

CITY OF CAMBRIDGE MASSACHUSETTS BOARD OF ZONING APPEAL 831 MASSACHUSETTS AVENUE CAMBRIDGE, MA 02139

617 349-6100

2017 JAN 12 PM 2: 20

	BZA	APP	LICAT	ION	FORM
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CAMBRIDG BZA-012376-2017 TS

GENERAL INFORMATION

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

Special Permit :	Variance : √	Appeal:
PETITIONER: Foley F.	iore Architecture - C/O Dav	id Foley
PETITIONER'S ADDRESS:	316 Cambridge St Cambrid	dge, MA 02141
LOCATION OF PROPERTY:	120 Magazine St Cambridge	e, MA 02139
TYPE OF OCCUPANCY:	Residential	ZONING DISTRICT: Residence C Zone
REASON FOR PETITION:		
Addi	tions	
DESCRIPTION OF PETITIONE	ER'S PROPOSAL :	
To construct addition	and a dormer violating dime	ensional requirements.
SECTIONS OF ZONING ORDI	NANCE CITED :	
Article 5.000	Section 5.31 (Table of Di	mensional Requirements).
Article 8.000	Section 8.22.3 (Non-Confo	orming Structure).
Date: 1/11/20	Original Signature(s) : Address : Tel. No. : E-Mail Ad	PETERONER'S NOWNER) DAVID FIVEY FOLEY FLORE ARCHITECTURE 316 CAMBRIDGE ST. CAMBRIDGE, MA 02141 617-547-8002 dress: <u>brown</u> & FOLEY FLORE. COM JCOMBS & FOVEY FLORE. COM

DIMENSIONAL INFORMATION

APPLICANT: Foley Fiore Architecture PRESENT USE/OCCUPANCY: Multi Family Residence

ZONE: Residence C Zone

120 Magazine St Cambridge, MA 02139

LOCATION:

PHONE:		REQUESTED USE	REQUESTED USE/OCCUPANCY:		ılti Family Residence	
		EXISTING CONDITIONS	REQUESTED CONDITIONS	ORDINANCE REQUIREMENTS		
TOTAL GROSS FLOOR AF	REA:	3088	3080	2318	(max.)	
LOT AREA:		3863	3863	5000	(min.)	
RATIO OF GROSS FLOOP TO LOT AREA: 2	R AREA	.799	.797	.6	(max.)	
LOT AREA FOR EACH DW	VELLING UNIT:	3863 shared	3863 shared	1800 each DU	(min.)	
SIZE OF LOT:	WIDTH	45	45	50	(min.)	
	DEPTH	86.3	86.3	100		
SETBACKS IN FEET:	FRONT	7.8 & 2.0	7.8 & 2.0	10.0	(min.)	
	REAR	NA	NA NA	NA	(min.)	
	LEFT SIDE	East 13.8	East 13.8	7.5 (sum 20)	(min.)	
	RIGHT SIDE	South 19.8	South 19.8	7.5 (sum 20)	(min.)	
SIZE OF BLDG.:	HEIGHT	32	32	35	(max.)	
	LENGTH	63.75	63.75	NA		
	WIDTH	22	22.75	NA		
RATIO OF USABLE OPER TO LOT AREA:	N SPACE	42.6	42	36	(min.)	
NO. OF DWELLING UNITS:		2	2	2	(max.)	
NO. OF PARKING SPACES:		2	2	2	(min./max)	
NO. OF LOADING AREAS:		NA	NA	NA	(min.)	
DISTANCE TO NEAREST BLDG. ON SAME LOT:		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.

^{1.} SEE CAMBRIDGE ZONING ORDINANCE ARTICLE 5.000, SECTION 5.30 (DISTRICT OF DIMENSIONAL REGULATIONS).

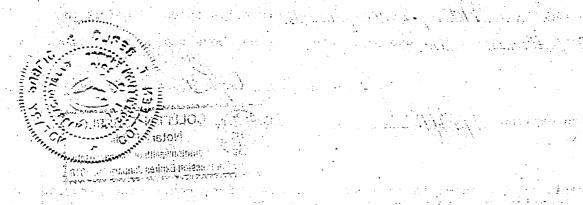
TOTAL GROSS FLOOR AREA (INCLUDING BASEMENT 7'-0" IN HEIGHT AND ATTIC AREAS GREATER THAN 5')

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 Wendy S. Holding + Lindsay A. Mac Indoe
Address: 11 Salem Steet, Cambridg MA 02189
State that I/We own the property located at 120 Magazire Street,
which is the subject of this zoning application.
The record title of this property is in the name of
*Pursuant to a deed of duly recorded in the date $\frac{9/6/16}{}$, Middlesex South County Registry of Deeds at Book $\frac{6796/}{}$, Page $\frac{23}{}$; or Middlesex Registry District of Land Court, Certificate No.
Book Page
SIGNATURE BY LAND OWNER OR
AUTHORIZED TRUSTEE, OFFICER OR AGENT* *Written evidence of Agent's standing to represent petitioner may be requested.
*Written evidence of Agent's standing to represent petitioner may be requested.
*Written evidence of Agent's standing to represent petitioner may be requested. Commonwealth of Massachusetts, County of The above-name of Holding - Inday Man Indepersonally appeared before me, this 14 of Man Independent is true.



