BZA APPLICATION FORM

GENERAL INFORMATION

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

Special Permit: _____ Variance: X Appeal: _____

PETITIONER: David Lasater

PETITIONER'S ADDRESS: 194 Elm Street, Cambridge, MA

LOCATION OF PROPERTY: same as above

TYPE OF OCCUPANCY: single family ZONING DISTRICT: C-1

REASON FOR PETITION:

X Additions

_____ Change in Use/Occupancy

_____ Conversion to Addi'l Dwelling Unit's

X Dormer

_____ Other: _____

_____ New Structure

_____ Parking

_____ Sign

_____ Subdivision

DESCRIPTION OF PETITIONER'S PROPOSAL:

We propose to add:

1. A two-story addition enclosing a small entry vestibule on the first floor and a 3/4 bathroom on the second floor level.
2. A single-story "Family Room" addition
3. A dormer to accommodate the new staircase landing at the second floor.

SECTIONS OF ZONING ORDINANCE CITED:

Article 5 Section 5.27; 5.31 - Table 5.1

Article 8 Section 8.22.1

Article _____ Section _____

Applicants for a **Variance** must complete Pages 1-5
Applicants for a **Special Permit** must complete Pages 1-4 and 6
Applicants for an **Appeal** to the BZA of a Zoning determination by the Inspectional Services Department must attach a statement concerning the reasons for the appeal

Original Signature(s): _____
(Petitioner(s)/Owner)

David Lasater
(Print Name)

Address: 194 Elm Street
Cambridge, MA 02139

Tel. No.: 512-350-4107

E-Mail Address: davidllasater@gmail.com

Date: May 2 2016

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 David Lasater
(OWNER)

Address: 194 Elm Street, Cambridge MA 02139

State that I/We own the property located at 194 Elm Street,

which is the subject of this zoning application.

The record title of this property is in the name of David Lasater and Mladen Nisavic

*Pursuant to a deed of duly recorded in the date 1/26/15, Middlesex South County Registry of Deeds at Book 64839, Page 496; 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 SUFFOLK

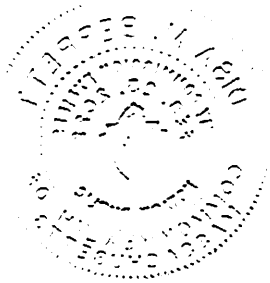
The above-name DAVID LEE LASATER personally appeared before me, this 3RD of MAY, 2016, and made oath that the above statement is true.

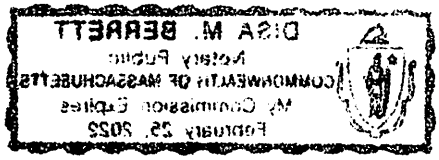
Disa M. Berrett Notary

My commission expires FEBRUARY 25, 2022 (Notary Seal).

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

DISA M. BERRETT
Notary Public
COMMONWEALTH OF MASSACHUSETTS
My Commission Expires
February 25, 2022




DISA M. BERRETT
Notary Public
COMMONWEALTH OF MASSACHUSETTS
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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 staircase within the existing house is not code-compliant and poses a danger to the homeowners and their guests. The existing house dimensions do not allow for new code-compliant stairs to be built within the building envelope, without significant loss of already limited living/habitable space. The appropriate new staircase requires an addition to the side of the house, which is proposed to occupy the space currently taken up by the basement access shed and the exterior stairs and landing leading up to the main entry door.

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 rearsons:

The size of the lot is non-conforming - it is only 20.25ft wide and 1,747s.f in area. This makes it impossible to build within the Ordinance's required setbacks.
The proposed additions do not affect the zoning district, because they still meet the majority of the Ordinance's density intent for maximum building height, minimum ratio of private open space to lot area, floor area ratio, and minimum lot area per dwelling unit.

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

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

The proposed additions do not infringe on the public right of way, do not change the occupancy type, do not reduce the open space beyond the Ordinance's requirements, and are designed with sensitivity to the style of the existing house and the neighborhood at large.

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

The proposed additions do not change the character of the existing building or its context within the neighborhood. Although they improve the safety and functionality of the house, they do not change the original intent for which it was built, nor do they affect the lifestyle of the immediate or at-large neighbors.

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

BZA APPLICATION FORM

DIMENSIONAL INFORMATION

APPLICANT: David Lasater **PRESENT USE/OCCUPANCY:** single family

LOCATION: 194 Elm Street **ZONE:** C-1

PHONE: _____ **REQUESTED USE/OCCUPANCY:** single family

		EXISTING CONDITIONS	*REQUESTED CONDITIONS*	*ORDINANCE REQUIREMENTS*[1]	
TOTAL GROSS FLOOR AREA:		673 s.f.	970 s.f.	N/A	(max.)
LOT AREA:		1,747 s.f.		5,000 s.f.	(min.)
RATIO OF GROSS FLOOR AREA TO LOT AREA:[2]		0.38	0.56	0.75	(max.)
LOT AREA FOR EACH DWELLING UNIT:		1,747 s.f	1,747 s.f	1,500 s.f.	(min.)
SIZE OF LOT:	WIDTH	20.25 ft		50 ft	(min.)
	DEPTH	85.60 ft			
Setbacks in Feet:	FRONT	6.8 ft to property line	No Change	10 ft (to center of street)	(min.)
	REAR	48.5 ft	35.75ft	20ft	(min.)
	LEFT SIDE	1.2 ft	1.2 ft	7ft 6in	(min.)
	RIGHT SIDE	4.3 ft	0.5 ft	7ft 6in	(min.)
SIZE OF BLDG.:	HEIGHT	23.5 ft	23.5 ft	35 ft	(max.)
	LENGTH				
	WIDTH				
RATIO OF USABLE OPEN SPACE TO LOT AREA:[3])		51%	38%	30%	(min.)
NO. OF DWELLING UNITS:		1	1	1	(max.)
NO. OF PARKING SPACES:		0	0	1	(min./max)
NO. OF LOADING AREAS:		0	0	0	(min.)
DISTANCE TO NEAREST BLDG. ON SAME LOT:		N/A	N/A		(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.

No other buildings/occupancies on the same lot.
The proposed additions are to be light-frame wood construction, finished in the same materials as the existing building.

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

GENERAL INFORMATION

2016 MAY 27 AM 10: 30
OFFICE OF THE CITY CLERK
CAMBRIDGE, MASSACHUSETTS

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_____ Change in Use/Occupancy
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_____ Other: _____
_____ New Structure
_____ Parking
_____ Sign
_____ Subdivision

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David Lasater
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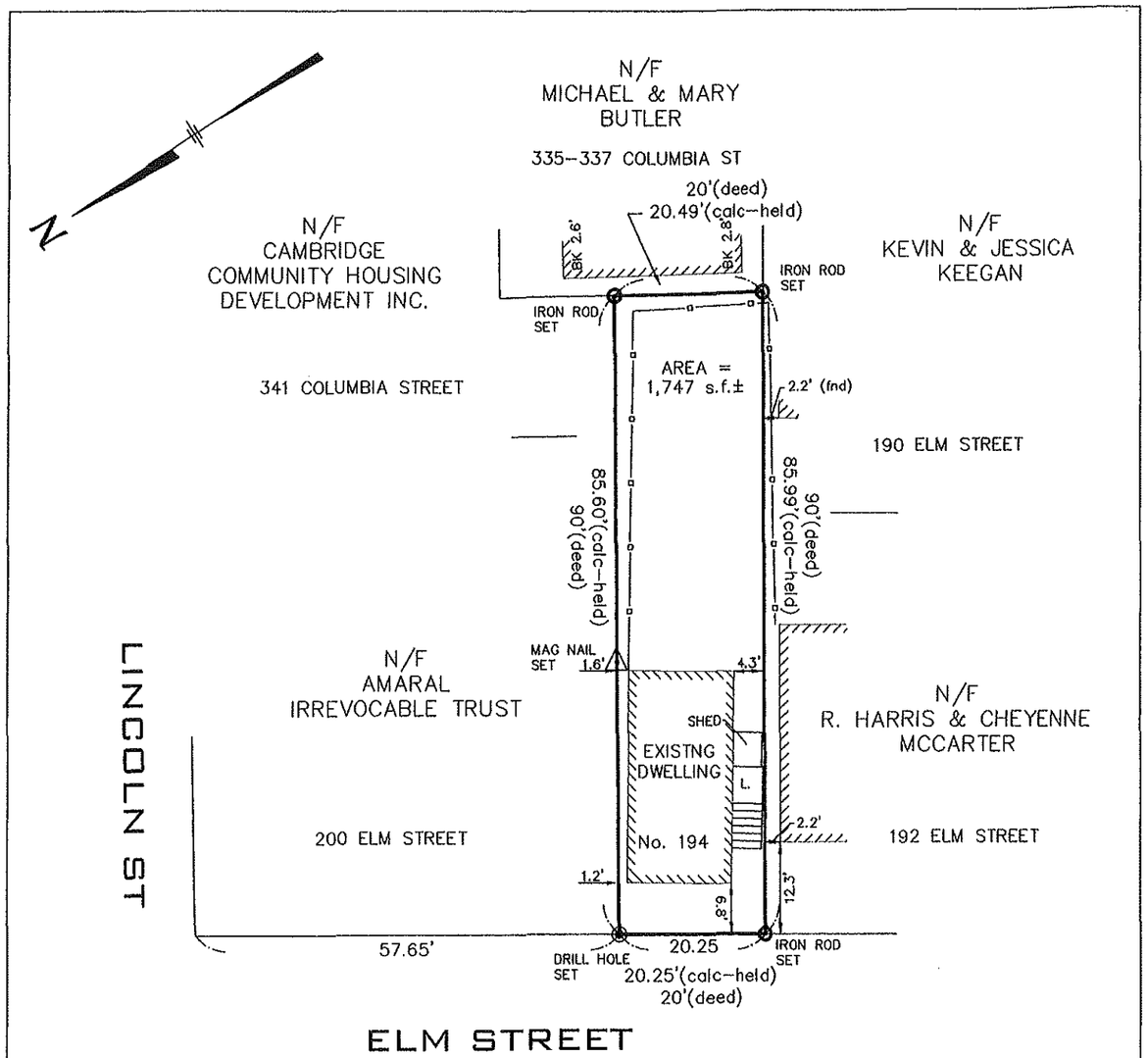
Address: 194 Elm Street
Cambridge, MA 02139

Tel. No.: 512-350-4107

E-Mail Address: davidllasater@gmail.com

Date: May 2 2016



CERTIFIED
PLOT PLAN OF LAND
194 ELM STREET
CAMBRIDGE, MA.

