF PETITIONER'S PROPOSAL :

Variance: To construct a one-story addition at the rear of the building on an existing foundation.

The addition proposes one window on its west elevation which violates setbacks.

Special Permit: Permission is also requested to alter two first story windows on the west side of the house, shortening one and moving the other, both are within the 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 8.000 Section 8.22.2.C (Non-Conforming Structure).

Original Signature(s) :

(Petitioner(s) / Owner)

Maggie Booz for Howard Schultz & Victoria Winston

(Print Name)

Address :

625 Mount Auburn St. Suite 206
Cambr. 02138

Tel. No. :

617.576.2720

E-Mail Address :

MAGGIE@SMARTANARCHITECTURE.NET

Date :

4.20.17

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 HOWARD L SCHULTZ + VICTORIA W WINSTON
(OWNER)

Address: 10 CLEVELAND ST, CAMBRIDGE 02138

State that I/We own the property located at (ABOVE),
which is the subject of this zoning application.

The record title of this property is in the name of HOWARD SCHULTZ & VICTORIA WINSTON, CO-TRUSTEES OF THE VICTORIA W WINSTON REVOCABLE TRUST

*Pursuant to a deed of duly recorded in the date 12/15/2016, Middlesex South
County Registry of Deeds at Book 20609, Page 249; or
68595 330
Middlesex Registry District of Land Court, Certificate No. _____
Book _____ Page _____

Howard L. Schultz
Victoria W. Winston
SIGNATURE BY LAND OWNER OR
AUTHORIZED TRUSTEE, OFFICER OR AGENT*

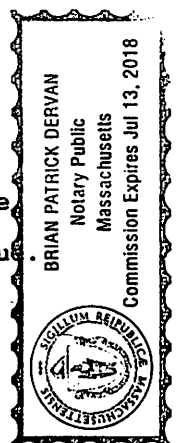
*Written evidence of Agent's standing to represent petitioner may be requested.

Commonwealth of Massachusetts, County of Middlesex

The above-name Victoria Winston and Howard Schultz personally appeared before me
this 27th of March, 2017, and made oath that the above statement is true.

Brian Derran Notary

My commission expires 7/13/2018 (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 Owners purchased this single-family house last year. They were planning to remove the rear deck when they realized that it is actually a roof over a portion of the original basement that protrudes from the main rectangle of the house footprint. In looking at historic photographs of the house in its original state, they saw that it used to have a one-story ell at the rear of the first floor that was undoubtedly part of what is now a curtailed kitchen area. The current house is very small, and southern light limited by a very tall Harvard Street-structure on the adjacent lot. Since the Owners were planning to renovate the kitchen and do it in such a way that some of the original character of the house be restored while trying to get as much precious southern light as possible into the first floor, they were moved to request a zoning variance in order to restore the missing first floor portion. The existing deck/roof structure is susceptible to leaking, and the addition would provide much needed kitchen pantry space.

- 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 1886 house was constructed with the rear ell that the Owners are requesting permission to re-build, and included a lasting, contiguous foundation below the ell. When it was constructed, there existed to the south of the house, at 345 Harvard Street, a double house from 1856 including a large lot of open space between the two houses. In 1961 the double house was razed and a 5-story apartment block was constructed that encroached significantly on that open land to within 10' of the rear property line separating the two lots. While the proposed addition violates the side and rear setbacks for a current C-1 district, it is a modest addition of only 6', utilizing an existing foundation, and the violation is minimal. The lot is an unusual double square shape, and the addition actually does conform to the rear yard setback taken from the very rear-most property line. The shape hints that land losses and acquisitions over the last 150 years have taken place that culminated in a house on an eccentric lot that meets some setbacks well and violates others. The Owners are hoping to respectfully and minimally increase the size of a small kitchen, eliminate a problematic and unwanted deck, and make changes that have value as historic restoration of an original structure.

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

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

The proposed ell addition is actually the restoration of an original portion of the house. Its scale, especially in relation to its looming neighbor to the south, is quite minimal. Very little additional shadow is cast by it onto any adjacent property since it is only one-story in height and faces south. No density is increased nor traffic intensified due to the proposal since it doesn't increase the quantity of living units in the neighborhood.

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

The proposal does not adversely affect the health or safety of the citizens of Cambridge, nor the value of anyone's property.

Supporting Statements for a Variance

Schultz-Winston Residence

10 Cleveland Street, Cambridge

- A) A Literal enforcement of the provisions of this Ordinance would involve a substantial hardship, financial or otherwise, to the petitioner for the following reasons: The Petitioners purchased this single-family house last year. They were planning to remove the rear deck when they discovered that it is actually a roof over a portion of the original basement that juts out from the main rectangle of the foundation, and cantilevers over its edge a couple of feet. In looking at historic photographs of the house in more or less its original state, they saw that it used to have a one-story ell at the rear of the first floor, where the deck is now, that was undoubtedly a kitchen or pantry area. The current house is very small, and southern light is limited by a very tall structure on the lot to the south of it. Since the Petitioners were planning to renovate their kitchen and other parts of the house, and do it in such a way that some of the original character of the house is restored while trying to get as much scant southern light as possible into the first floor, and since they don't want to worry about the deck/roof and its potential to leak, they were moved to request a zoning variance in order to restore the missing portion of the first floor.
- 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 1886 house was constructed with the rear ell that the Petitioner is requesting permission to rebuild, including a contiguous original foundation below that ell. When it was constructed, there existed behind it, at 345 Harvard Street, a double house from 1856 including a large lot of open space between the two houses. In 1961 the double house was razed and a 5-story apartment building was constructed that encroached significantly on that open land to within 10' of the rear property line separating the two lots. While the proposed addition violates the rear yard setback for a current C-1 district, it is a modest addition of only 6', utilizing an existing foundation, and the violation is minimal. The lot is an unusual double-square footprint, while the house is a simple rectangle. It hints that land losses and acquisitions over the last 200 years or so have taken place that culminated in an existing house on an eccentric lot that meets some setbacks well and violates others. The Petitioner is hoping to modestly increase the size of a very small kitchen, eliminate a problematic and unwanted deck, and make changes that have value as historic restoration of an original structure.
- C1) Desirable relief may be granted without substantial detriment to the public good for the following reasons: The proposed ell addition is actually the restoration of an original portion of the house. Its scale, especially in relation to its looming neighbor to the south, is quite minimal. Very little additional shadow is cast by it onto any adjacent property since it is only one-story in height and faces south. No density is increased nor traffic intensified due to the proposal.
- C2) Relief may be granted without nullifying or substantially derogating from the intent or purpose of this Ordinance for the following reasons: the proposal not only does not adversely affect the health or safety of the citizens of Cambridge, nor the value of anyone's property.

Supporting Statement for a Special Permit
10 Cleveland Street
Schultz-Winston Residence

3-20-17

- A) The proposed window changes on the west side of the house increase the width of one double-hung window by 8" and move it northward by 2', and decrease the height of another double hung window by 15" while keeping it in the same location. The net square footage of glass remains almost the same in the proposal as exists there now. Therefore, no burdensome light will be increased for abutting neighbors.
- B) No traffic will be generated nor patterns of access altered by this proposal, thus there will be no substantial change in the character of the neighborhood and no hazardous congestion created by it.
- C) The proposal has no affect on the continued operation of, or development of, adjacent uses.
- D) No nuisance or hazard causing detriment to the health safety, or welfare of the occupants nor the citizens of the City of Cambridge will be created by this proposal.
- E) The proposal would not impair the integrity of the district nor the adjoining district, nor would it in any other way derogate from the intent or purpose of the Ordinance.