ત્રામાં એક લોકુકુઓ, પ્રાપ્તિએ કોંકુક કરા જોકારોને, તારા કાંગ્યું કરા

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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:

First floor of home does not allow for adequate kitchen/dining space in relation to scale of home. Current third floor stairs are not code compliant due to 6'-3" of clear headroom at upper landing.

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:

Due to the existing shape of the rear structure a workable kitchen/dining area required a re-configuration of space leading to a small addition in that area where currently a first floor porch is located. Existing third floor stair does not have required headroom at upper landing to meet code.

C) DESIRABLE RELIEF MAY BE GRANTED WITHOUT EITHER:

Substantial detriment to the public good for the following reasons:
Exterior of home will be renovated and visually enhance the public good aesthetically from views on public streets and ways

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

The proposed structure will be renovated to fit respectfully in the existing neighborhood fabric.

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

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 120 Magazine St Cambridge, MA 02139 (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:

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:
	Proposed changes to dormers would not alter current traffic patterns
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:
	Proposed changes to dormers would not alter current use or occupancy classification
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:
	There is minimal physical impact to the property. North dormer will be enlarged to allow for code compliant stair landing while South dormer will be made smaller

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:

by rebuilding front wall setback from outside wall.

This will not imapir the integrity of the district because existing South dormer will be re-configured to be smaller. Enlarged dormer on North side will be in keeping with historic style of house and neighborhood and is located off of private way and not on main street (Magazine Street), minimizing visual impact.

DIMENSIONAL INFORMATION

APPLICANT: Foley Fiore Architecture PRESENT USE/OCCUPANCY: Multi Family Residence

LOCATION: 120 Magazine St Cambridge, MA 02139 ZONE: Residence C Zone

PHONE: REQUESTED USE/OCCUPANCY: multi Family Residence

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	REAR	NA	NA	NA NA	(min.)
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^{1.} SEE CAMBRIDGE ZONING ORDINANCE ARTICLE 5.000, S ECTION 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'.



CAMBRIDGE HISTORICAL COMMISSION

831 Massachusetts Avenue, 2nd Floor, Cambridge, Massachusetts 02139

Telephone: 617 349 4683 TTY: 617 349 6112

E-mail: histcomm@cambridgema.gov URL: http://www.cambridgema.gov/Historic

William B. King, *Chair*, Bruce A. Irving, *Vice Chair*, Charles M. Sullivan, *Executive Director* William G. Barry, Jr., Shary Page Berg, Robert G. Crocker, Chandra Harrington, Jo M. Solet, *Members*; Joseph V. Ferrara, Kyle Sheffield, Susannah Barton Tobin, *Alternates*

Jurisdiction Advice

To the Owner of Property at 120 Mag	azine Street
The above-referenced property is subject to the jurisr reason of the status referenced below:	diction of the Cambridge Historical Commission (CHC) by
Old Cambridge Historic District	
Fort Washington Historic Distric	t
(M.G.L. Ch. 40C, City Code	
Avon Hill Neighborhood Conser	
Half Crown – Marsh Neighborho	
Harvard Square Conservation Di	
 Mid Cambridge Neighborhood C Designated Landmark	onservation District
Designated Landmark Property is being studied for desi	anation:
	le III, and various City Council Orders)
Preservation Restriction or Easer	
X Structure is fifty years or more	old and therefore subject to CHC review of any application
for a demolition permit, if o	ne is required by ISD. (City Code, Ch. 2.78, Article II). See
the back of this page for d	
· ·	historic property and the structure is less than fifty years
old.	
	perty is listed on the National Register of Historic Places;
CHC staff is available for co	onsultation, upon request.
Start comments.	
The Board of Zoning Appeal advises applicants to co Conservation District Commission reviews before ap	
If a line indicating possible jurisdiction is checked Historical Commission to determine whether a he	
CHC staff initials <i>SLB</i>	Date January 17, 2017
Received by Uploaded to Energov Relationship to project BZA 12376-2017	Date
cc: Applicant Inspectional Services Commissioner	

Demolition Delay Ordinance and Application Information

The Demolition Delay Ordinance (Chapter 2.78, Article II of the Cambridge Municipal Code) was adopted by the City Council in 1979 to afford public review of demolition permit applications for potentially significant buildings. When the Historical Commission determines that a building is significant and should be preserved, demolition will be delayed for up to six months so that solutions can be sought to preserve the building indefinitely. The Ordinance covers all buildings over 50 years old, city-wide. The Historical Commission archives provide dates of construction for all properties in the City.