NOTE: TIES SHOWN TO PROPERTY LINES TAKEN FROM CORNER BOARD.

I HEREBY CERTIFY THAT THIS PLAN WAS PREPARED FROM AN INSTRUMENT SURVEY.

10/26/2015

RICHARD J. MEDE JR., P.L.S. DATE:

COMMONWEALTH OF MASSACHUSETTS
RICHARD J. MEDE JR. #36864
REGISTERED PROFESSIONAL LAND SURVEYOR

10/26/2015

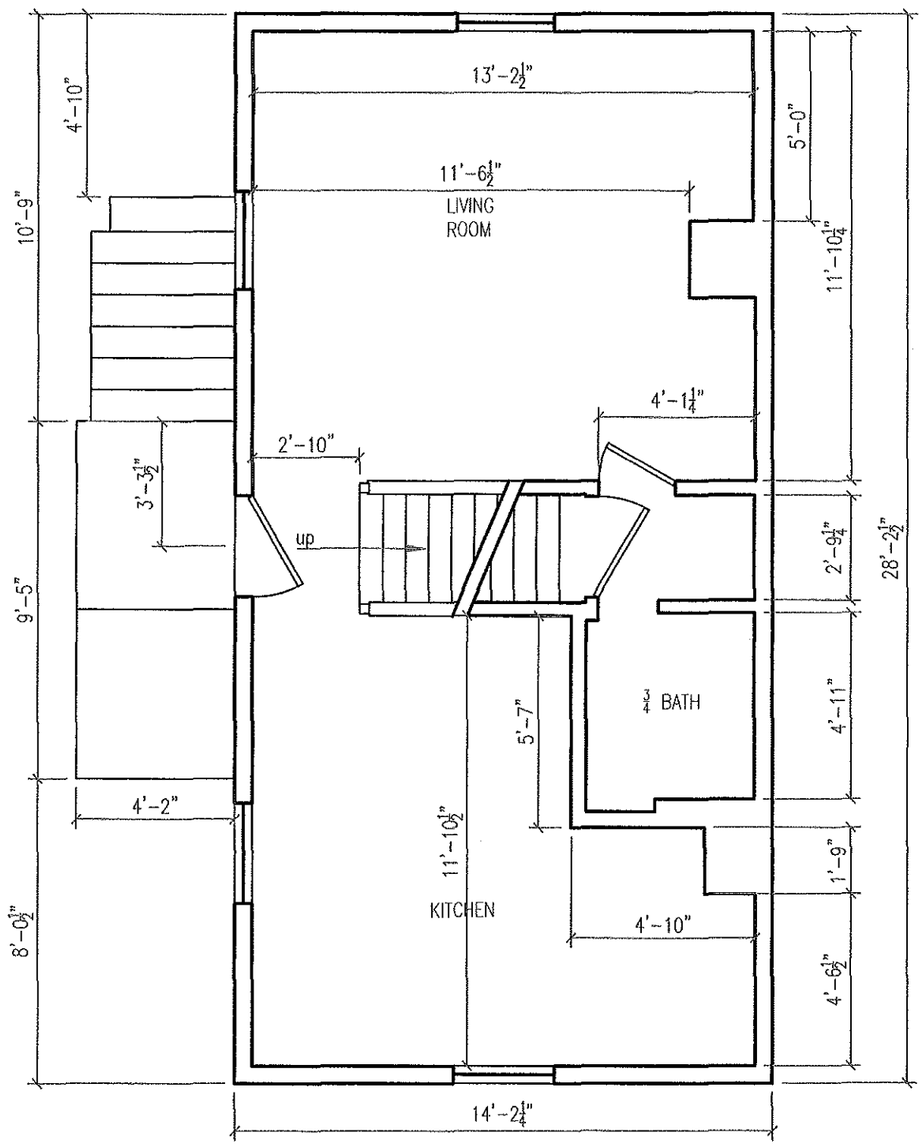
PREPARED BY:
MEDFORD ENGINEERING & SURVEY
ANGELO B. VENEZIANO ASSOCIATES
15 HALL ST. MEDFORD, MA. 02155
781-396-4466 fax: 781-396-8052

SCALE: 1" = 20'

TITLE REF: BK 64839 PG 496

DATE: OCTOBER 26, 2015

FILE No. 19187



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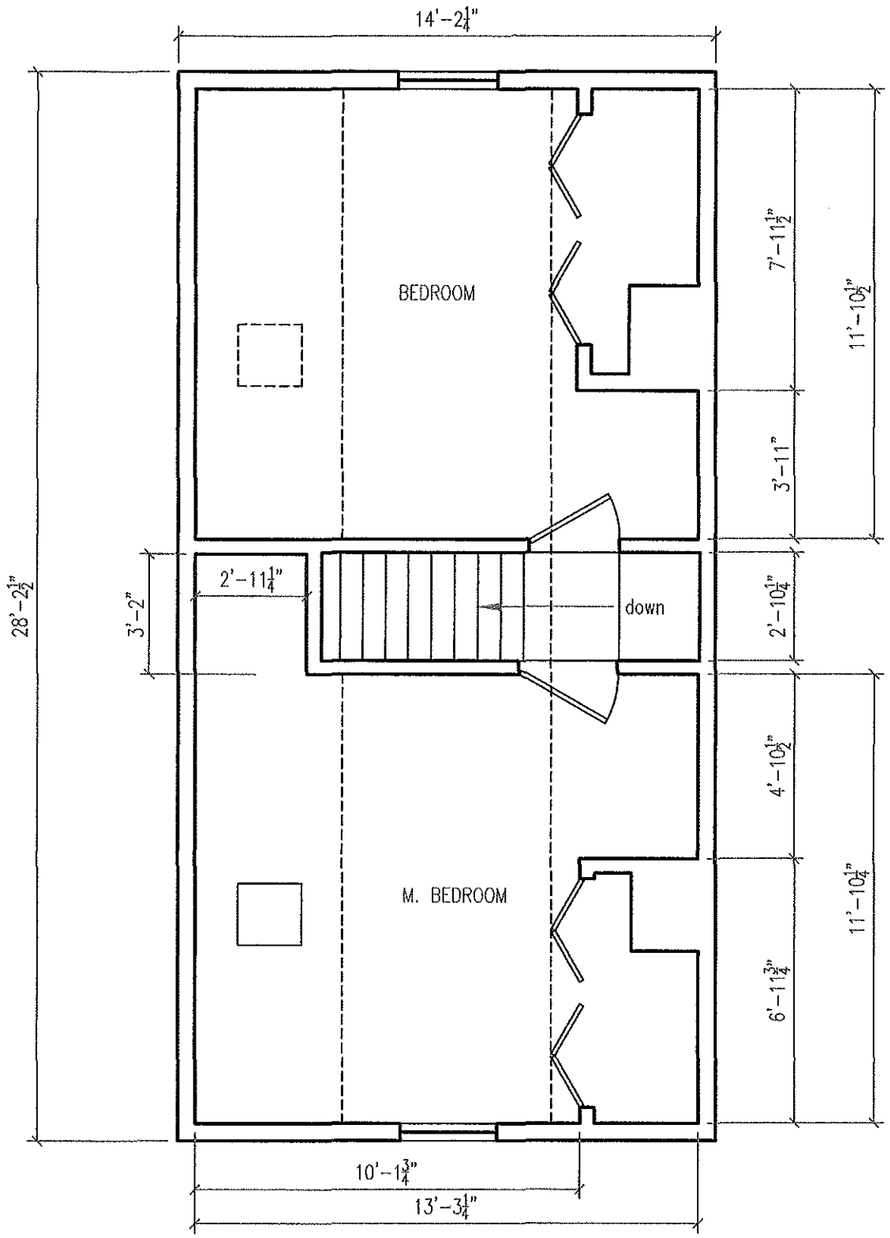
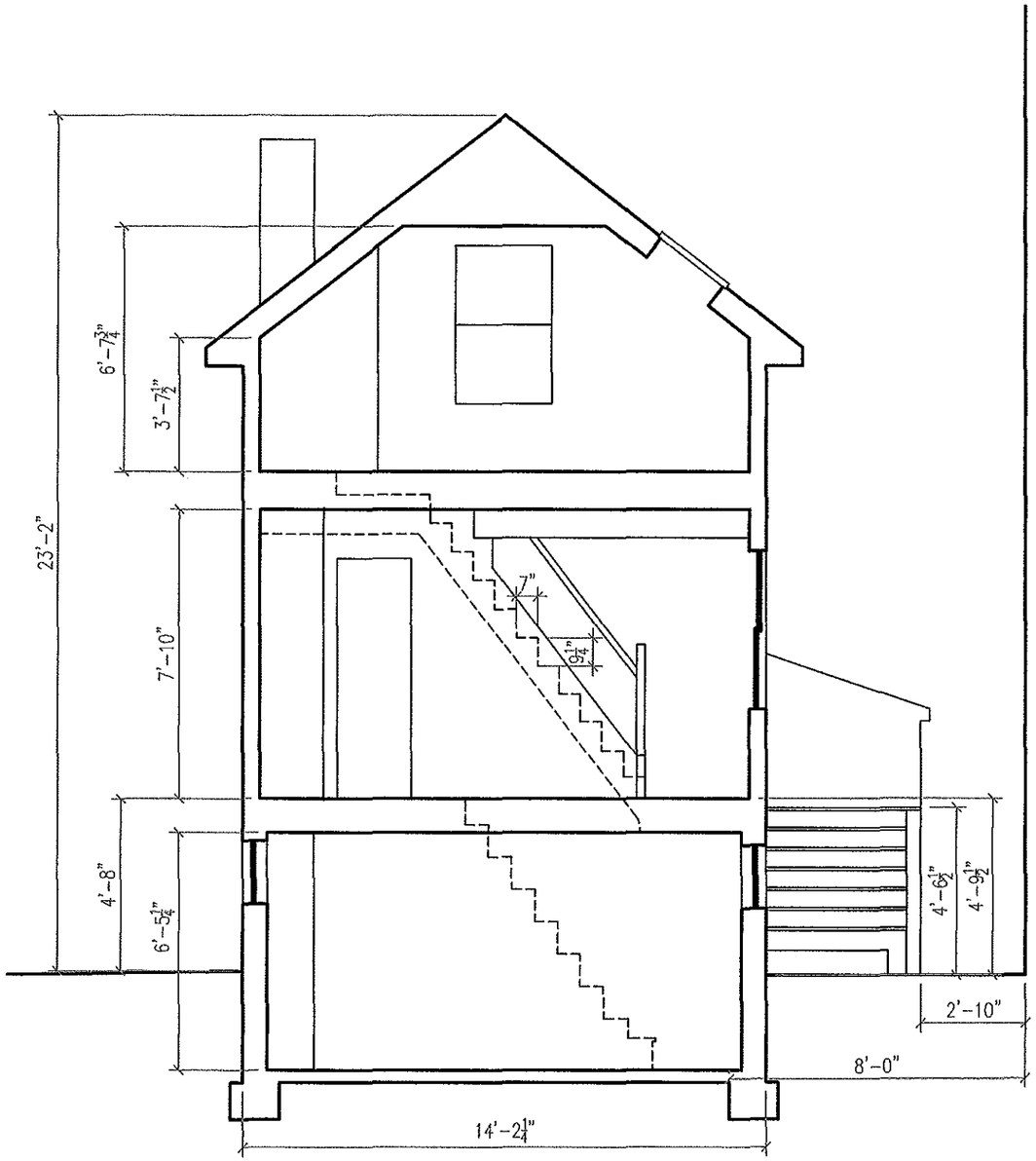


