



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

2017 JAN 19 PM 1:08

OFFICE OF THE CITY CLERK
 CAMBRIDGE, MASSACHUSETTS

BZA APPLICATION FORM

Plan No: BZA-012107-2016

GENERAL INFORMATION

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

Special Permit : _____ Variance : √ Appeal : _____

PETITIONER : Eric Parkes, Architect

PETITIONER'S ADDRESS : 54 Vinal Avenue Somerville, MA 02143

LOCATION OF PROPERTY : 19 Cornelius Way Cambridge, MA

TYPE OF OCCUPANCY : Multifamily Dwellings ZONING DISTRICT : Residence C-1 Zone

REASON FOR PETITION :

Dormer

DESCRIPTION OF PETITIONER'S PROPOSAL :

Construct new roof dormer, skylights, and balcony within sideyard setback.

SECTIONS OF ZONING ORDINANCE CITED :

Article 5.000 Section 5.31 (Table of Dimensional Requirements).

Article 5.000 Section 5.24 (Yards).

Original Signature(s) :

[Handwritten Signature]

(Petitioner(s) / Owner)

ERIC PARKES

(Print Name)

Address :

54 VINAL AVE
SOMERVILLE, MA 02143

Tel. No. :

617-947-0265

E-Mail Address :

EPARKES@RCN.COM

Date : _____

1000

ERIC PARKER

PH ANNA AVE

DOMESTIC MAIL SERVICE

PH 1-214-0562

ERICKER@COM.COM

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 José Luis Rojas and Maija L. Pratt-Rojas
(OWNER)

Address: 19 Cornelius Way, Cambridge, MA 02141

State that I/We own the property located at 19 Cornelius Way, Cambridge, MA 02141 which is the subject of this zoning application.

The record title of this property is in the name of "Jose Luis Rojas and Maija L. Pratt-Rojas, husband and wife, as tenants by the entirety"

*Pursuant to a deed of duly recorded in the date 12/10/2010, Middlesex South County Registry of Deeds at Book 56035, Page 3; or Middlesex Registry District of Land Court, Certificate No. _____ Book _____ Page _____.

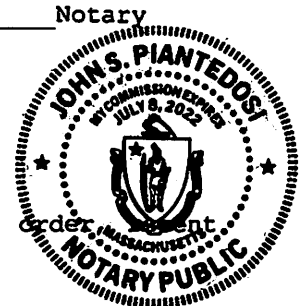
M. Pratt-R
SIGNATURE BY LAND OWNER OR AUTHORIZED TRUSTEE, OFFICER OR AGENT*

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

Commonwealth of Massachusetts, County of Suffolk

The above-name Maija L. Pratt-Rojas personally appeared before me, this 3rd of January, 2017, and made oath that the above statement is true.

John S. Piantedosi Notary
My commission expires 7/9/22 (Notary Seal).



- If ownership is not shown in recorded deed, e.g. if by court order, 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:

A literal enforcement of the provisions of this Ordinance would prevent, practically speaking, the addition of a second bathroom in the four bedroom, three story house. This in turn would be a hardship for the family living in the house.

- 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:

Small footprint of the house and the townhouse configuration results in 40% of attic being within side setback. The existing low roof ridge height severely limits occupiable use of attic beyond area of a new dormer. Construction of the single 15' dormer allowed per Article 8.22.1.h will not accommodate bedroom with bathroom.

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

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

The proposed construction within the side setback will not be visible from a public way. It abuts the party wall of the adjacent townhouse on one side and faces the rear (blank) wall of a parking garage and movie theater to the rear. It will not result in an increase or change in occupancy of the residence. Thus the public will be unaware of and unaffected by the proposed construction.

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

The proposed construction extends, rather than increases, the existing (zero) setback condition that was lawfully created under 11.10 of current zoning when the townhouses were built and subdivided. It does not result in an increase in a dimensional violation of Article 5 of zoning. Construction within the side setback of the shared (party) wall conforms with the purpose listed in Article 11.11 of zoning (Townhouse Development). With the proposed addition, the total increase to volume of building since creation will be 16%, below the 25% limit of Article 8.22.2.c