Demolition is defined in the ordinance as "the act of pulling down, destroying, removing or razing a building or commencing the work of total or substantial destruction with the intent of completing the same." The Inspectional Services Commissioner has provided further guidelines to outline what actions require a demolition permit. In addition to complete demolition of a building, the following actions may require a demolition permit,

- removal of a roof,
- removal of one side of a building,
- gutting of a building's interior to the point where exterior features (windows, etc.) are impacted, and
- removal of more than 25% of a structure.

Please contact the building inspector or a staff member of the Historical Commission if you have questions about whether a demolition permit is required for a particular project.

Demolition permit applications can be obtained from the Inspectional Services Department. The completed application should be submitted to the Historical Commission, where the staff will review the application. If the Executive Director of the Historical Commission makes an initial determination that the building is significant, a public hearing will be scheduled with Historical Commission. If the staff makes an initial determination that the building is not significant, the application is released for further review by the Building Commissioner.

More information about the demolition permit application procedures is available on the Historical Commission's web site or by calling or dropping by the Historical Commission office.

July 2003

Cambridge Historical Commission 831 Massachusetts Ave., 2nd Fl. Cambridge, MA 02139 Ph: 617/349-4683 or TTY: 617/349-6112 http://www.cambridgema.gov/Historic

283 Allston St101-114 101-38 101 Magazine St 101-119 101-116 279 Allston St₂₇₇ Allston St₁₀₁₋₁₂₂ 102-53 14 Kenwood St 101-120 271 Allston St269 Allston St 102-52 101-113 104 Magazine St 101-121 102-51 265 Allston St267 Allston St 101-117 106 Magazine S 107 Magazine St 109 Magazine St 108 Magazine St102-50 101-123 Magazine C 101-181 110 Magazine St 101-124 111 Magazine St 272 Allston St 112 Magazine St 102-139 101-49 6 Magazine Ct 101-194 114 Magazine St 8 Magazine Ct 102-140 117-R Magazine St 116 Magazine St₁₀₂₋₄₇ 101-181 117 Magazine St 115 Magazine St 102-46 101-48 102-72 239 Allston St 102-71 Allston St 119 Magazine St 101-52 125-C Magazine St 18 Magazine St 237 Allston S 121 Magazine St 240 Allston St 102-25 Magaines 102-70 101-53 102-131 20 Magazine St Bailey Pi 236 Allston St 125-B Magazine St 125 Magazine St 234 Allston St 102-130 125-A Magazine 102-137 232 Allston S 101-54 2 Bailey PI1 Bailey 127 Magazine St 102-138 102-27 102-26 102-23 126 Magazine St 124 Magazine St 228 Allston St230 Allston St 102-28 128 Magazine St 1 Allston C 102-115 102-31 101-160 102-29 3 Allston C 102-116 462 Putpam Ave 102-30 459 Putnam Ave 102-45 456 Putnam Ave Putnam Ave 102-33 460 Putnam Ave 102-44

132 Magazine St

102-125

102-2

102-4

132-A Magazine St

102-133

102-132

478 Putnam Ave

102-38

466 Putnam Ave

102-105 465 Putnam Ave

102-43

120 magazine St.

102-115
BELLISARIO, CATHERINE C.,
TRUSTEE OF D&M REALTY TRUST
1 FLORENCE ST., APT #3
CAMBRIDGE, MA 02139

102-115 DANILA, NICOLAS 128 MAGAZINE ST., #14 CAMBRIDGE, MA 02139

102-115 HIBBEN, EDWARD 128 MAGAZINE ST., #11 CAMBRIDGE, MA 02139

102-115 KIM, PETER , YANG SUN KIM & ERICA KIM 128 MAGAZINE ST. UNIT#8 CAMBRIDGE, MA 02139

102-115 KESSLER, JEFFREY & BELINDA VALENTI 139 WELSH ST. APT 3 SAN FRANCISCO, CA 94107

102-115 KHANGURA, NAVTEJ 128 MAGAZINE ST., #2 CAMBRIDGE, MA 02139

101-53 CHAPIN, A. LYMAN & SUZANNE H. CHAPIN 125 MAGAZINE ST., #A CAMBRIDGE, MA 02139

101-193 KONIAK, SUSAN P. 115-117 MAGAZINE ST, #117A CAMBRIDGE, MA 02139

102-23 * TARLOW, RITA ELLEN 124-126 MAGAZINE ST., UNIT B CAMBRIDGE, MA 02139

102-45 RICE, EDWARD J. & DIANNE RICE 460 PUTNAM AVE CAMBRIDGE, MA 02139 102-115 BELLISARIO, DAVID P. 1 FLORENCE ST CAMBRIDGE, MA 02139