BZA APPLICATION FORM**DIMENSIONAL INFORMATION**

APPLICANT: SmartArchitecture **PRESENT USE/OCCUPANCY:** R-3
LOCATION: 10 Cleveland St Cambridge, MA 02138 **ZONE:** Residence C-1 Zone
PHONE: _____ **REQUESTED USE/OCCUPANCY:** R-3

		<u>EXISTING CONDITIONS</u>	<u>REQUESTED CONDITIONS</u>	<u>ORDINANCE REQUIREMENTS</u> ¹	
<u>TOTAL GROSS FLOOR AREA:</u>		2022	2077	2156	(max.)
<u>LOT AREA:</u>		2875	2875	5000	(min.)
<u>RATIO OF GROSS FLOOR AREA TO LOT AREA:</u> ²		.70	.72	.75	(max.)
<u>LOT AREA FOR EACH DWELLING UNIT:</u>		2875	2875	1500	(min.)
<u>SIZE OF LOT:</u>	WIDTH	44	44	50	(min.)
	DEPTH	68	68	NA	
<u>SETBACKS IN FEET:</u>	FRONT	8	8	10	(min.)
	REAR	26.6	20.6	20	(min.)
	LEFT SIDE	14.5	14.5	7.5	(min.)
	RIGHT SIDE	5	5	7.5	(min.)
<u>SIZE OF BLDG.:</u>	HEIGHT	36	36	35	(max.)
	LENGTH	33	39	NA	
	WIDTH	24.25	24.25	NA	
<u>RATIO OF USABLE OPEN SPACE TO LOT AREA:</u>		66%	64%	30%	(min.)
<u>NO. OF DWELLING UNITS:</u>		1	1	1/2	(max.)
<u>NO. OF PARKING SPACES:</u>		2	2	1/2	(min./max)
<u>NO. OF LOADING AREAS:</u>		NA	NA	NA	(min.)
<u>DISTANCE TO NEAREST BLDG. ON SAME LOT:</u>		NA	NA	NA	(min.)

Describe where applicable, other occupancies on same lot, the size of adjacent buildings on same lot, and type of construction proposed, e.g.; wood frame, concrete, brick, steel, etc.

The addition is proposed to be constructed with a wood frame.

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'.

10 Cleveland St.

Petitioner

135-106
WANG, XIAOYU & HAI YU
345 HARVARD ST., #B1X
CAMBRIDGE, MA 02139

135-106
WELCH, JAMES JUSTIN
345 HARVARD ST., UNIT 6A
CAMBRIDGE, MA 02138

SMART ARCHITECTURE
C/O MAGGIE BOOZ, ARCHITECT
625 MT. AUBURN STREET – SUITE 206
CAMBRIDGE, MA 02138

135-106
TREITMAN, RICHARD S.
17 BARBERRY RD.
LEXINGTON, MA 02173

135-106
FOO, CHEN HUI & E-TING FOO
231 LLOYD LANE
WYNNWOOD, PA 19096

135-106
PORAT, YOAV
24 MYRTLE AVE
CAMBRIDGE, MA 02138

135-108-106
RPI 351 HARVARD STREET LLC,
27 MICA LANE. SUITE 201
WELLESLEY, MA 02481

135-106
WANG, STANLEY Y. & ANGELA T. LEE
30 STEARNS RD., #402
BROOKLINE, MA 02446

135-106
YOUNG, JOHN & SUSAN WANG
41 ASPEN DR
LIVINGSTON, NJ 07039

135-106
WESTBOURNE RESOURCES,
LTD TRIDENT TRUST CO (BVI) LIMITED
WICKHAMS CAY, TRIDENT CHAMBERS
PO BOX 146
TORTOLA, _ _ _

135-106
SACCARDI, THOMAS A. &
MARIANNE C. SACCARDI
345 HARVARD ST., # 3E & 3D
CAMBRIDGE, MA 02138

135-106
O'ROURKE, JOHN B. JR,
345 HARVARD ST. UNIT#5A
CAMBRIDGE, MA 02138

135-106
CHERN, YEHMIN C.
75 STATION LANDING #607
MEDFORD, MA 02155

135-106
SHANKARAN, GIRISH
345 HARVARD ST., #3B
CAMBRIDGE, MA 02138

135-106
MINCHEVA, ADRIANA
345 HARVARD ST. UNIT#3A
CAMBRIDGE, MA 02138

135-106
CHULADESA, TECHIN
345 HARVARD ST., #2F & 2E
CAMBRIDGE, MA 02138

135-83
ATLAS, STEVEN J. & LESTRA M. LITCHFIELD
25 DANA ST., UNIT #2
CAMBRIDGE, MA 02138

135-106
MARGOLIS, PETER I. & WENDY S. MARGOLIS
TRS, THE MARGOLIS FAM TRUST
2017 ROADRUNNER AVE
THOUSAND OAKS, CA 91320

135-106
RUBIN, AARON J. & JULIA A. HALLMAN
66 CLIFTON ST.
CAMBRIDGE, MA 02138

135-106
BOYLSTON, ANTHEA ETHEL
345 HARVARD ST., #2C
CAMBRIDGE, MA 02138

135-106
GOMES, ANTONIO
345 HARVARD ST. UNIT#2A2B
CAMBRIDGE, MA 02138

135-83
SCHMITT, WILLIAM P.
C/O AKBARI, THOMAS J. & NANCY K. AKBARI
25 DANA ST., #1
CAMBRIDGE, MA 02139

135-106
OSSI, SARA V.
345 HARVARD ST, #1F
CAMBRIDGE, MA 02138

135-106
ZARZAR, ROBERT A., BONNIE D. ZARZAR &
LAUREN DELL ZARZAR TRS.
11440 BRICK MILL CT
OAKTON, VA 22124

135-106
REDDI, VIJAY JANAPA & KARI JANAPAREDDI
3301 PECOS ST., UNIT B
AUSTIN, TX 78703

135-106
ROVNER, DANIELA
6533 MAJESTIC RIDGE
EL PASO, TX 79912

135-106
XU, KEYI
3924 N LAKESIDE DR
MUNCIE, IN 47304

135-106
COHEN, MATTHEW L.
345 HARVARD ST. UNIT#1A
CAMBRIDGE, MA 02138

135-53
MROWKA, TOMASZ S. & GIGLIOLA STAFFILANI
37 DANA ST
CAMBRIDGE, MA 02138

135-54
DODION, PIERRE F., TRUSTEE THE PIERRE F. DODION
2012 FAMILY TRUST
RESIDENCE PRADO PARC, ENTREE 4
411 AVENUE DU PRADO
13008 MARSEILLE, - FRANCE