- * 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

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 19 Cornelius Way Cambridge, MA (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:
- The existing townhouse development was constructed in accordance with Cambridge Zoning. The proposed construction maintains the pre-existing side setback of the property along the side of the existing building that abuts the adjacent townhouse. No new non-comformity is created by the proposed work.
- 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:
- The proposed dormer would allow the existing (single) family better use the property. No increase in traffic or congestion will result from the proposed work as no change in the number of occupants will occur.
- 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:
- The proposed dormer addition will have no impact on operation of adjacent residential buildings and parking garage. It will not alter daylight or interrupt views from adjacent properties.
- 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:
- The proposed work will benefit the welfare of the occupant by allowing additional room for family to live. The citizens of the city will not be able to view the proposed dormer construction within side setback because it is not visible from a public way.
- 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:
- The proposed construction within the side setback will not be visible from a public way, and only seen from the rear yard of two adjacent neighbors on either side of property. Property abuts a parking garage on rear lot line. Therefore the proposed construction will have no impact on visual integrity of neighborhood.







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 19 Cornelius Way

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.**
- 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 December 9, 2016

Received by Uploaded to Energov

Date December 9, 2016

Relationship to project BZA 12107-2016

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.**

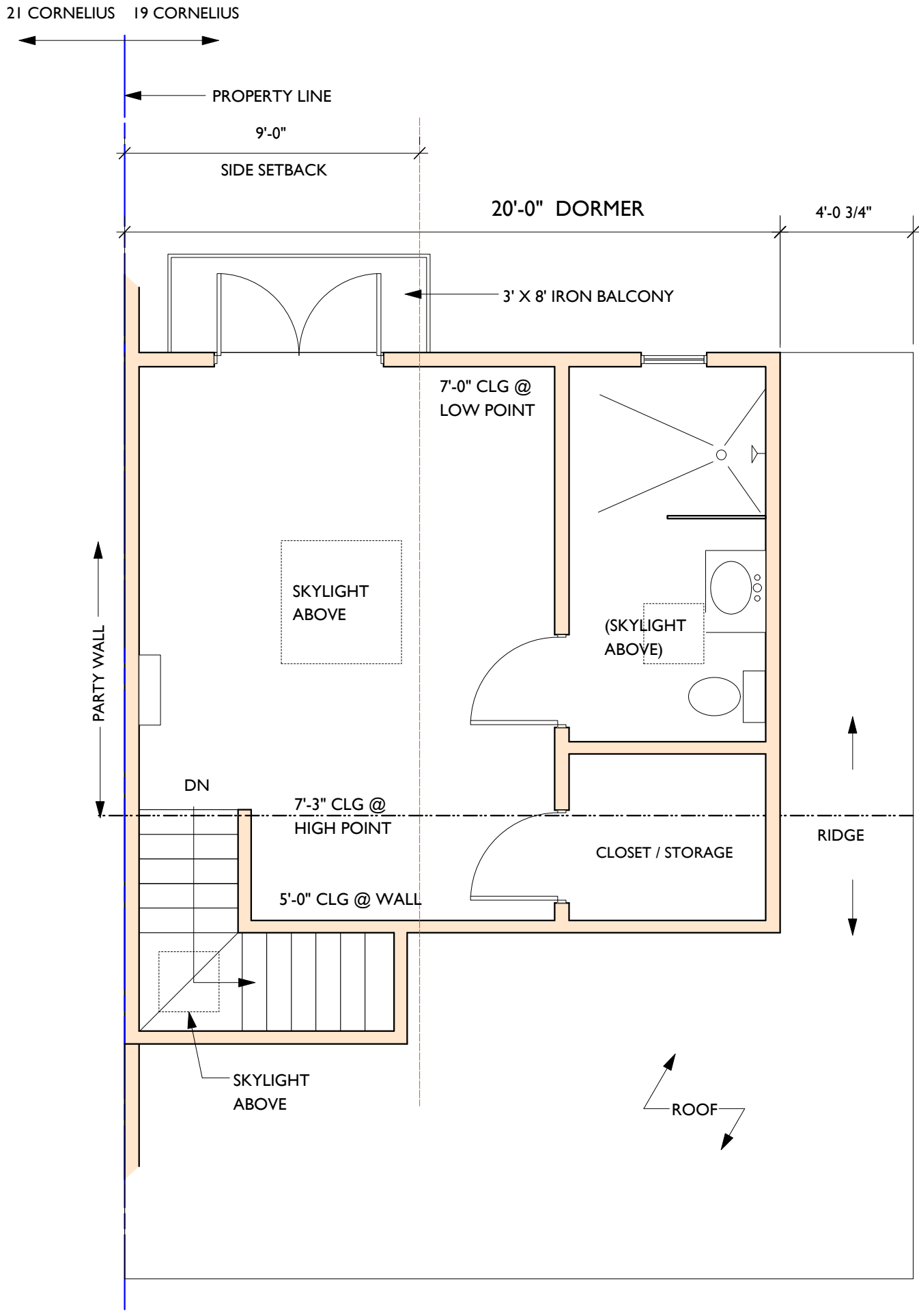
Please contact the building inspector or a staff member of the Historical Commission if you have questions about whether a demolition permit is required for a particular project.