jschwartz design	LASATER/NISAVIC RESIDENCE 194 Elm Street. Cambridge, MA	Existing Second Floor Plan scale 1/4"=1'-0"	May 12, 2016 Ex.3



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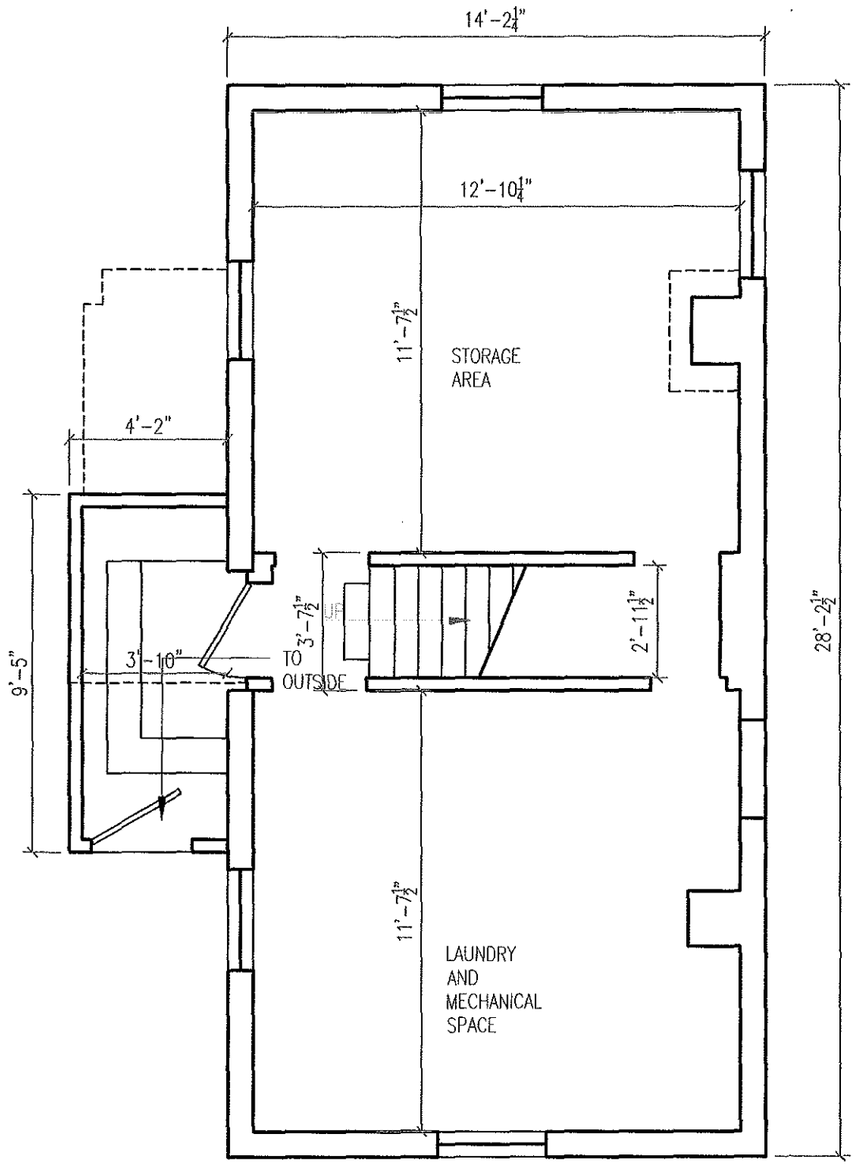


jschwartz design	LASATER/NISAVIC RESIDENCE 194 Elm Street. Cambridge, MA	Existing Basement Plan scale 1/4"=1'-0"	May 12, 2016 Ex.1