10 Cleveland St.

135-54
RANDALL, LISA
13 CLEVELAND STREET
CAMBRIDGE, MA 02138

135-56
OWENS, DAVID M. & LISE M. ZEIG
7 CLEVELAND ST
CAMBRIDGE, MA 02138

135-56
SEIDMAN, NANCY L.
9 CLEVELAND ST
CAMBRIDGE, MA 02138

135-62
CARRABINO, THERESA E.
6 CLEVELAND ST
CAMBRIDGE, MA 02138

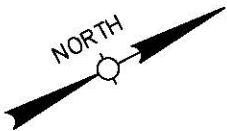
135-63
KEEGAN, KATE & DONNA M. TURLEY
8 CLEVELAND ST
CAMBRIDGE, MA 02138

135-64
CLARKE, ROSEMARY,
TR. OF CLARKE FAMILY TRUST
10 CLEVELAND STREET
CAMBRIDGE, MA 02138

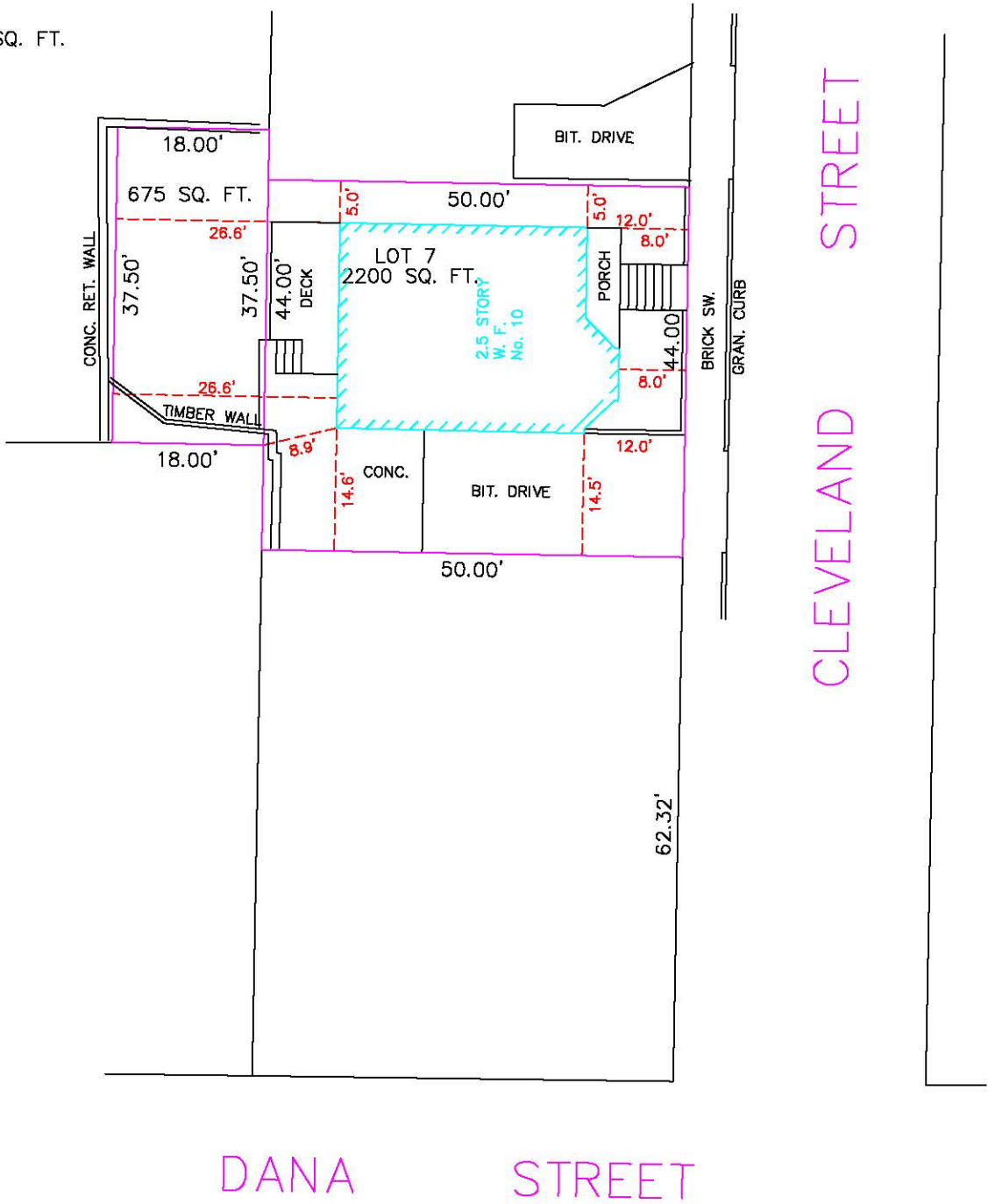
135-65
COLDING, TOBIAS HOLCK & STINE GRODAL
29 DANA ST
CAMBRIDGE, MA 02139

135-68
LIN, CHU-HSIEN & LU LIN
343 HARVARD ST
CAMBRIDGE, MA 02139

135-82
TRACHTMAN, ARNOLD S. &
JOAN L. TRACHTMAN, A LIFE ESTATE
27 DANA ST
CAMBRIDGE, MA 02138



TOTAL AREA=2875 SQ. FT.



PLOT PLAN
10 CLEVELAND STREET
CAMBRIDGE, MASS.

SCALE : 1"= 20' APRIL 14, 2017

AGH ENGINEERING

166 WATER STREET STOUGHTON, MA 02072
PHONE: (781)344-2386





City of Cambridge, MA :ion,legend,location,share)



Base Map

Map-Lot:
135-60

Pan ▼

Map-Lot:
135-62

2500

Map-Lot:
135-63

2200

2875

Map-Lot
135-108

155-156

7/330

Map-Lot:
135-106

6543

Map-Lot:
135-82

3478

Map-Lot
135-83

1000

Leaflet (<http://leafletjs.com>)

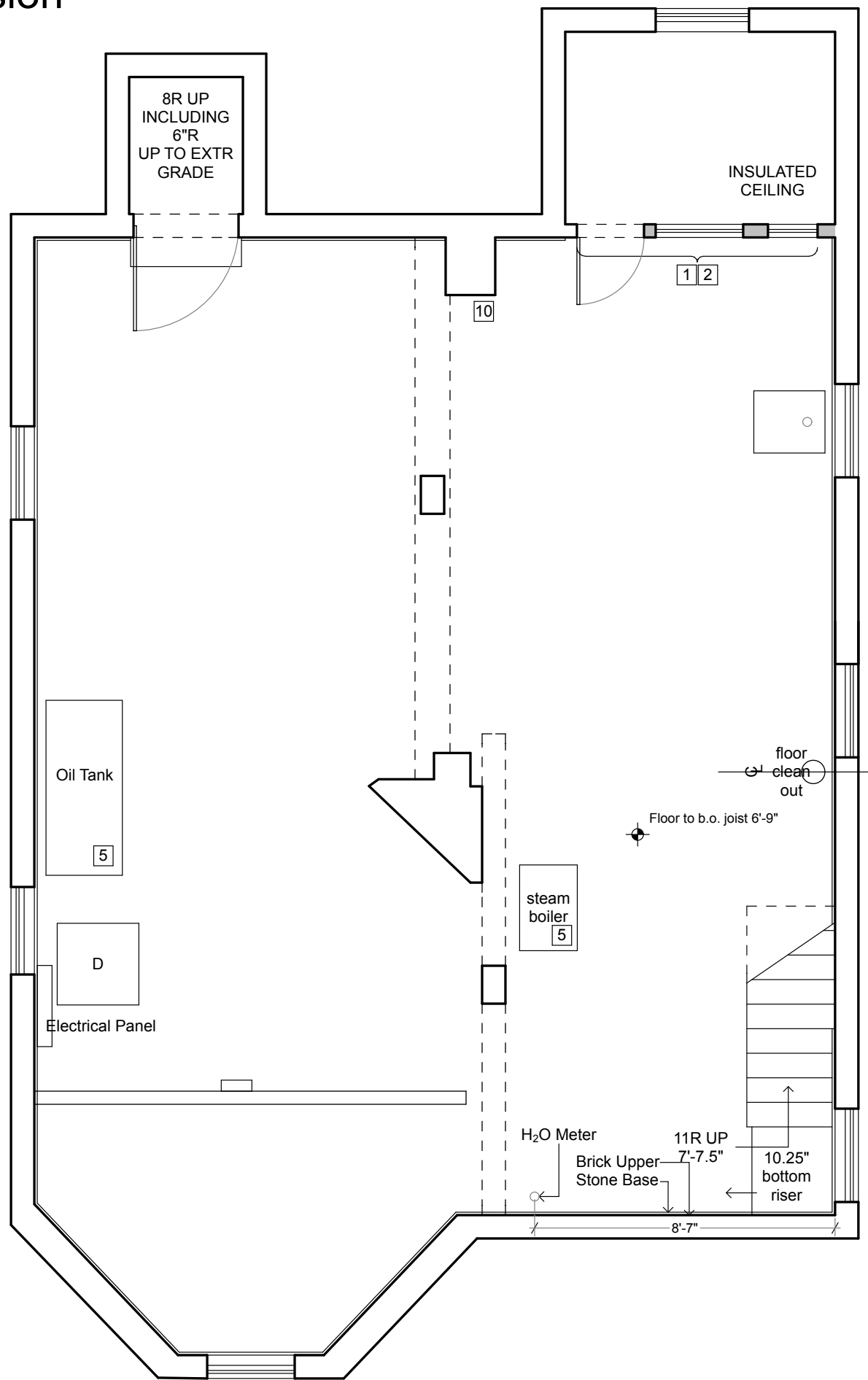
GIS Homepage (<http://www.cambridgema.gov/GIS>) | About GIS