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

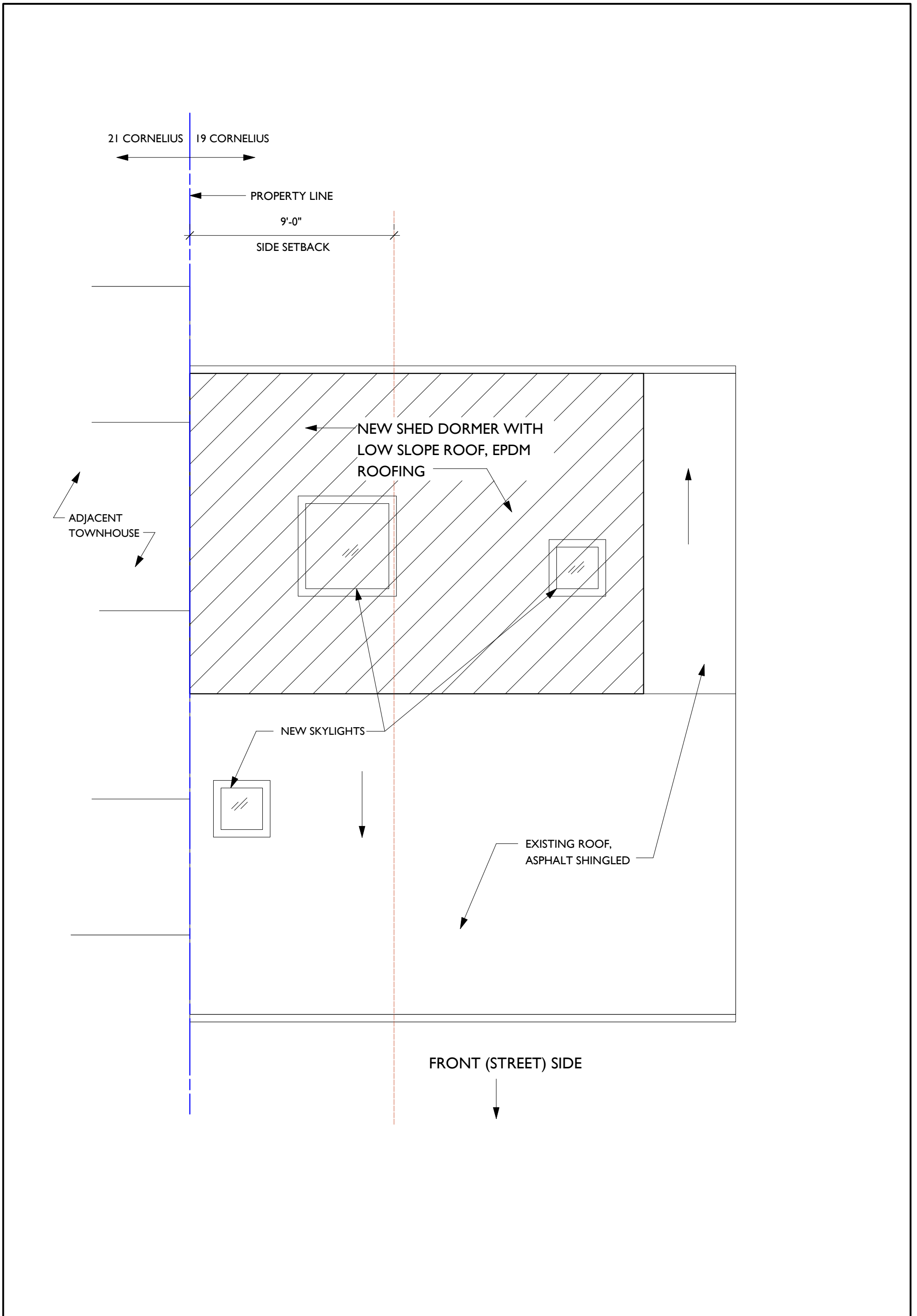
Cambridge Historical Commission
831 Massachusetts Ave., 2nd Fl.
Cambridge, MA 02139
Ph: 617/349-4683 or TTY: 617/349-6112
<http://www.cambridgema.gov/Historic>