102-115 SCHMIDT, AARON J. 128 MAGAZINE ST. UNIT#12A CAMBRIDGE, MA 02139

102-115 ISMAIL, AYMAN 128 MAGAZINE ST. UNIT#10 CAMBRIDGE, MA 02139

102-115 TREANOR, KEVIN 207 GOLDEN STREET BELMONT, MA 02478

102-115 BANDAR, RAYMOND B., TR. THE WOODLAND ST 2011 REALTY TRS. 6 WOODLAND ST ARLINGTON, MA 02476

101-52 TUCKER, EMILY & EMILY D. HOWE 119-121 MAGAZINE ST. CAMBRIDGE, MA 02139

101-53 MACDONALD, GUY 125 MAGAZINE ST CAMBRIDGE, MA 02139

101-193 ELLENBERGER, CAROLYN L. 117B MAGAZINE ST CAMBRIDGE, MA 02139

102-25 HARGREAVES, GEORGE 398 KANSAS ST SAN FRANCISCO, CA 94103

102-116 TUMARKIN, TOBIAS 207 WEST 110TH ST. APARTMENT 26 NEW YORK CITY, NY 10026 FOLEY FIORE ARCHITECTURE C/O DAVID FOLEY 316 CAMBRIDGE STREET CAMBRIDGE, MA 02141

102-115 KESSLER, BELINDA VALENTI & JEFFREY C. KESSLER 139 WELSH ST., APT # 3 SAN FRANCISCO, CA 94107

MCINERNEY, MEGHAN L. 128 MAGAZINE ST. UNIT#9 CAMBRIDGE, MA 02139

102-115 SILVA, BERNARD N., TRUSTEE OF F&D TRUST 51 PRINCE ST #3 CAMBRIDGE, MA 02139

102-115 PURDY, ROBERT 128 MAGAZINE STREET, UNIT #15 CAMBRIDGE, MA 02139

101-53 KING, GREGORY D. & DEBRA L. AMERY 125 MAGAZINE ST. UNIT#3 CAMBRIDGE, MA 02139

101-193
DOWNING, ROBERT E. & HEATHER E. GRAHAM
115 MAGAZINE ST
CAMBRIDGE, MA 02139

102-23 DAVIDOFF, DONALD & SUSAN J. TARLOW 124-126 MAGAZINE ST., UNIT A CAMBRIDGE, MA 02139

102-26 CLARK, ROSE, S. & ELLEN DONATO & FRANK DONATO 228 ALLSTON ST CAMBRIDGE, MA 02139

102-130 YUNG CHANG CHEN 27 GOODMANS HILL RD SUDBURY, MA 01776 120 magazine St.

102-131 CYRUS LLC 5 FOLSOM POND RD WAYLAND, MA 01778 102-137 ALLIED MORTGAGE & SERVICES, INC 14541 VICTORY BLVD., SUITE 228 VAN NUYS, CA 91316 102-138 SOMMERS, ELIZABETH A. & LOOCIE S. BROWN 1 BAILEY PL CAMBRIDGE, MA 02139

GENERAL INFORMATION

	rmit:	Variance: _		Appeal:	
PETITIONER	: _ Foley Fio:	re Architecture c/o	David Fole	Y	
PETITIONER	'S ADDRESS:	316 Cambridge St. (Cambridge, N	MA 02141	
		20 Magazine St. Ca			
TYPE OF OC	CUPANCY: Res	idential	ZONING DIST	RICT: C Zone	
REASON FOR	PETITION:				
X	Additions			New Struc	ture
	Change in	Use/Occupancy		Parking	
	Conversion	n to Addi'l Dwelling	g Unit's	Sign	
2	X Dormer			Subdivisi	on
	Other:				
	F ZONING ORDI		6 7 1		,
Article	5 Section	Section 5.31 (Tabl	e of Dimens	ional Requirements	3)
Article	5 Section8 Section	Section 5.31 (Table Section 8.22.1 h	e of Dimens	ional Requirements	3)
Article	5 Section8 Section	Section 5.31 (Tabl	e of Dimens	ional Requirements	3)
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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.

*Pursuant to a deed of duly recorded in the date 9/6/16, Middlesex South County Registry of Deeds at Book 6796/, Page 23; or Middlesex Registry District of Land Court, Certificate No. Book Page *Written evidence of Agent's standing to represent petitioner may be requested. Commonwealth of Massachusetts, County of M	I/We Wendy S. Holding + Lindsay A. Mac Indoe
*Pursuant to a deed of duly recorded in the date	1/We Wendy S. Holding + Lindsag A. Mac Indoe (OWNER) Address: // Salem Steet, Cambridg MA 02189
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*Pursuant to a deed of duly recorded in the date 9/6/16, Middlesex South County Registry of Deeds at Book 6796/, Page 23; or Middlesex Registry District of Land Court, Certificate No. Book Page *Written evidence of Agent's standing to represent petitioner may be requested. Commonwealth of Massachusetts, County of The above-name of Massachusetts, County of The above-name of Massachusetts, County of Massachusetts,	which is the subject of this zoning application.
County Registry of Deeds at Book 67961, Page 23; or Middlesex Registry District of Land Court, Certificate No. Book Page 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 The above-name of Massachusetts, County of The above-name of Massachusetts, and made oath that the above statement is true. My commission expires 19918 (Notary SealGOLLEEN T. BERLO)	The record title of this property is in the name of
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The above-name of the state of this of the state of the s	
My commission expires ///9//8 (Notary SealGOLLEEN T. BERLO	The above-name windy Holding + Lindsay Mun Indepersonally appeared before me,
Commonwealth of Massachusetts Finy Commission Expires January 19, 2018 • If ownership is not shown in recorded deed, e.g. if by court order, recent	My commission expires //9/8 (Notary Seal GOLLEEN T. BERLO Notary Public Commonwealth of Massachusetts Annuary 19, 2018

deed, or inheritance, please include documentation.