10 Cleveland St.

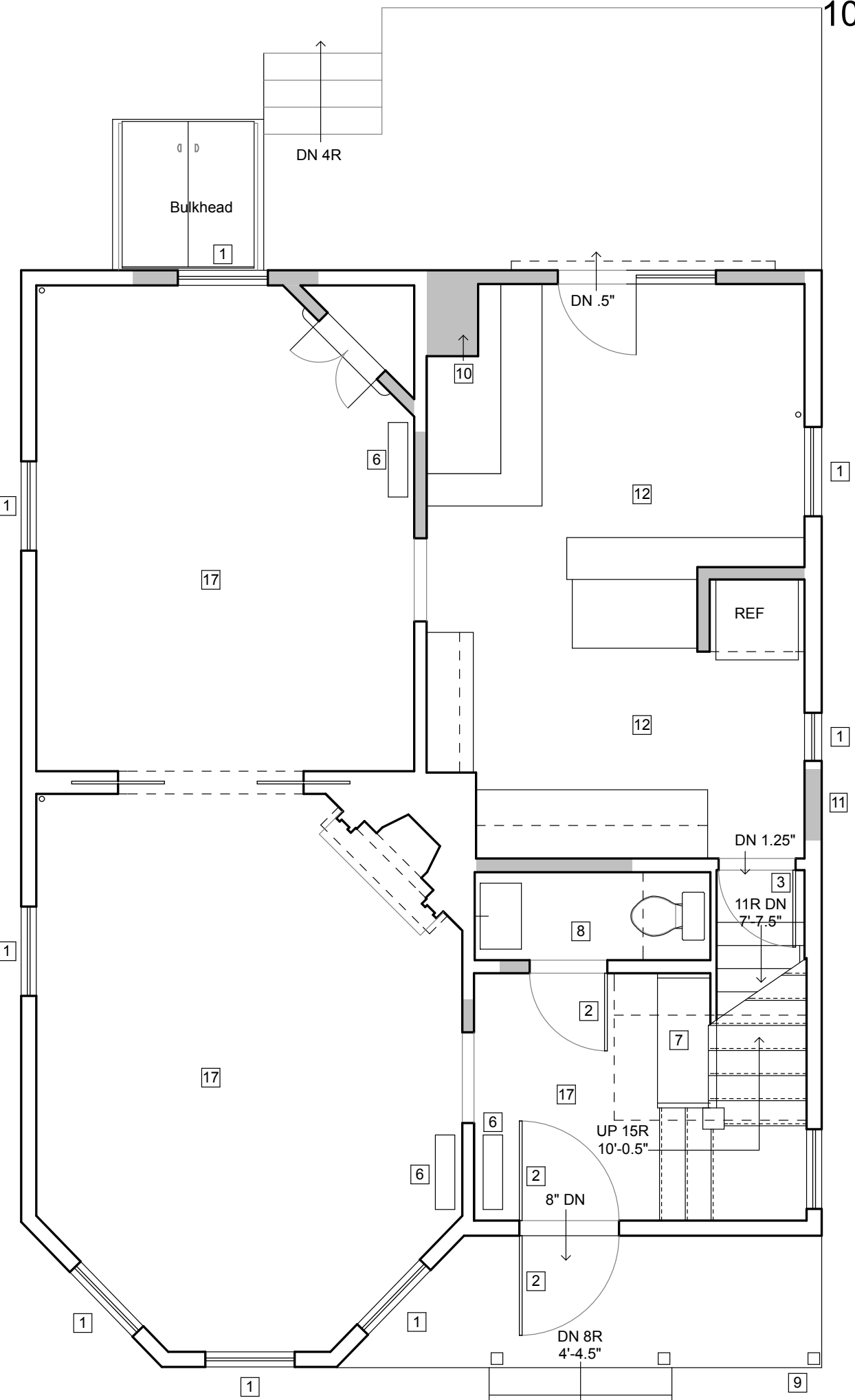




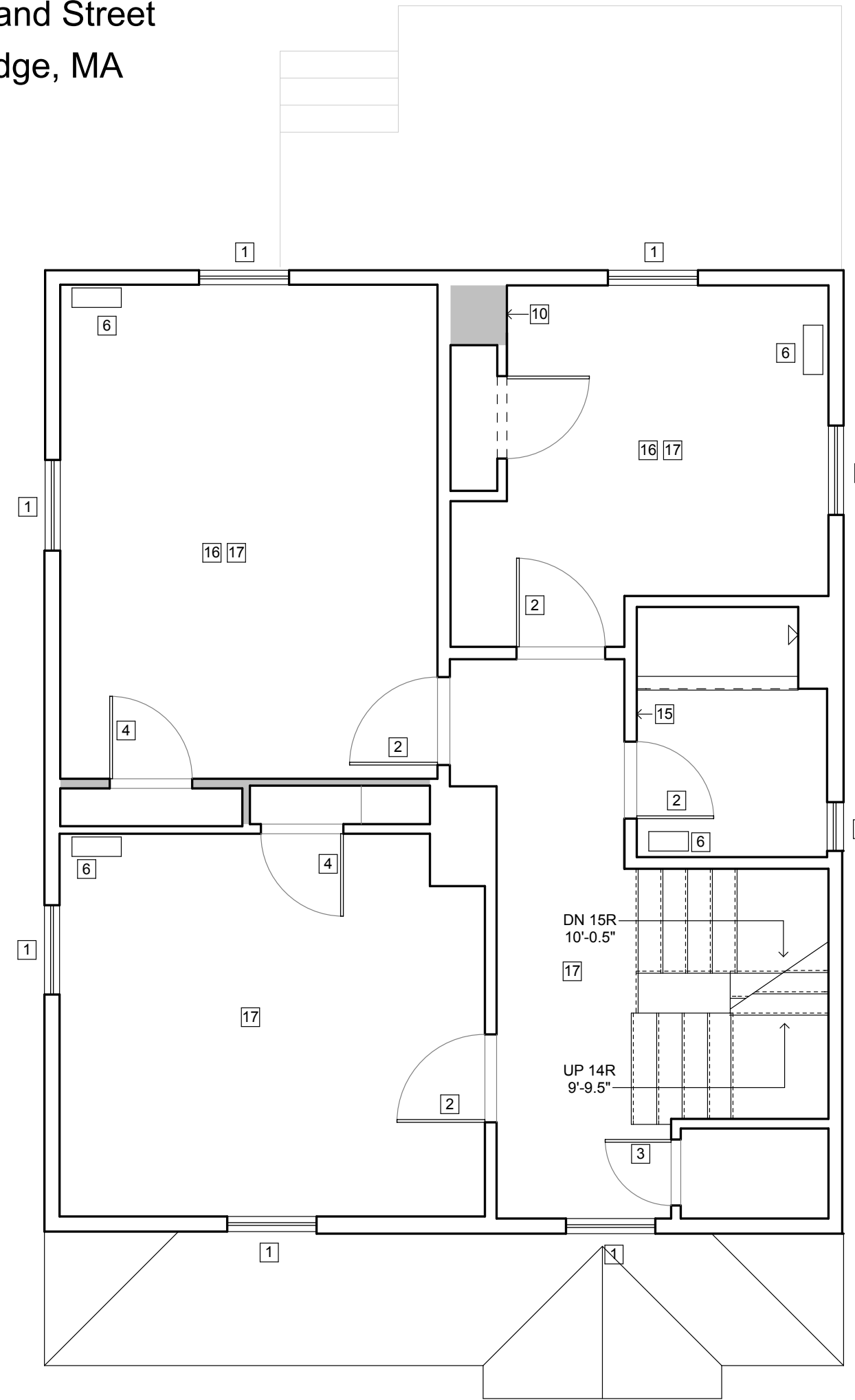




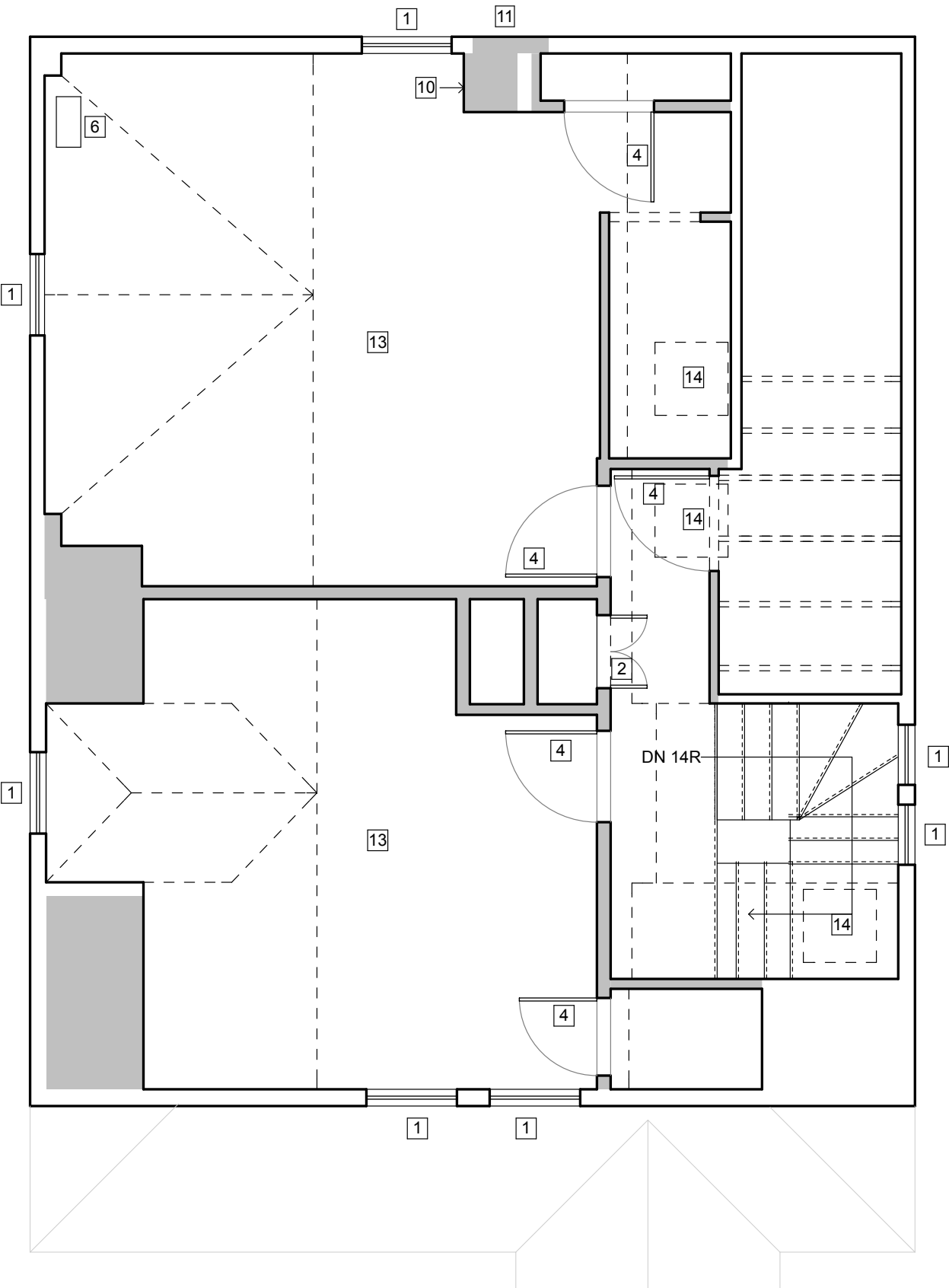