David Lasater and Mladen Nisavic Residence

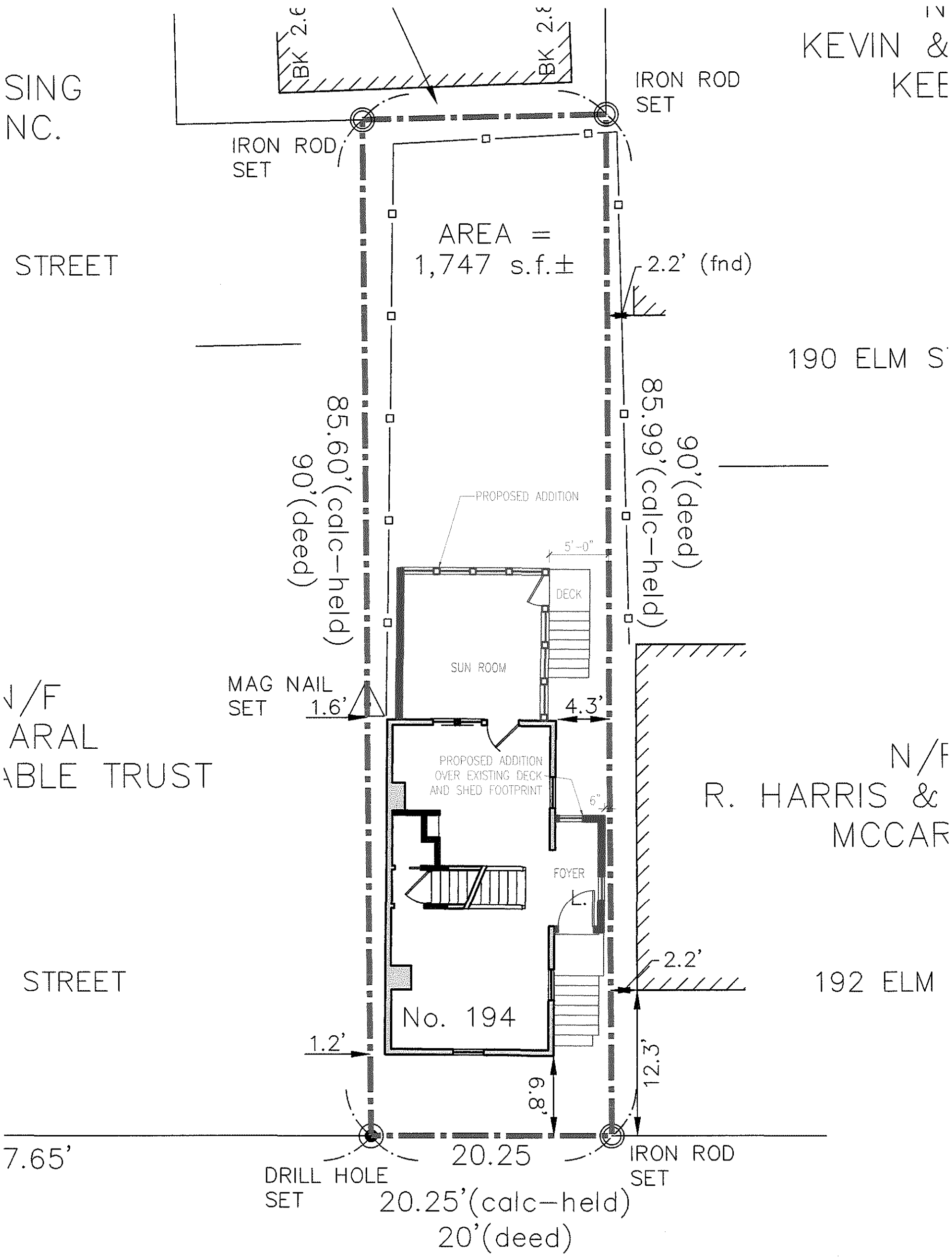
194 Elm Street, Cambridge, MA

PROPOSED ADDITIONS AND RENOVATIONS

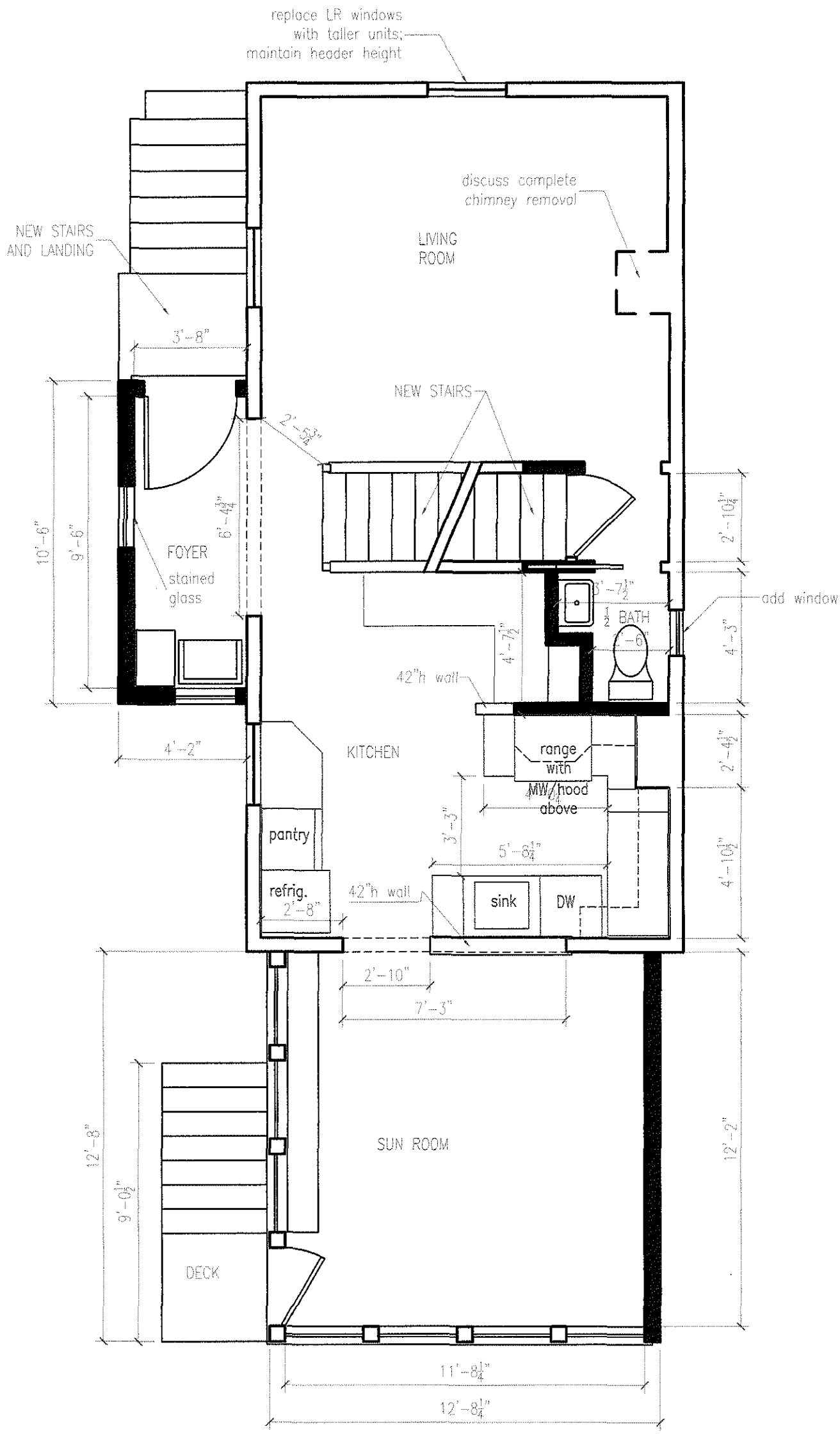
ZONING VARIANCE APPLICATION PACKAGE

(NOT FOR CONSTRUCTION)

jschwartz design	LASATER/NISAVIC RESIDENCE 194 Elm Street. Cambridge, MA	Title Sheet scale N/A	May 12, 2016 T.1



jschwartz design	LASATER/NISAVIC RESIDENCE 194 Elm Street. Cambridge, MA	Proposed Site Plan scale 1/8"=1'-0"	May 12, 2016 Site.1



