



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 Ryan Wittig & Gal Zhovnirovsky  
(OWNER)

Address: 65 Broad St. #6 Boston, MA 02109 & 333 Great River Rd. #215, Somerville, MA 02145

State that I/We own the property located at 33 Kinnaird St. Cambridge, MA 02139, which is the subject of this zoning application.

The record title of this property is in the name of Ryan Wittig & Gal Zhovnirovsky

\*Pursuant to a deed of duly recorded in the date \_\_\_\_\_, Middlesex South County Registry of Deeds at Book \_\_\_\_\_, Page \_\_\_\_\_; or Middlesex Registry District of Land Court, Certificate No. \_\_\_\_\_ Book \_\_\_\_\_ Page \_\_\_\_\_.

[Handwritten Signature]  
SIGNATURE BY LAND OWNER OR AUTHORIZED TRUSTEE, OFFICER OR AGENT\*

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

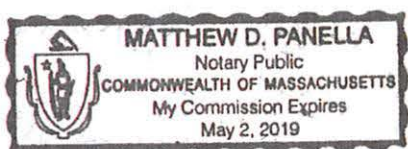
Commonwealth of Massachusetts, County of Suffolk

The above-name Ryan Wittig personally appeared before me, this 16 of February 2016, and made oath that the above statement is true.

[Handwritten Signature] Notary

My commission expires May 2 2015 (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:

A literal enforcement of the provisions of the Ordinance would involve a substantial hardship because the Petitioners purchased the property intending on constructing a two family dwelling that would be owner occupied. Due to the extremely narrow lot width (34') compliant parking spaces and vehicular maneuvering clearances cannot be achieved without zoning relief. Petitioners' had discussed a design option that didn't require any zoning relief but that option was rejected by the direct abutter at 31 Kinnaird street as well as the Historical Commission which has approval over any demolition at the site. Additionally the abutter at 31 Kinnaird street requested a great rear yard setback (30'+/-) than required by the Ordinance thereby siting the house within the front yard setback adding to the requested relief.

**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 Hardship is owing to the size and shape of the lot that is extremely narrow (34') such that it is virtually impossible to meet the required 40' parking and vehicular maneuvering dimensions (8.5' parking space + 22' rear back clearance) using the existing curb cut and driveway. Without relief Petitioners would not be able to construct a two family with compliant parking which is the only way they could afford to own a home in Cambridge.

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

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

The requested addition has support from the neighbors and abutters most directly affected by development. Additionally the existing house is in poor condition and is need of significant repair. The rear yard currently contains five (5) parking spaces that will be converted into a landscaped rear yard area enhancing the privacy and reducing congestion on the lot.

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

Desirable relief may be granted without detriment to the public good nor derogating from the intent and purpose of the Ordinance because the zoning districts allows for two (2) units on the lot as of right and the requested relief will alleviate a congested rear yard area that contains numerous non-conforming parking spaces. Further the intent section of Ordinance 1.03 calls for the most rational use of land which in this unique circumstances is newly constructed and energy efficient two family dwelling.

**\* 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 33 Kinnaird St 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:  
With the requested relief the requirements of the ordinance will be satisfied.
- 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:  
No congestion, hazard, or substantial change in the established neighborhood character will result from approval because the proposed driveway width and right yard setback are unchanged and the development will significantly reduce the number of vehicles parking on the lot. The property is sited in the Residence C-1 zoning district which allows for two family dwellings. Further there are many dwellings in the neighborhood with parking spaces that are similarly within 5' of the side yard setback and have tandem parking spaces.
- 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 continued operation of or the development of adjacent uses will not be adversely affected because the adjacent properties are predominately multifamily residential uses and the proposed renovation will be of a quality that is consistent with other newly constructed homes and restored properties that can be seen in the surrounding neighborhood.
- 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:  
No nuisance or hazard will be created nor will any detriment to the health, safety and/or welfare of the of occupants of the proposed use or the citizens of the City because the proposed new construction will significantly upgrade this deteriorating dwelling into a vibrant two family dwelling adding to Cambridge's housing stock and create an affordable home to the Petitioners that they could otherwise not afford.
- 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 parking layout will not impair the integrity of the district and is consistent with the intent of the ordinance by allowing for the rational use of land which will be achieved by allowing modest setback relief to park the vehicles within the 5' setback and significantly reducing the number of vehicles, congestion and automobile impact on adjacent lots.