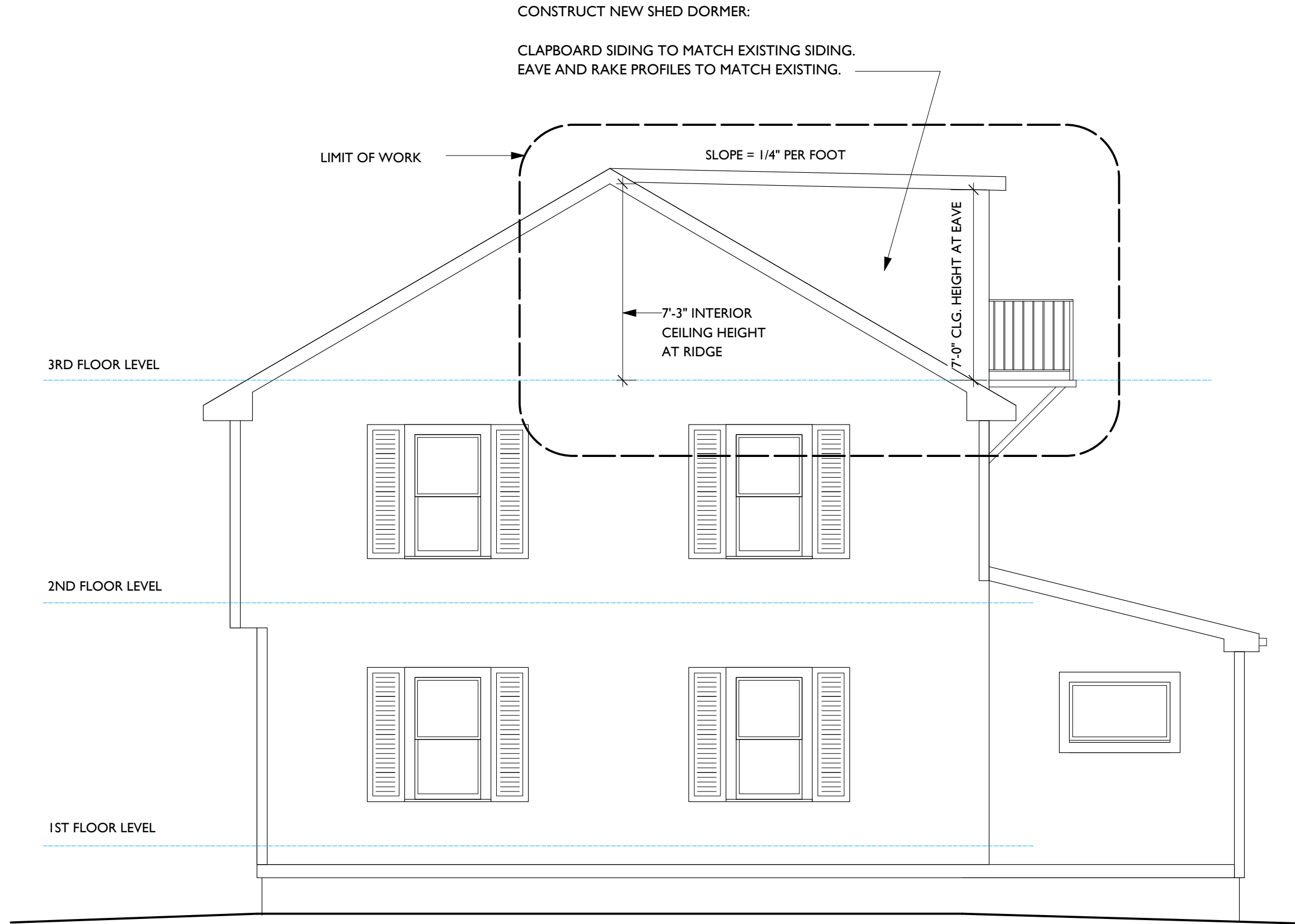
FRONT (STREET) SIDE



<p>DRAWING: A-1</p>	<p>PROPOSED 3RD FLOOR PLAN</p>	<p>DATE: 11/30/16 SCALE: 1/4" = 1'-0" REV:</p>	<p>ROJAS / PRATT RESIDENCE 3RD FLOOR / DORMER 19 CORNELIUS WAY CAMBRIDGE, MA</p>	<p>ERIC PARKES, ARCHITECT 54 VINAL AVENUE, SOMERVILLE, MA 02143 TEL. / FAX 617-776-3674 EPARKES@RCN.COM</p>
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<p>DRAWING:</p> <p>A-2</p>	<p>PROPOSED ROOF PLAN</p>	<p>DATE: 11/30/16</p> <p>SCALE: 1/4" = 1'-0"</p> <p>REV:</p>	<p>ROJAS / PRATT RESIDENCE 3RD FLOOR / DORMER 19 CORNELIUS WAY CAMBRIDGE, MA</p>	<p>ERIC PARKES, ARCHITECT</p> <p>54 VINAL AVENUE, SOMERVILLE, MA 02143 TEL. / FAX 617-776-3674 EPARKES@RCN.COM</p>
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CONSTRUCT NEW SHED DORMER:

CLAPBOARD SIDING TO MATCH EXISTING SIDING.
EAVE AND RAKE PROFILES TO MATCH EXISTING.

LIMIT OF WORK

SLOPE = 1/4" PER FOOT

7'-3" INTERIOR
CEILING HEIGHT
AT RIDGE

7'-0" CLG. HEIGHT AT EAVE

3RD FLOOR LEVEL

2ND FLOOR LEVEL

1ST FLOOR LEVEL

RIGHT (WEST) SIDE ELEVATION

ERIC PARKES, ARCHITECT

54 VINAL AVENUE, SOMERVILLE, MA 02143
TEL. / FAX 617-776-3674 EPARKES@RCN.COM

ROJAS / PRATT RESIDENCE
3RD FLOOR / DORMER
19 CORNELIUS WAY
CAMBRIDGE, MA

DATE 11/30/16
SCALE 1/4" = 1'-0"
REV:

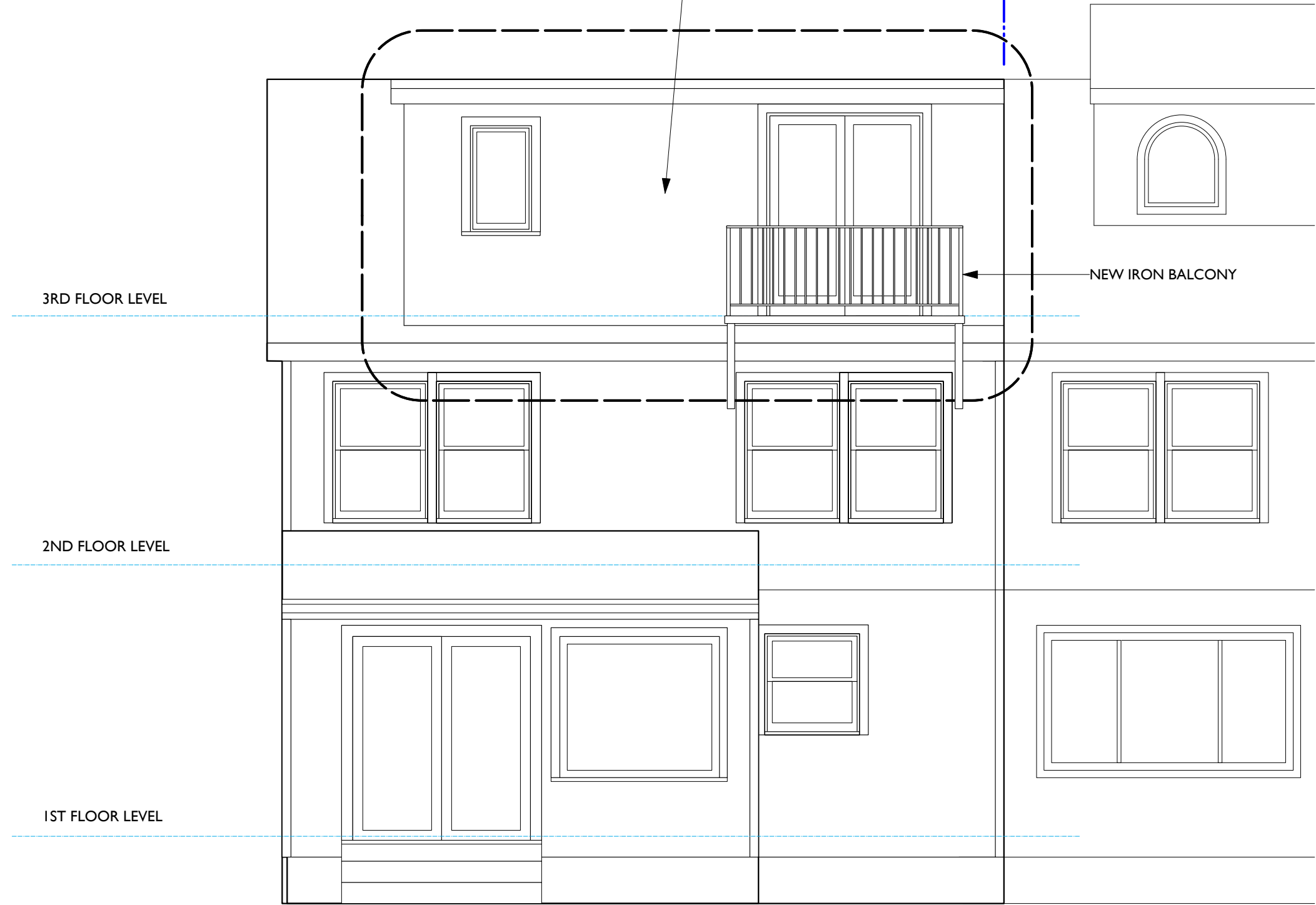
PROPOSED RIGHT SIDE
(WEST) ELEVATION

DRAWING:
A-3

CONSTRUCT NEW SHED DORMER:

CLAPBOARD SIDING TO MATCH EXISTING SIDING.
EAVE AND RAKE PROFILES TO MATCH EXISTING.
EPDM ROOFING

19 CORNELIUS 21 CORNELIUS



REAR (SOUTH) SIDE ELEVATION