DIMENSIONAL INFORMATION

\mathbf{Max}	gazine St.		zone:	
PHONE:617-54	7-8002	REQUESTED USE/	OCCUPANCY:Mult	ti Family Res.
		EXISTING CONDITIONS	REQUESTED CONDITIONS	$\frac{\textbf{ORDINANCE}}{\textbf{REQUIREMENTS}^1}$
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RATIO OF GROSS FLO	OOR AREA	.799	.797	60 (max.
OT AREA FOR EACH	DWELLING UNIT:	3863 shared	3863 shared	1800 each DU (min.
SIZE OF LOT:	WIDTH	45 '		50' (min.
	DEPTH	86.3'		100'
Setbacks in	FRONT	7.8' & 2.0'	7.8' & 2.0'	10' (min.
<u>'eet</u> :	REAR	NA	NA	NA (min.
	LEFT SIDE	East 13.8'	East 13.8'	7.5'(sum 20) _{(min.}
	RIGHT SIDE	South 19.8'	South 18.75'	7.5'(sum 20) _{(min.}
SIZE OF BLDG.:	HEIGHT	32'	32'	35'(max.
	LENGTH	63.75'	63.75'	NA
	WIDTH	22'	22.75'	NA
RATIO OF USABLE O	PEN SPACE			
CO LOT AREA:)		42.6%	42%	(min.
O. OF DWELLING U	NITS:	2	2	(max.
IO. OF PARKING SPA	ACES:	2	2	2 (min./max
IO. OF LOADING AR	EAS:	NA	NA	NA (min.
DISTANCE TO NEARES	ST BLDG.	NA	NA	NA (min.
ON SAME LOT:				
				e of adjacent building rame, concrete, bric

^{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'.

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:

First floor of home does not allow for adequate kitchen/dining space in relation to scale of home. Current third floor stairs are not code compliant due to 6'-3" of clear headroom at upper landing.

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:

Due to the existing shape of the rear structure a workable kitchen/dining area required a re-configuration of space leading to a small addition in that area where currently a first floor porch is located. Existing third floor stair does not have required headroom at upper landing to meet code.

C) DESIRABLE RELIEF MAY BE GRANTED WITHOUT EITHER:

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

Exterior of home will be renovated and visually enhance the public good aesthetically from views on public streets and ways.

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

The proposed structure will be renovated to fit respectfully in the existing neighborhood fabric.

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

(ATTACHMENT B - PAGE 5)

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 _________ 120 Magazine St. _____ (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:
- 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:

Proposed changes to dormers would not alter current traffic patterns

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:

Proposed changes would not alter current use or occupancy classification

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:

There is minimal physical impact to the property. North dormer will be enlarged to allow for code compliant stair landing while South dormer will be made smaller by rebuilding it in from outside wall.

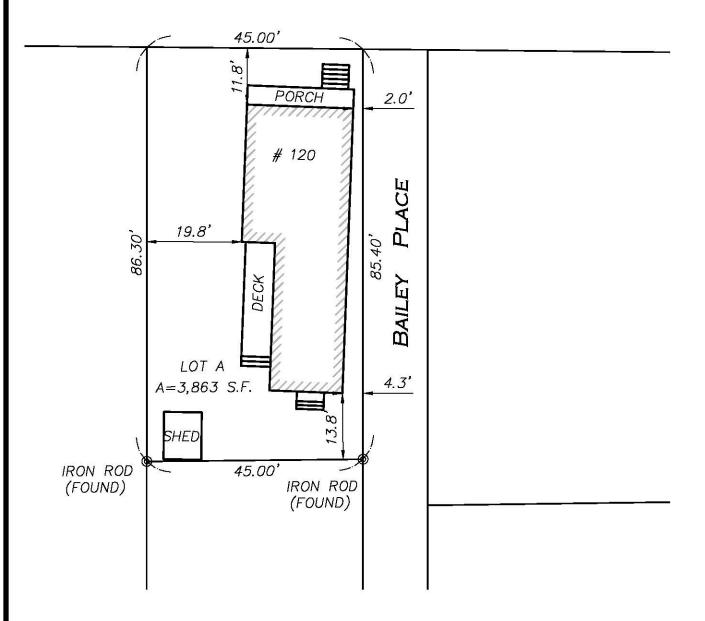
E) For other reasons, the proposed use would not impair the integrity of the district or adjoining district or otherwise derogate from the intent or purpose of this ordinance for the following reasons:

(ATTACHMENT B - PAGE 6)

This will not impair the integrity of the district because existing South dormer will be re-configured to be smaller. Enlarged dormer on North side will be in keeping with historic style of house and neighborhood and is located off of private way and not on main street (Magazine St.), minimizing visual impact.