Existing Basement Plan
1/4" = 1'-0" 1



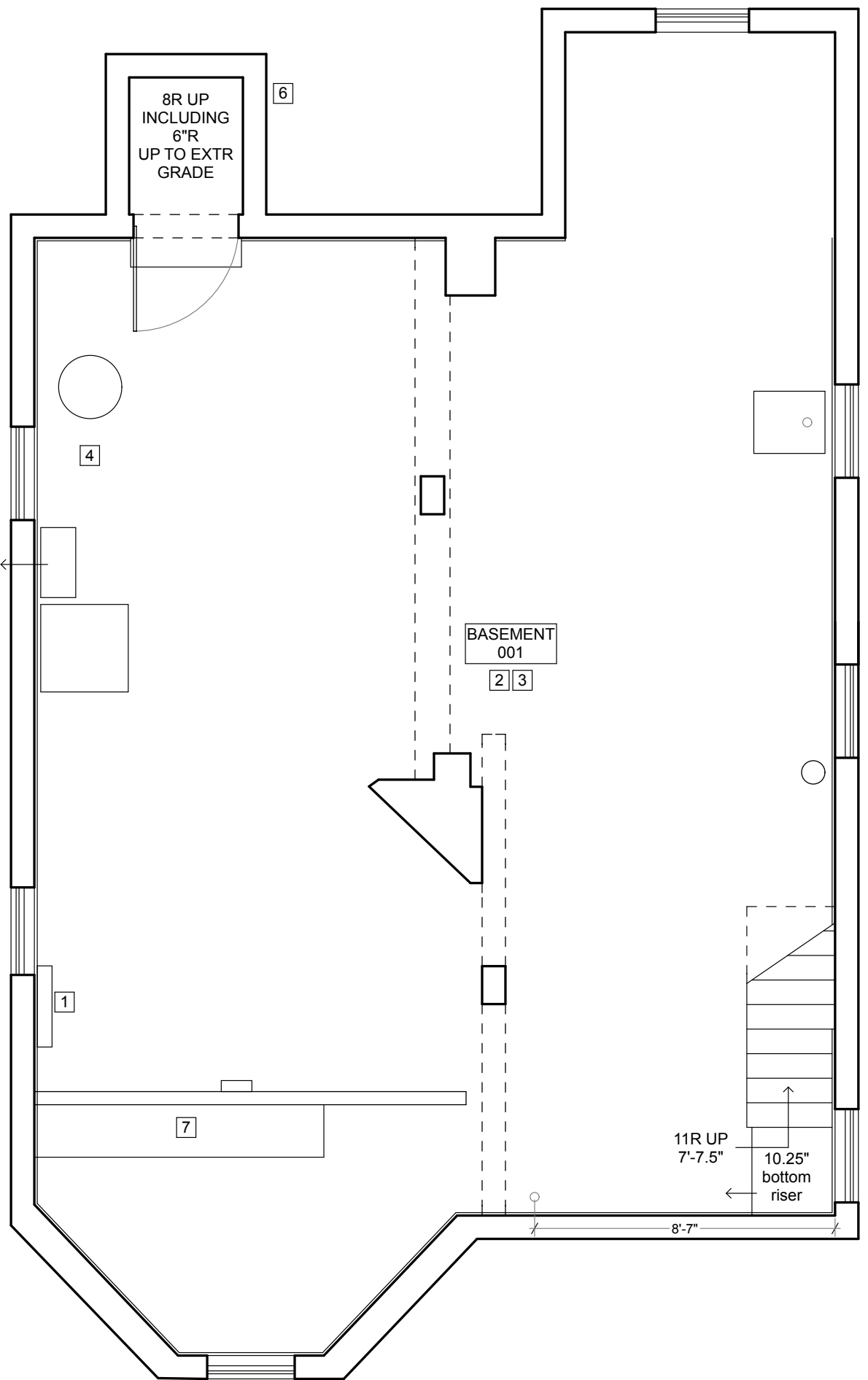
Existing First Floor Plan
1/4" = 1'-0" 2