ERIC PARKES, ARCHITECT
54 VINAL AVENUE, SOMERVILLE, MA 02143
TEL. / FAX 617-776-3674 EPARKES@RCN.COM

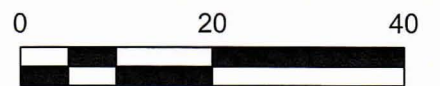
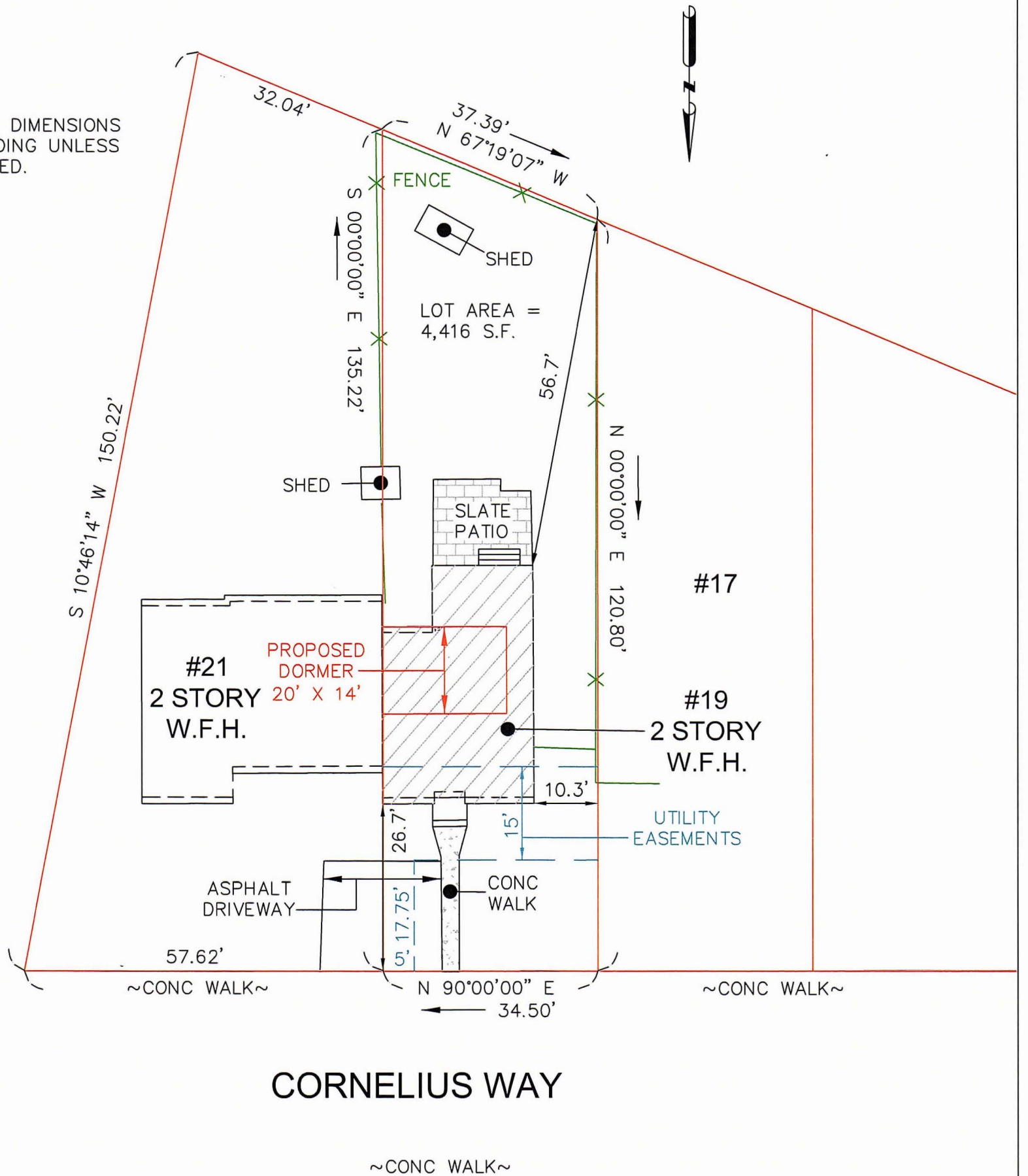
ROJAS / PRATT RESIDENCE
3RD FLOOR / DORMER
19 CORNELIUS WAY
CAMBRIDGE, MA