MAGAZINE STREET



I HEREBY CERTIFY THAT THIS PLAN IS BASED ON AN ACTUAL INSTRUMENT SURVEY.

			70
EDWARD	J. FARRELL	P.L.S.	DATE

OWNER OF RECORD

WENDY HOLDING & LINDSAY MACINDOE BOOK 67961 PAGE 23 M.S.R.D.

PLAN REFERENCES

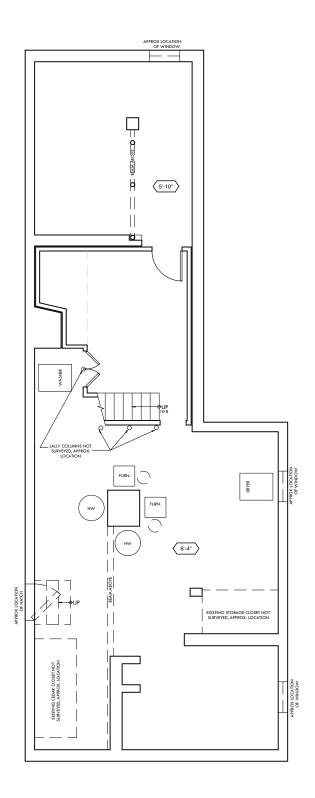
PLAN # 666 OF 1954

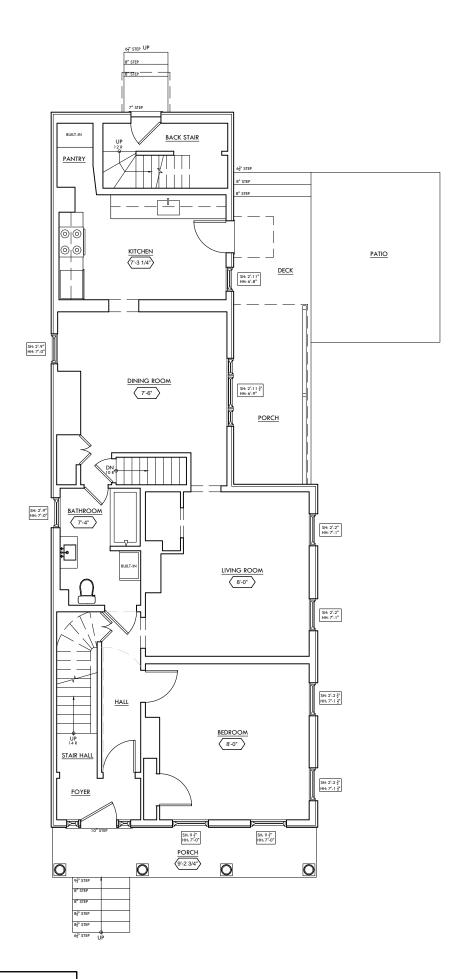
PLOT PLAN
120 MAGAZINE STREET
CAMBRIDGE, MASS.