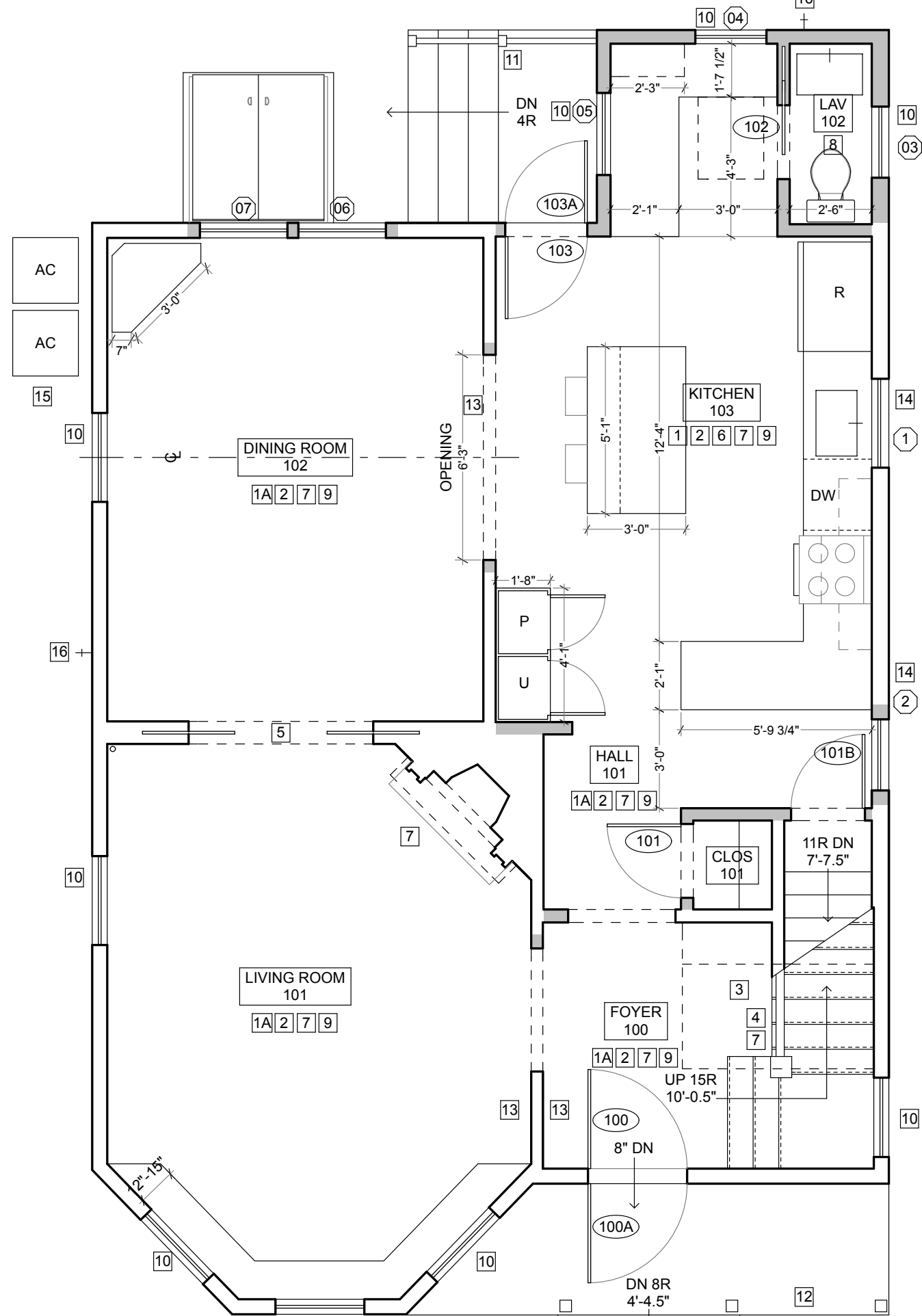
Existing Second Floor Plan
1/4" = 1'-0" 3



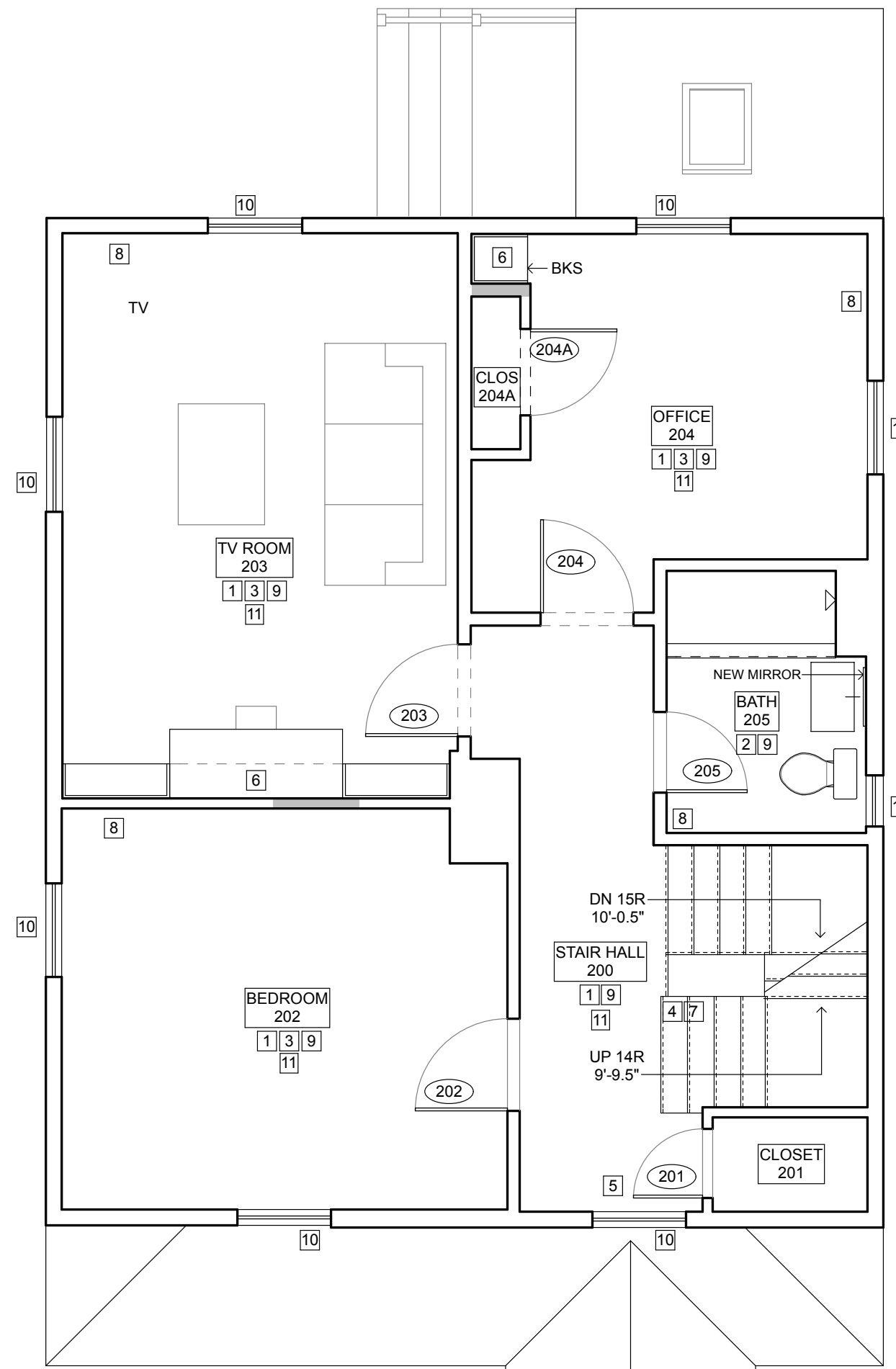
Existing Third Floor Plan
1/4" = 1'-0" 4