DATE: 11/30/16
SCALE: 1/4" = 1'-0"
REV:


PROPOSED REAR
(SOUTH) ELEVATION

DRAWING:
A-4

NOTES:
ALL OFFSETS & DIMENSIONS
ARE TO THE SIDING UNLESS
OTHERWISE NOTED.



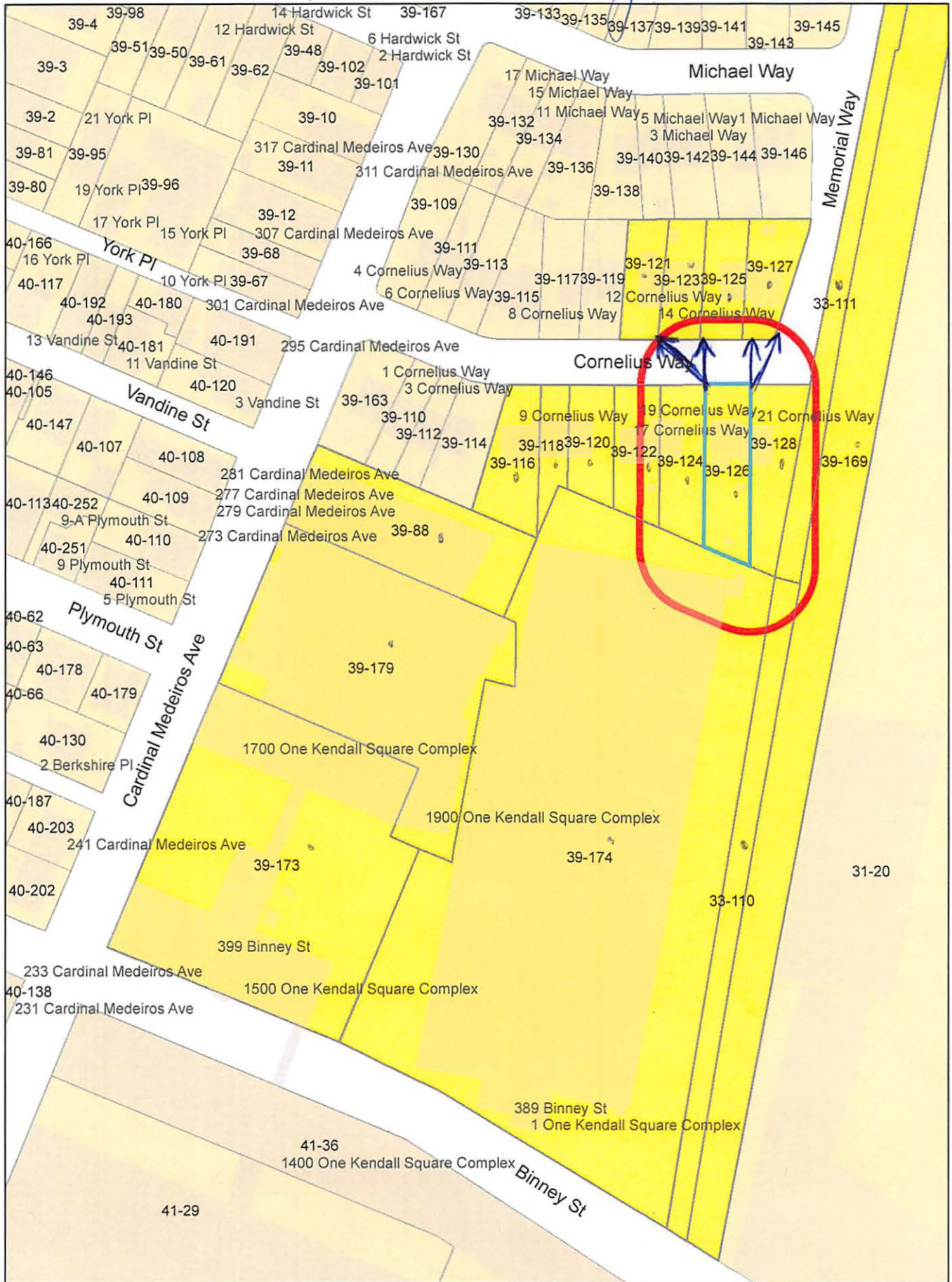

 Dennis O'Brien P.L.S.


D. O'BRIEN
 LAND SURVEYING
EST. 1936
 31 HAYWARD STREET UNIT 3-G
 FRANKLIN, MA 02038 508-541-0048

PLAN SHOWING PROPOSED DORMER
 19 CORNELIUS WAY
 CAMBRIDGE, MA MIDDLESEX COUNTY

SCALE: 1: 20	DATE: 4/12/2016	REVISED: ----	DRAWN BY: W.M.N.	CHECKED BY: D.O.
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19 Cornelius Way



19 Cornelius way

Petitioner
ERIC PARKES, ARCHITECT
54 VINAL AVENUE
SOMERVILLE, MA 02143

33-110-111 /39-173-174-179
DWF IV ONE KENDALL GARAGE, LLC,
C/O NXS# 300372-F4ONEK
P.O. BOX 7703
MERRIFIELD, VA 22116

39-88
DWF IV 286 CARDINAL MEDEIROS LLC
C/O DIVCO WEST REAL ESTATE SERVICES INC
575 MARKET ST., 35TH FLOOR
SAN FRANCISCO, CA 94105