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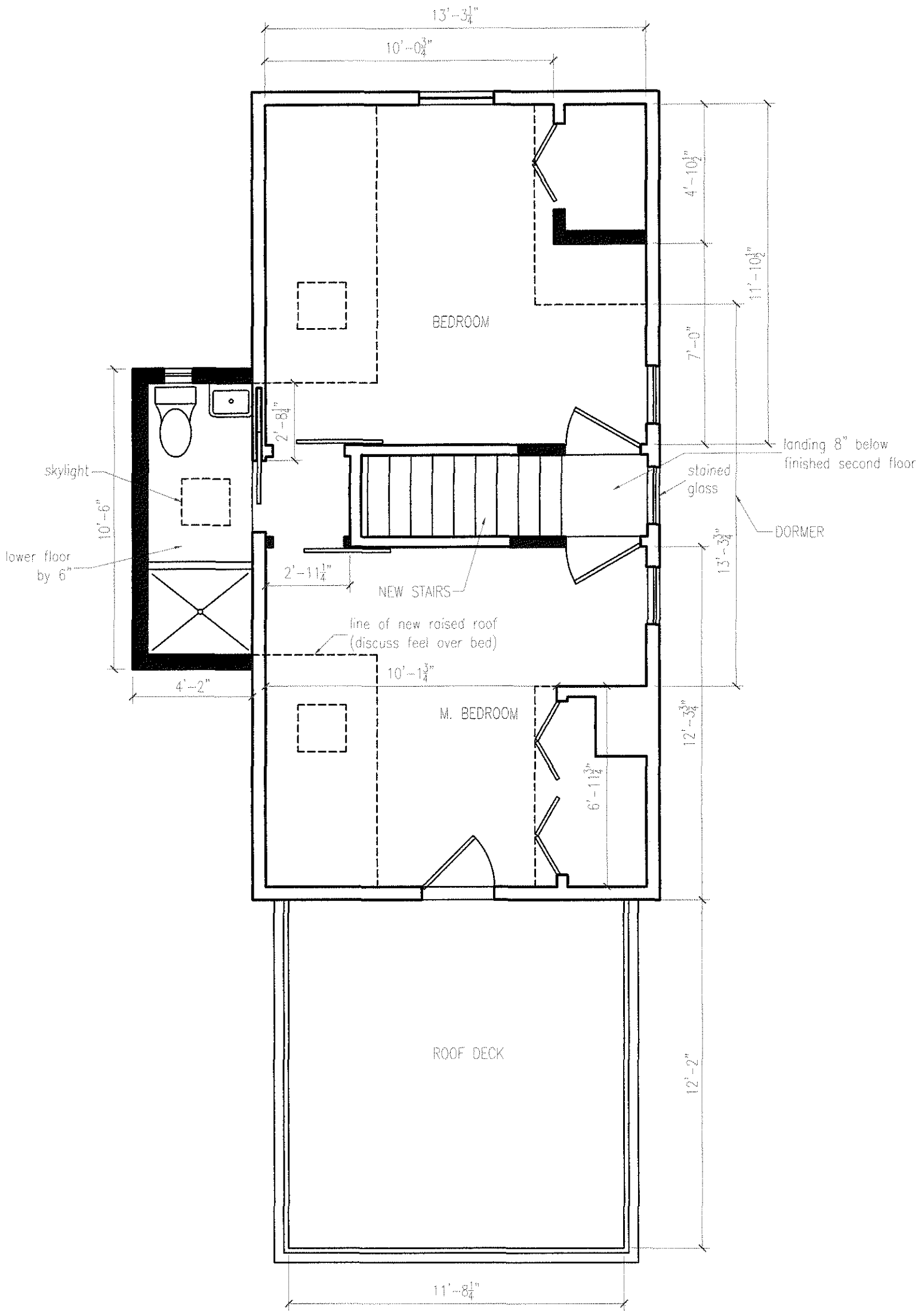
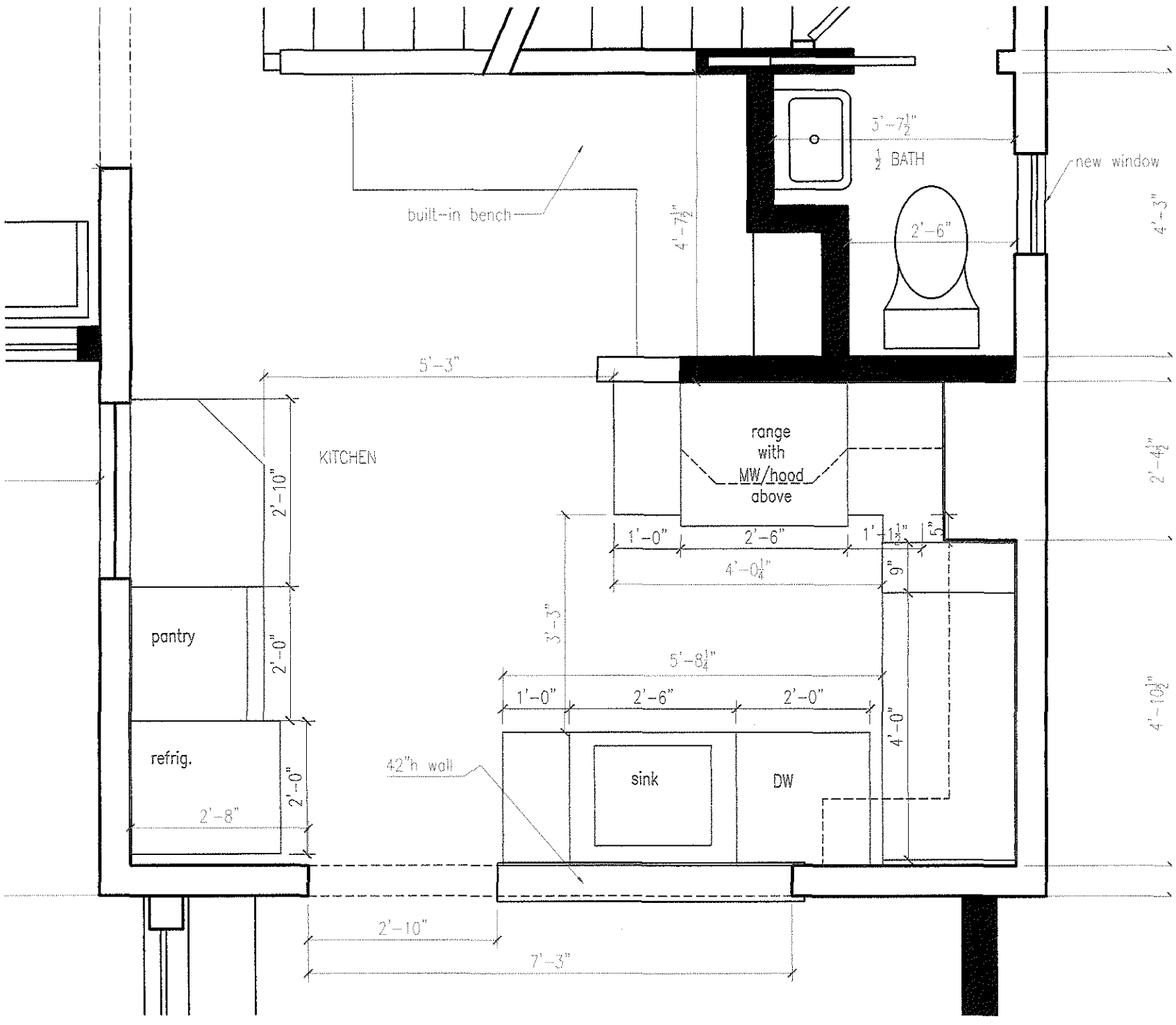
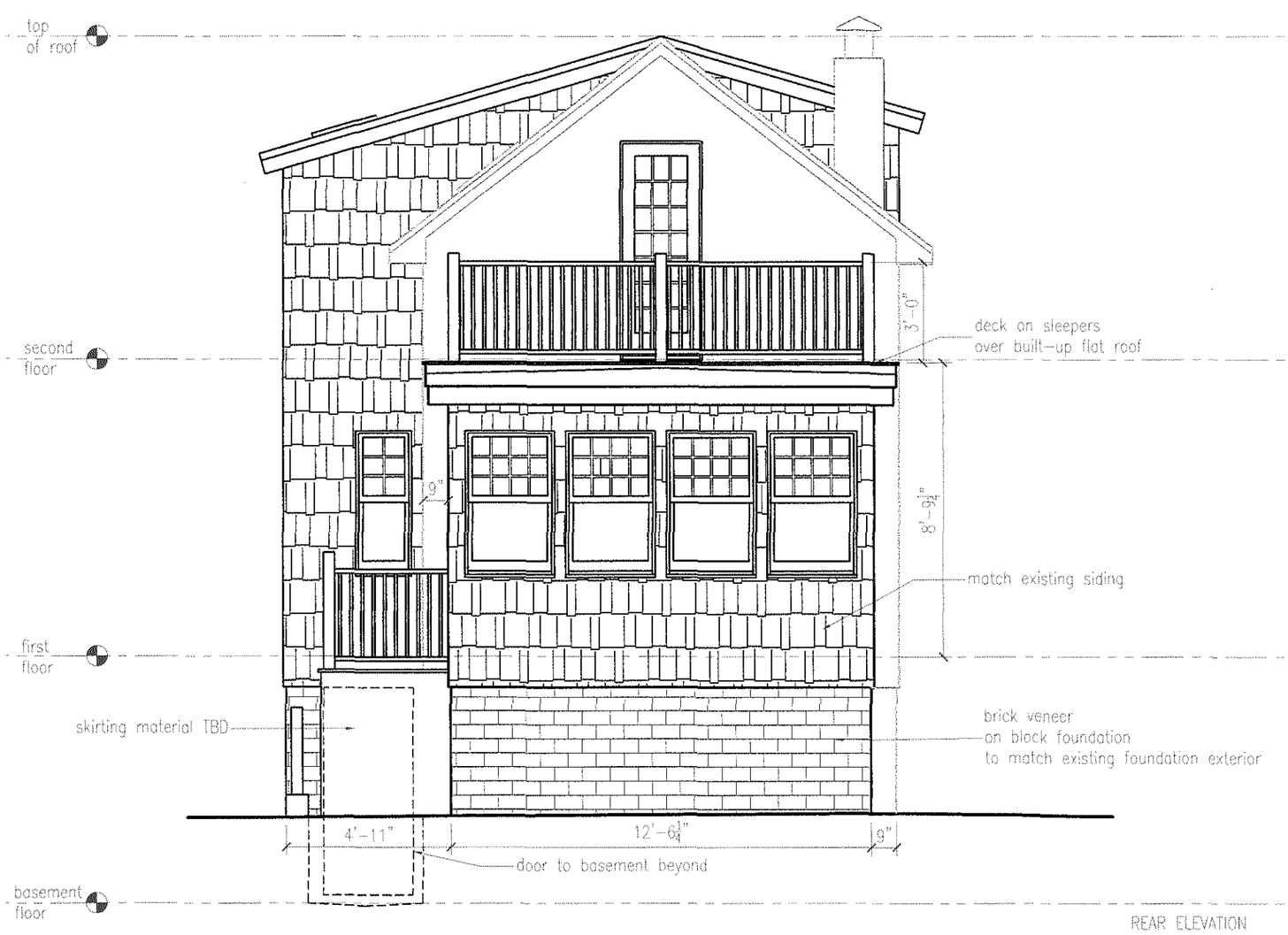


schwartz design	LASATER/NISAVIC RESIDENCE 194 Elm Street. Cambridge, MA	Proposed Second Floor Plan scale 1/4"=1'-0"	May 12, 2016 A.2



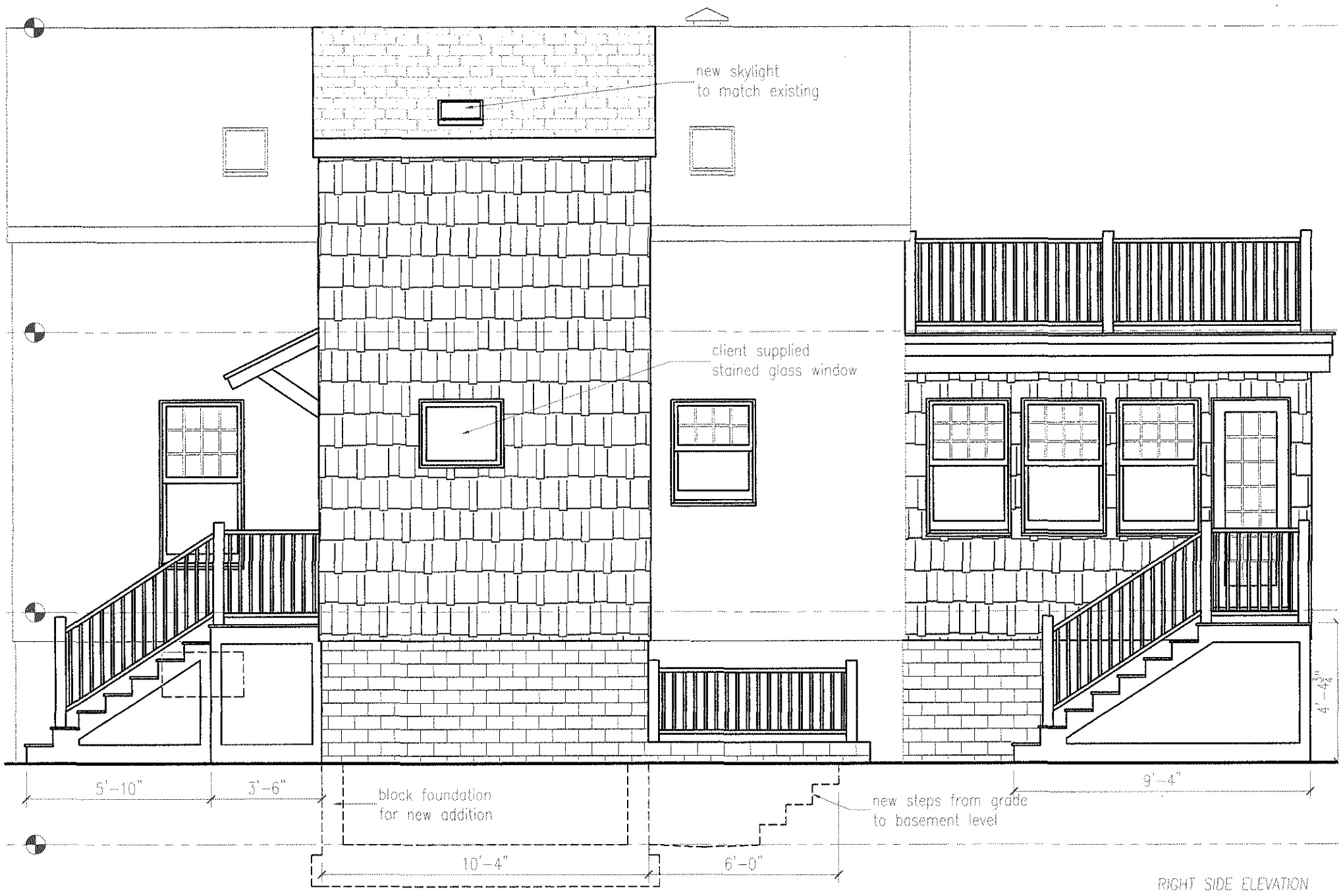
schwartz design	LASATER/NISAVIC RESIDENCE 194 Elm Street. Cambridge, MA	Proposed Kitchen Layout scale 1/2"=1'-0"	May 12, 2016 A.3