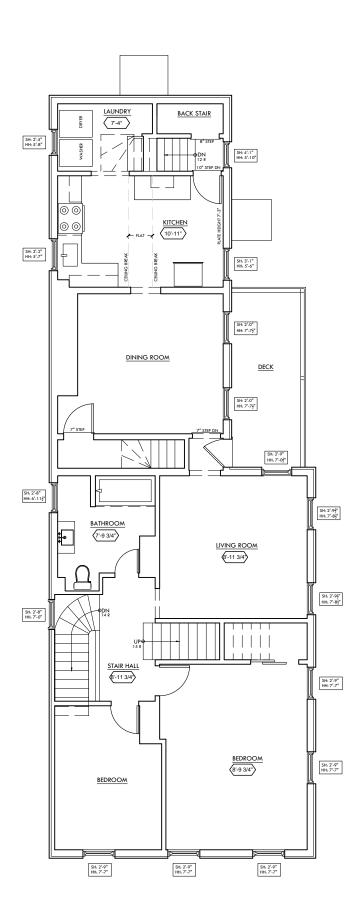
SCALE: 1" = 20' SEPT. 13, 2016

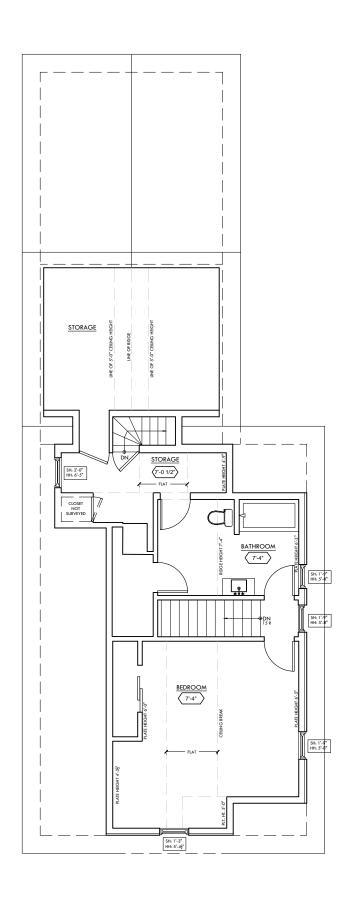
Prepared By

EDWARD J. FARRELL
PROFESSIONAL LAND SURVEYOR
1 10 WINN STREET ~ SUITE 203 ~ WOBURN, MA.
(781) - 933 - 9012









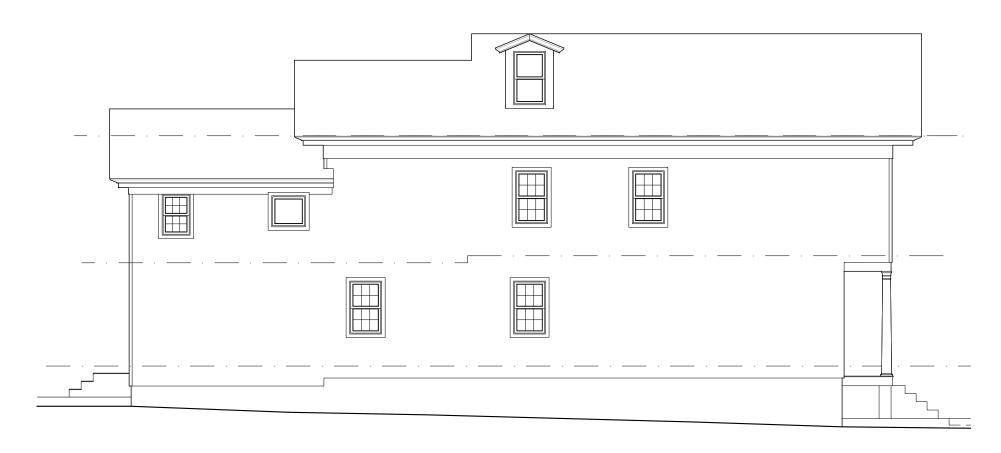




WEST EAST



SOUTH



NORTH