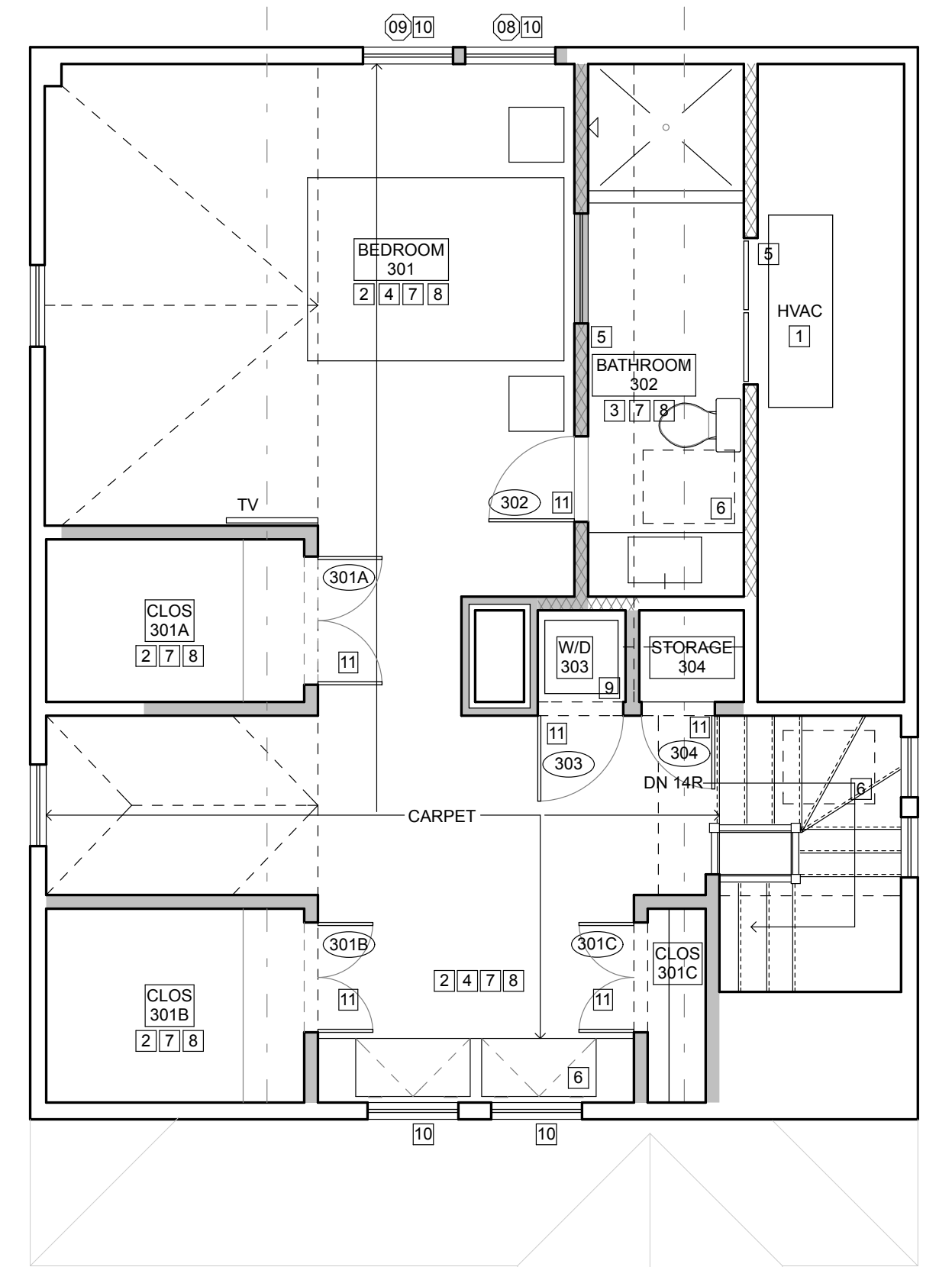
Proposed Basement Plan
1/4" = 1'-0" 5



Proposed First Floor Plan
1/4" = 1'-0" 6



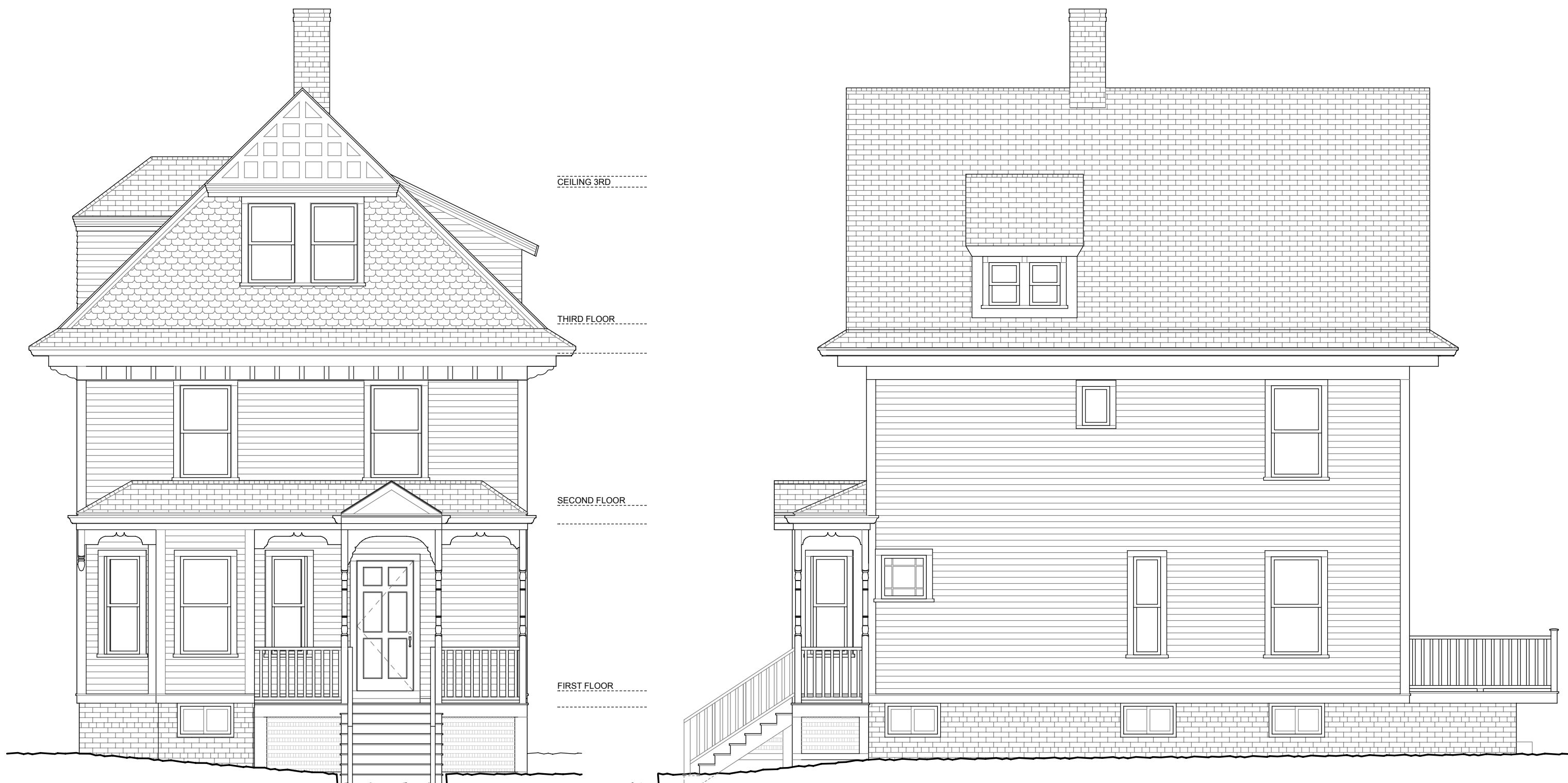
Proposed Second Floor Plan
1/4" = 1'-0" 7