FRONT ELEVATION

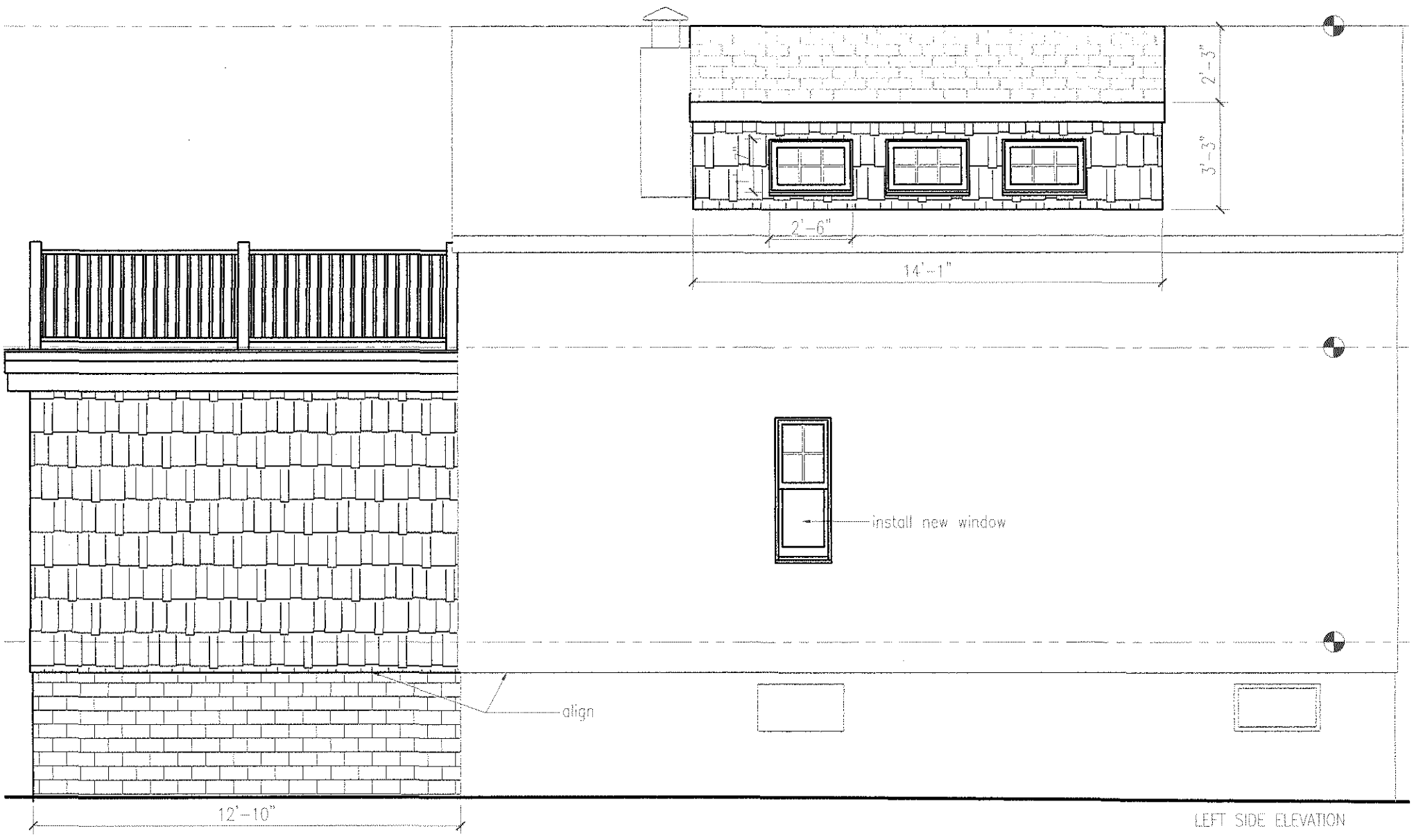


REAR ELEVATION

jschwartz design	LASATER/NISAVIC RESIDENCE 194 Elm Street. Cambridge, MA	Proposed Elevations scale: 1/4"=1'-0"	May 12, 2016 A.4

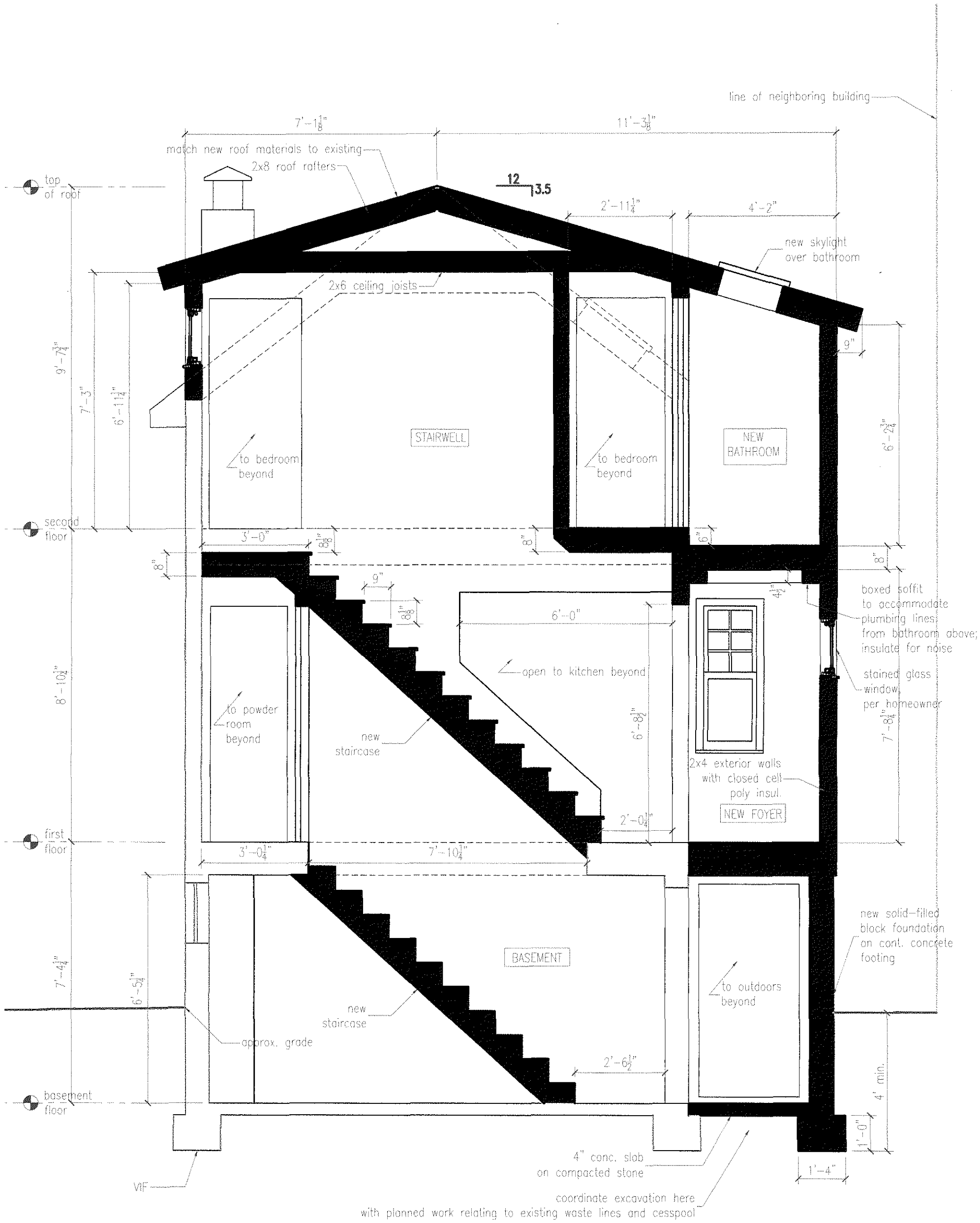


RIGHT SIDE ELEVATION



LEFT SIDE ELEVATION

jschwartz design	LASATER/NISAVIC RESIDENCE 194 Elm Street. Cambridge, MA	Proposed Elevations scale: 1/4"=1'-0"	May 12, 2016 A.5