39-116
TSUNG, YEAN KAI & NANCY TSUNG
3 FOX RUN LANE
LEXINGTON, MA 02420

39-118
CURBY, MARK
11 CORNELIUS WAY
CAMBRIDGE, MA 02141

39-120
FISHER, PETER H. & JANE ANN FISHER
C/O CONNOLLY, MATTHEW
13 CORNELIUS WAY
CAMBRIDGE, MA 02141

39-121
MYERS, PAUL,
TRUSTEE MARILYN TARMY REV LIV TRUST
14 CORNELIUS WAY
CAMBRIDGE, MA 02141

39-122
NEHS, MATTHEW A. & CHRISTA J. VAN DORT
15 CORNELIUS WAY
CAMBRIDGE, MA 02141

39-123
TAN, HONG
6 THOMPSON ST
WAYLAND, MA 01778

39-124
FOTI, GRACE
17 CORNELIUS WAY
CAMBRIDGE, MA 02141

39-125
HUANG, YIJEN
18 CORNELIUS WAY
CAMBRIDGE, MA 02141

39-126
ROJAS, JOSE LUIS & MAIJA L. PRATT-ROJAS
24 MARNEY ST., UNIT #1
CAMBRIDGE, MA 02141

39-127
KHOE, MILDRED SIU-LI
51 CIRCUIT DR
CRANSTON, RI 02905

39-128
FANNING, RICHARD D.
21 CORNELIUS WAY
CAMBRIDGE, MA 02141

39-169
CONSOLIDATED RAILROAD PROPERTY TAX DEPT.
P.O. BOX 8499
PHILADELPHIA, PA 19101