Proposed Third Floor Plan
1/4" = 1'-0" 8

Existing and
Proposed Floor
Plans

Scale	as noted
Date	04.17.17



Existing Cleveland St Elevation
3/16" = 1'-0"

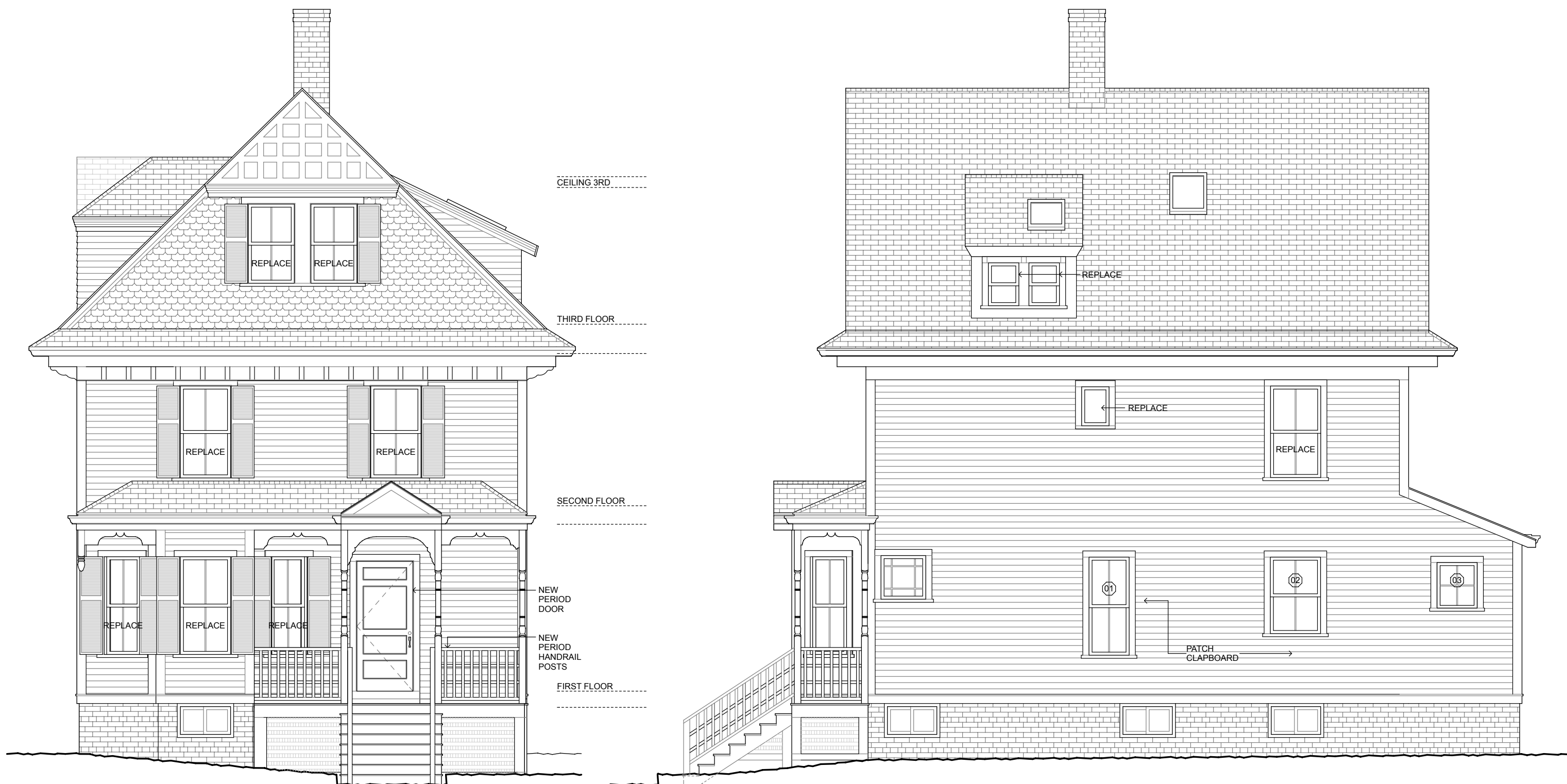
Existing Western Elevation
3/16" = 1'-0"



Existing Rear Elevation
3/16" = 1'-0"



Existing Eastern Elevation
3/16" = 1'-0"



Proposed Cleveland St Elevation
3/16" = 1'-0"

Proposed Western Elevation
3/16" = 1'-0"



Proposed Rear Elevation
3/16" = 1'-0"



Proposed Eastern Elevation
3/16" = 1'-0"

Pacheco, Maria

From: Donna M. Turley <dmt@glickmanturley.com>
Sent: Wednesday, May 03, 2017 12:49 PM
To: Pacheco, Maria
Cc: howard.schultz@homeinstead.com; 'Keegan Kate'
Subject: CASE#BZA013025-2017

RE: CASE#BZA013025-2017
10 Cleveland Street
Howard L. Schultz and Victoria W. Winston

Dear Ms. Pacheco: Kate Keegan and I own 8 Cleveland Street, the direct abutting property to the property which is the subject of the above noted appeal to be heard on May 25, 2017. Please be advised that we have reviewed the plans submitted by the owners, including the reconstruction of the small extension in the rear of the home and the placement of a window facing our property. We ask that the BZA grant Mr. Schultz and Ms. Winston the relief requested so that may proceed with their construction project. Their improvements will enhance the surrounding neighborhood and address necessary repairs. Please contact me if you require additional information. Thank you.

Donna M. Turley, Partner
Glickman Turley LLP
Faneuil Hall Marketplace
One South Market Building, 4th Floor
Boston, MA 02109
Tel: 617-399-7770 | Fax: 617-399-7775
dmt@glickmanturley.com | www.glickmanturley.com