PROPOSED SECTION THROUGH NEW STAIRS

jschwartz design	LASATER/NISAVIC RESIDENCE 194 Elm Street. Cambridge, MA	Proposed Section scale: 3/8"=1'-0"	May 12, 2016 A.6

FRONT ELEVATION

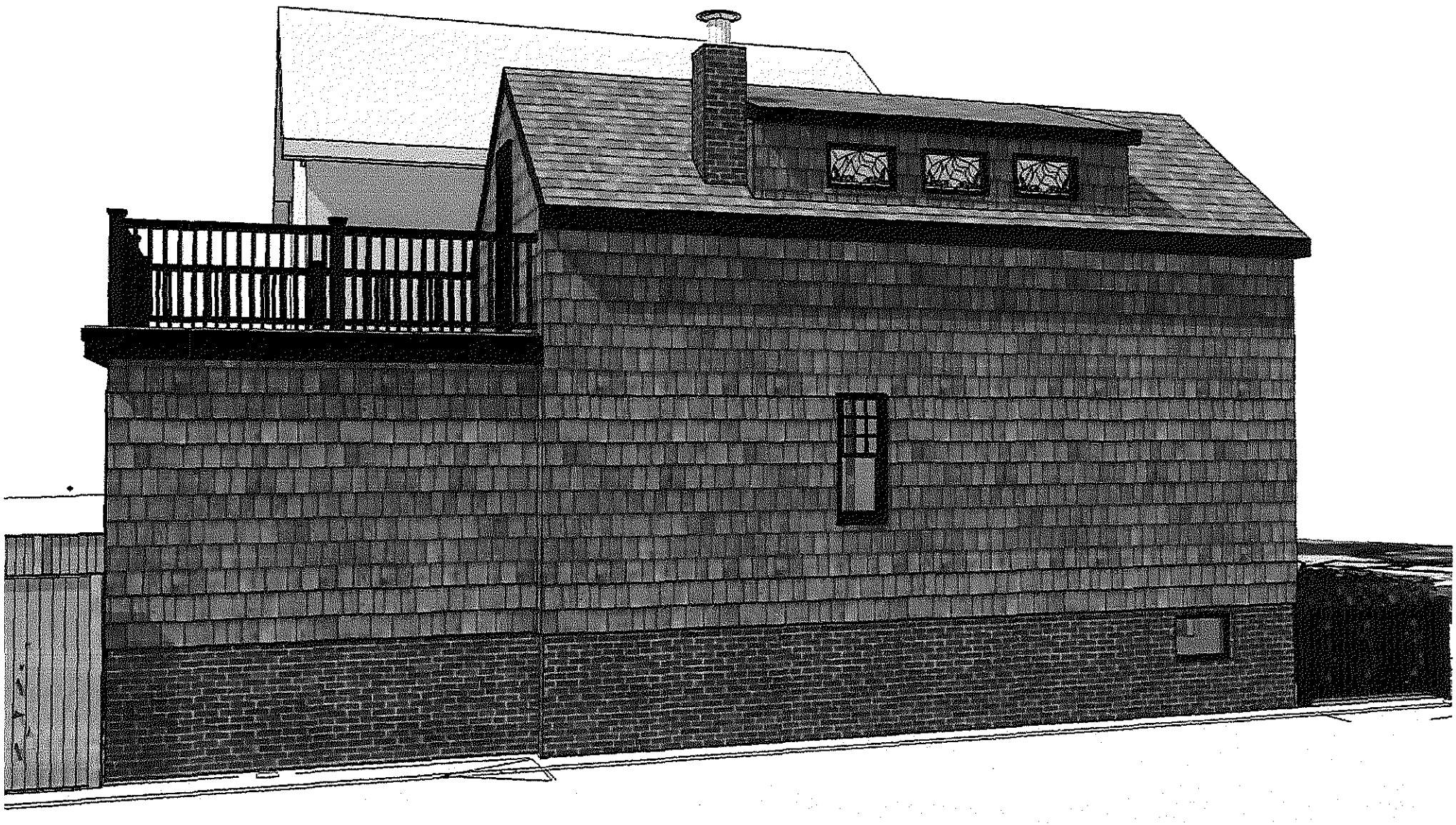
VIEW OF WEST CORNER

jschwartz design	LASATER/NISAVIC RESIDENCE 194 Elm Street. Cambridge, MA	Exterior Perspectives scale: N/A	May 12, 2016 A.7

REAR ELEVATION

VIEW OF SOUTH CORNER

jschwartz design	LASATER/NISAVIC RESIDENCE 194 Elm Street. Cambridge, MA	Exterior Perspectives scale: N/A	May 12, 2016 A.8

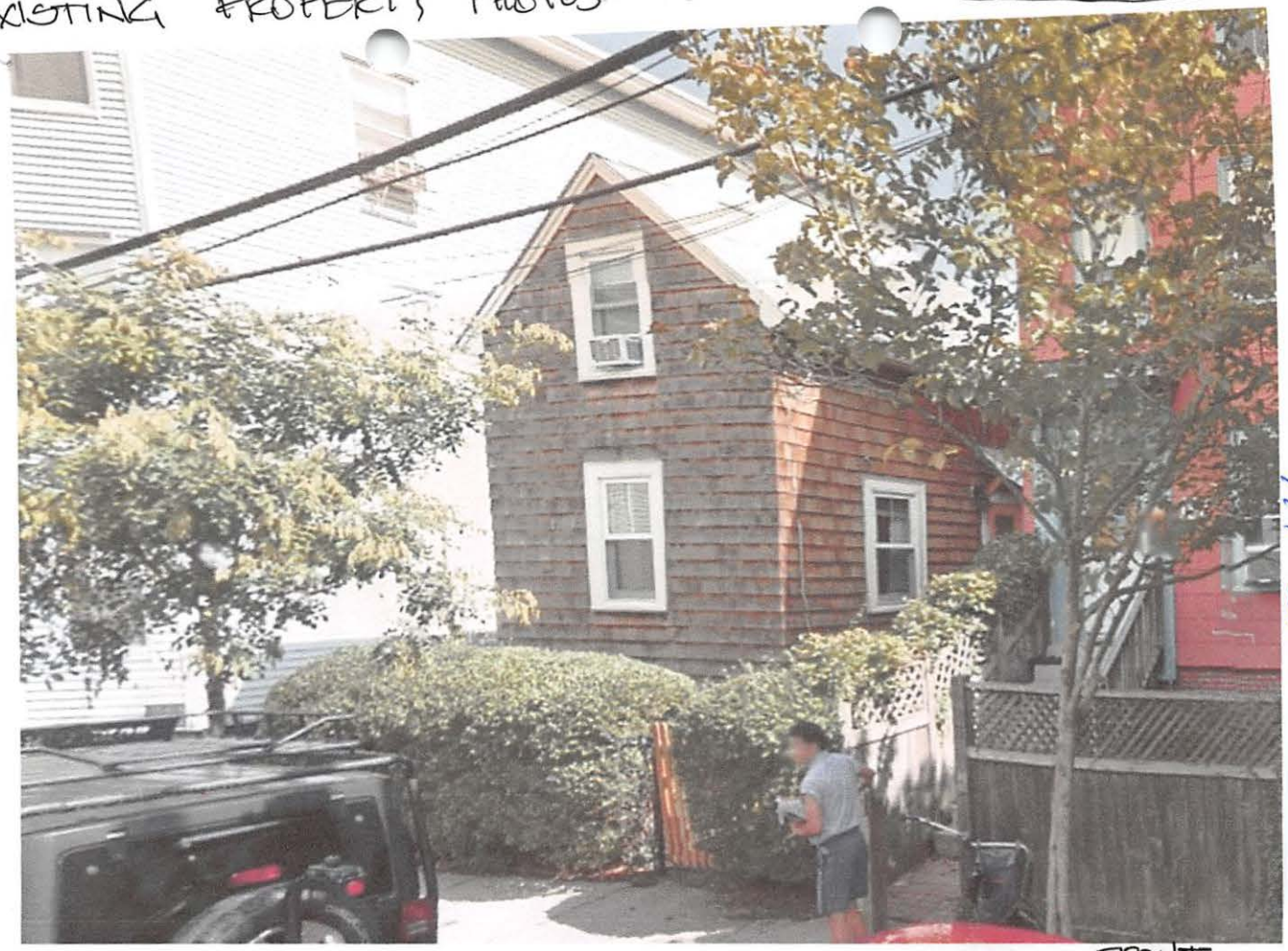


EAST ELEVATION

jschwartz design	LASATER/NISAVIC RESIDENCE 194 Elm Street. Cambridge, MA	Exterior Perspectives scale: N/A	May 12, 2016 A.9

EXISTING PROPERTY PHOTOS

194 ELM ST. CAMBRIDGE



194 Elm St.

FRONT

EXIST. ENTRY

EXIST. ENTRY STAIRS

194 Elm St.

WALKWAY TO BACK YARD

REAR / SHED TO BSMT

REAR ELEVATION

BZA 10390-2016

CAMBRIDGE HISTORICAL COMMISSION

831 Massachusetts Avenue, 2nd Fl., Cambridge, Massachusetts 02139
Telephone: 617 349 4683 Fax: 617 349 3116 TTY: 617 349 6112
E-mail: histcomm@cambridgema.gov URL: http://www.cambridgema.gov/Historic

Jurisdiction Advice

To the Owner of Property at 194 Elm Street:

The above-referenced property is subject to the jurisdiction of the Cambridge Historical Commission (CHC) by reason of the status referenced below:

__ Old Cambridge Historic District
__ Fort Washington Historic District
(M.G.L. Ch. 40C, City Code §2.78.050)

__ Avon Hill Neighborhood Conservation District
__ Half Crown – Marsh Neighborhood Conservation District
__ Harvard Square Conservation District
__ Mid Cambridge Neighborhood Conservation District
__ Designated Landmark
__ Property is being studied for designation: _____
(City Code, Ch. 2.78., Article III, and various City Council Orders)

__ Preservation Restriction or Easement (as recorded)

✓ Structure is fifty years or more old and therefore subject to CHC review of any application for a demolition permit, if one is required by ISD. (City Code, Ch. 2.78, Article II). **See the back of this page for definition of demolition.**
Demo permit applic. not anticipated.