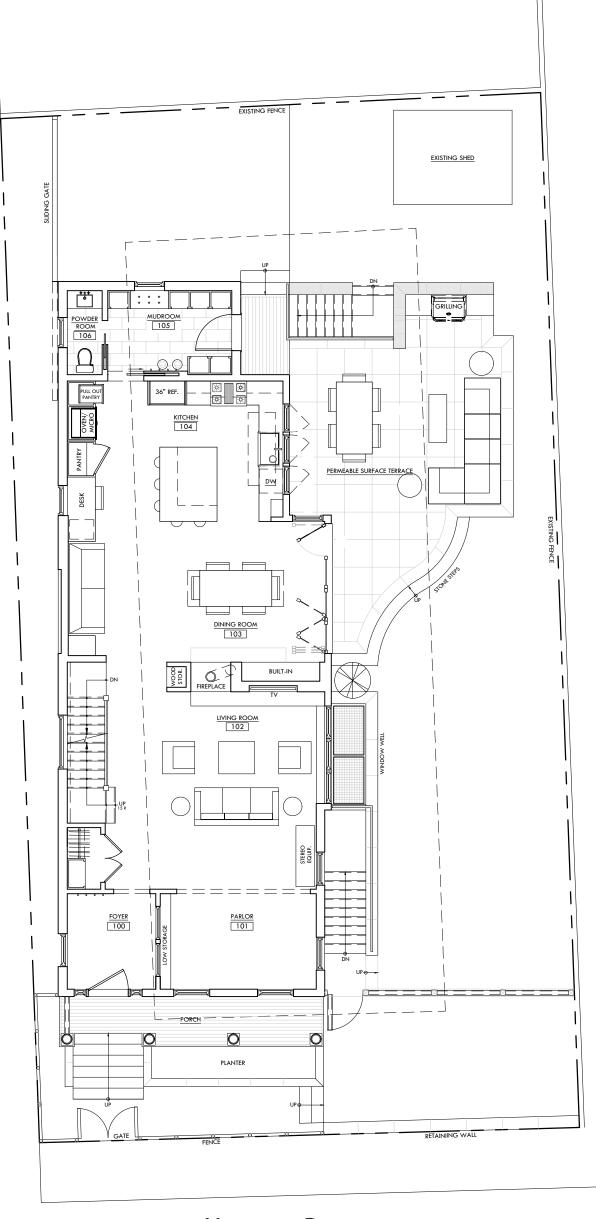






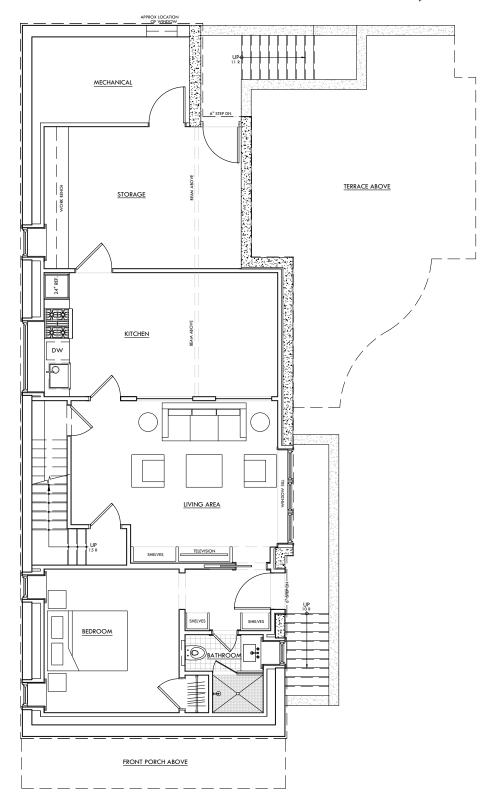


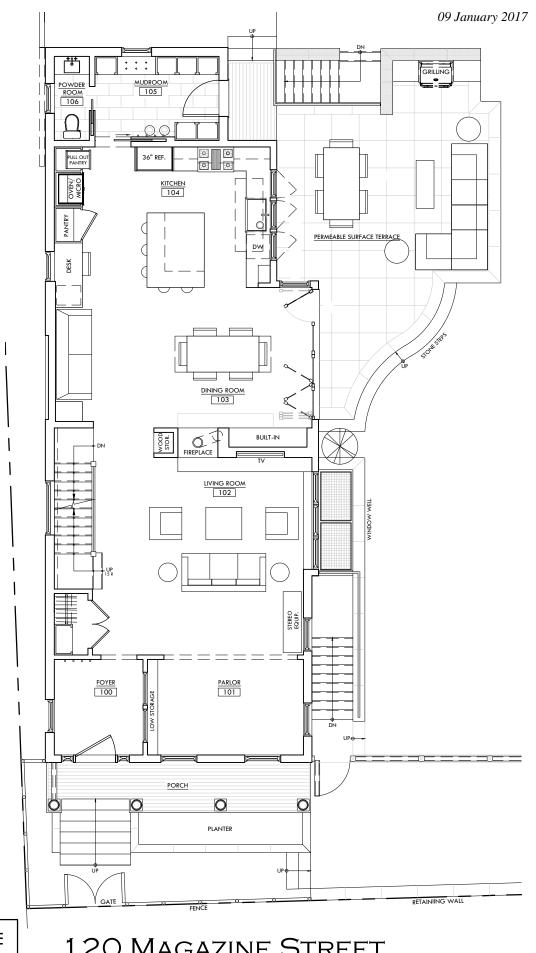




MAGAZINE STREET



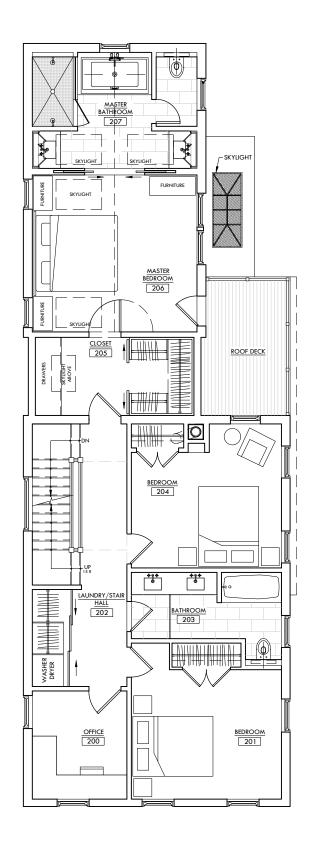


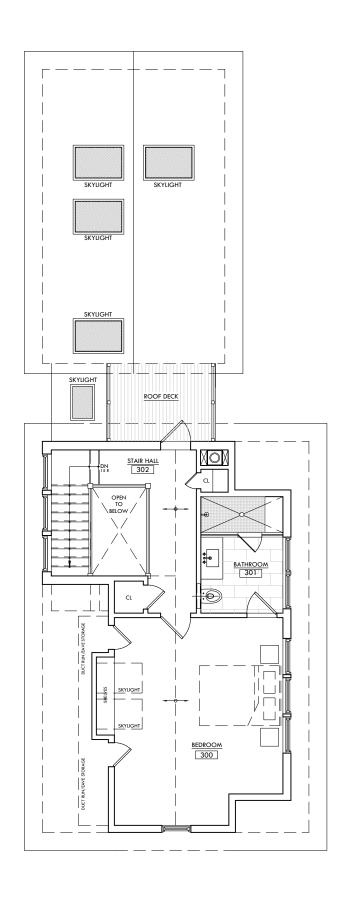


FOLEY FIORE ARCHITECTURE

316 Cambridge Street Cambridge MA 02141 617.547.8002

120 MAGAZINE STREET









SOUTH



NORTH