__ No jurisdiction: not a designated historic property and the structure is less than fifty years old.

__ No local jurisdiction, but the property is listed on the National Register of Historic Places; CHC staff is available for consultation, upon request.
Staff comments: _____

The Board of Zoning Appeal advises applicants to complete Historical Commission or Neighborhood Conservation District Commission reviews before appearing before the Board.

If a line indicating possible jurisdiction is checked, the owner needs to consult with the staff of the Historical Commission to determine whether a hearing will be required.

CHC staff initials SLB Date 6/3/2016

Received by uploaded Date "
Relationship to project _____

cc: Applicant
Inspectional Services Commissioner

Elegant solution for small house on tight lot! -SLB

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.

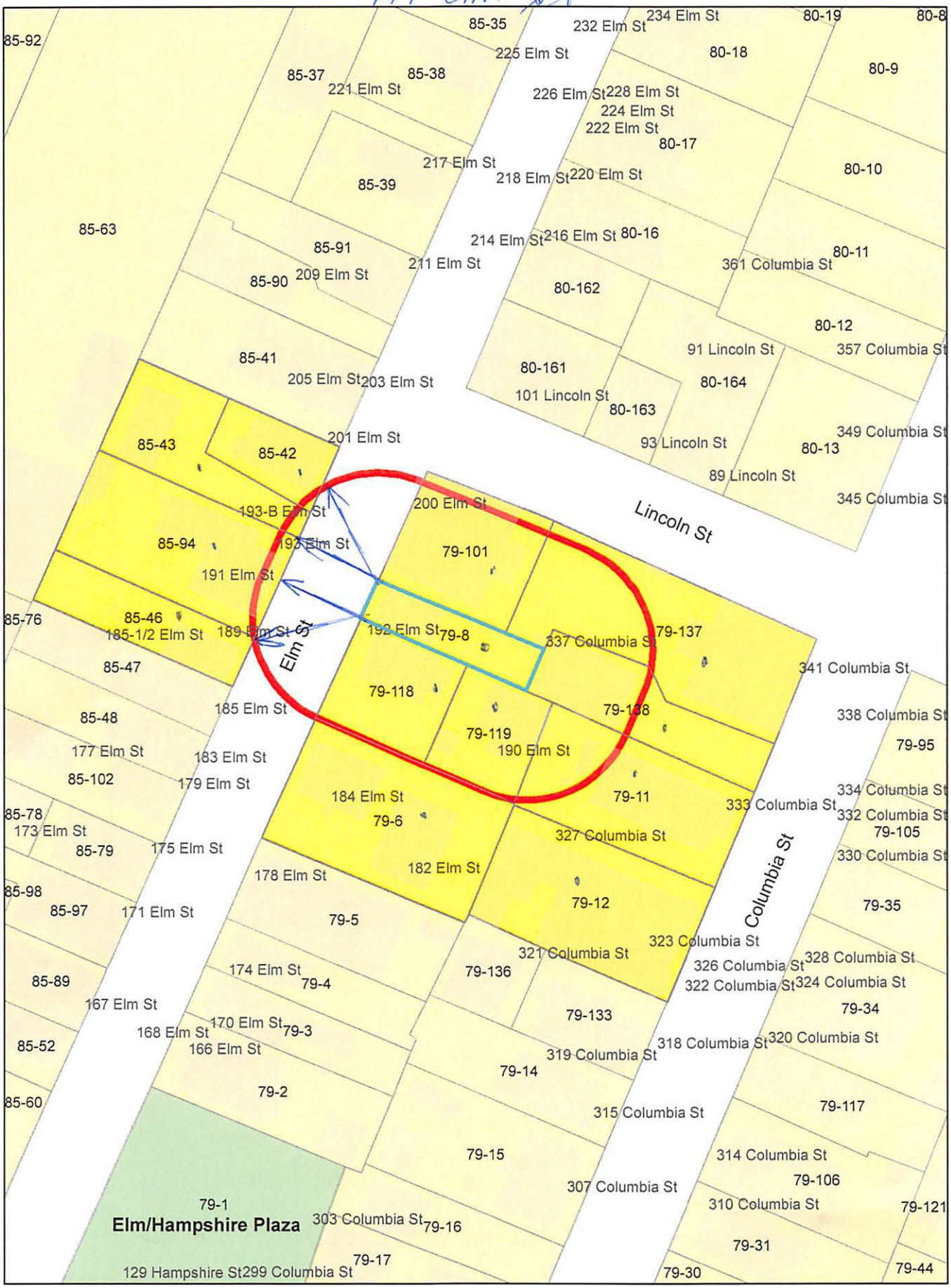
Demolition permit applications can be obtained from the Inspectional Services Department. The completed application should be submitted to the Historical Commission, where the staff will review the application. If the Executive Director of the Historical Commission makes an initial determination that 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/demolitiondelay.html

194 Elm St.


85-92
85-35
232 Elm St
234 Elm St
80-19
80-8
225 Elm St
80-18
80-9
85-37
85-38
221 Elm St
226 Elm St
228 Elm St
224 Elm St
222 Elm St
80-17
217 Elm St
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85-63
214 Elm St
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80-16
85-91
211 Elm St
361 Columbia St
80-11
85-90
209 Elm St
80-162
80-12
91 Lincoln St
357 Columbia St
85-41
205 Elm St
203 Elm St
80-161
80-164
101 Lincoln St
80-163
201 Elm St
349 Columbia St
85-43
85-42
93 Lincoln St
80-13
89 Lincoln St
345 Columbia St
200 Elm St
Lincoln St
193-B Elm St
85-94
193 Elm St
79-101
191 Elm St
85-76
85-46
185-1/2 Elm St
189 Elm St
192 Elm St
79-8
337 Columbia St
79-137
Elm St
85-47
341 Columbia St
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185 Elm St
79-138
338 Columbia St
85-48
79-119
190 Elm St
79-95
177 Elm St
183 Elm St
85-102
179 Elm St
184 Elm St
79-11
334 Columbia St
333 Columbia St
332 Columbia St
85-78
173 Elm St
79-6
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85-52
166 Elm St
319 Columbia St
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79-2
85-60
315 Columbia St
79-117
79-15
314 Columbia St
79-106
307 Columbia St
79-1
310 Columbia St
79-121
Elm/Hampshire Plaza
303 Columbia St
79-16
79-31
79-17
129 Hampshire St
299 Columbia St
79-30
79-44

194 Elm St.

Petitioner

79-8
TOMPKINS, HOPE
C/O LASATER, DAVD L. & MLADEN NISAVIC
194 ELM STREET
CAMBRIDGE, MA 02139

79-12
CACCIOLA, EDWARD D.,
TR. OF NEWPORT REALTY TRUST
P.O. BOX 1527
ARLINGTON, MA 02474

DAVID LASATER
194 ELM STREET
CAMBRIDGE, MA 02139

79-119
KEEGAN, KEVIN M. & JESSICA ANN KEEGAN
190 ELM STREET
CAMBRIDGE, MA 02139

79-137
CAMBRIDGE COMMUNITY HOUSING
DEVELOPMENT, INC.
C/O WINN COMPANIES
6 FANEUIL HALL MARKETPLACE
BOSTON, MA 02109

79-138
BUTLER, MICHAEL J & MARY C. BUTLER
C/O OXFORD ST. REALTY
P.O. BOX 354
CAMBRIDGE, MA 02140

85-42
DASILVA, JOAO S. & VIGILIA V. SILVA,
A LIFE ESTATE
201 ELM STREET
CAMBRIDGE, MA 02139

85-43
PEREZ, FELIX & CARMEN PEREZ
197 ELM ST.
CAMBRIDGE, MA 02139

85-94
PIRES, FRANCISCA &
CITY OF CAMBRIDGE TAX TITLE
191 ELM ST
CAMBRIDGE, MA 02139

85-46
CHERNEY, CHARLES & CANDACE BOTT
189 ELM ST
CAMBRIDGE, MA 02139

79-11
JOHNSON, WILLIAM H.
333 COLUMBIA ST
CAMBRIDGE, MA 02141

79-6
LESZCZYNIECKA, MAGDALENA
182-184 ELM ST. UNIT#182/3
CAMBRIDGE, MA 02139

79-101
AMARAL, EMANUEL & JOAO LUIS PACHECO
TRS & COSTA, MARIA C. DAVID M. ET AL TRS.
200 ELM ST
CAMBRIDGE, MA 02139

79-6
TYE, KAY
184 ELM ST, UNIT #1
CAMBRIDGE, MA 02139

79-6
LOVE, ANDREA & JEFFERY T. DAVIS, JR.
184 ELM ST.
CAMBRIDGE, MA 02139

79-6
HENDERSHOT, HEATHER
182 ELM ST., UNIT #2
CAMBRIDGE, MA 02139

79-118
MCCARTER, R. HARRIS,
192 ELM ST
CAMBRIDGE, MA 02139


194 Elm St
194 Elm St
80
85
LINCOLN PL
LIVERMORE PL
Elm/Hampshire Plaza
79
HAMPSHIRE ST
UNION PL
UNION TER
86
78
77
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