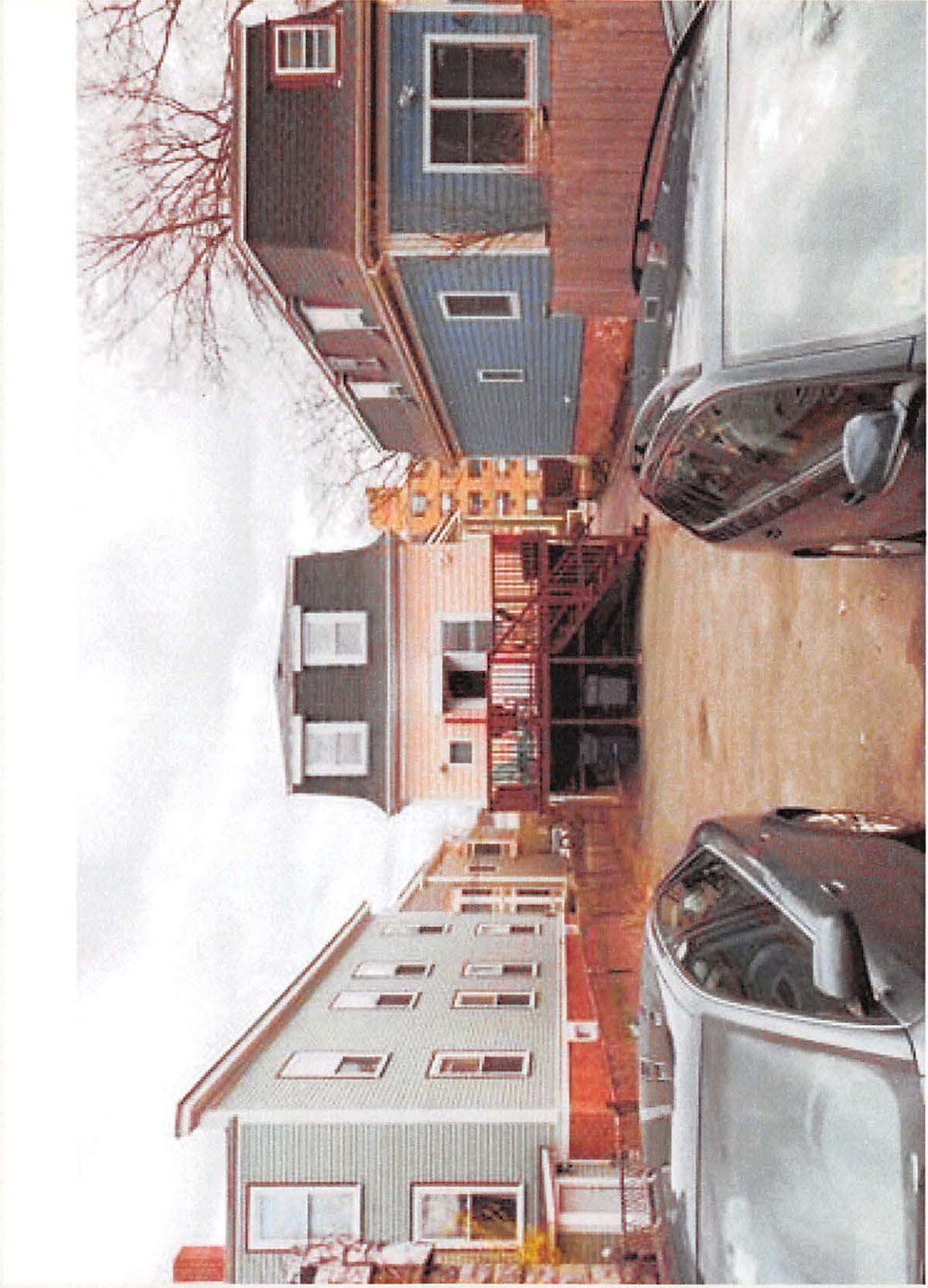




# 33 Kinnaird St. Current Conditions



# 33 Kinnaird St. Current Conditions





# 33 Kinnaird St. Current Conditions



# 31 Kinnaird St. Rear View



Assessor's Map 123  
Lot 18

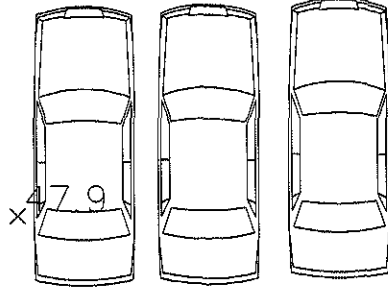
Iron Pipe  
(set)

3.8' Fence  
Encroachment

34.00'

100.00'

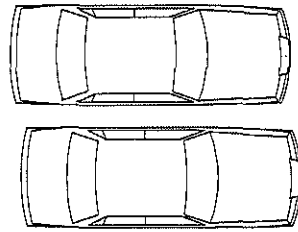
Wood Stockade Fence



Bit. Parking  
47.7x  
**Area =  
3,400 S.F.±**

Concrete  
Garage

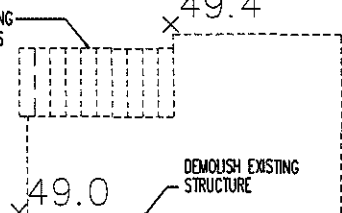
Assessor's Map 123  
Lot 7



Assessor's Map 123  
Lot 5

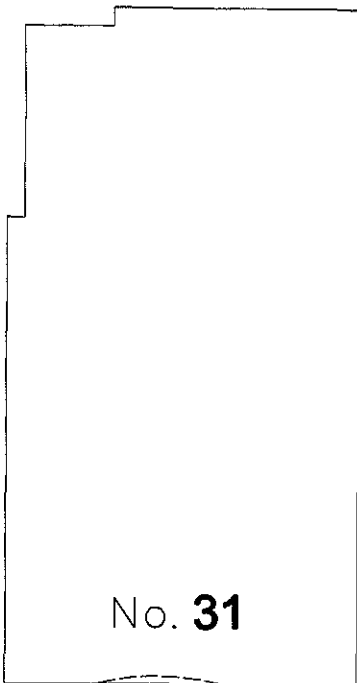
100.00'

DEMOLISH EXISTING  
DECK AND STEPS



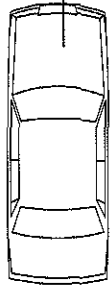
No. 33

Stake/Nail  
(set)



No. 31

Drive



DEMOLISH EXISTING  
STRUCTURE



No. 35

No. 35 1/2

EXISTING  
TREE WELL



sidewalk

EXISTING  
SIGN



KINNAIRD STREET

# PLOT PLAN OF LAND CAMBRIDGE, MA.

LOCATED AT:

**33 KINNAIRD STREET**

SCALE: 1"=3/32" DATE: NOVEMBER 10, 2016

Zoning District: C-1  
Deed Reference: Book 41295, Page 3  
Assessor's Map 123, Lot 6

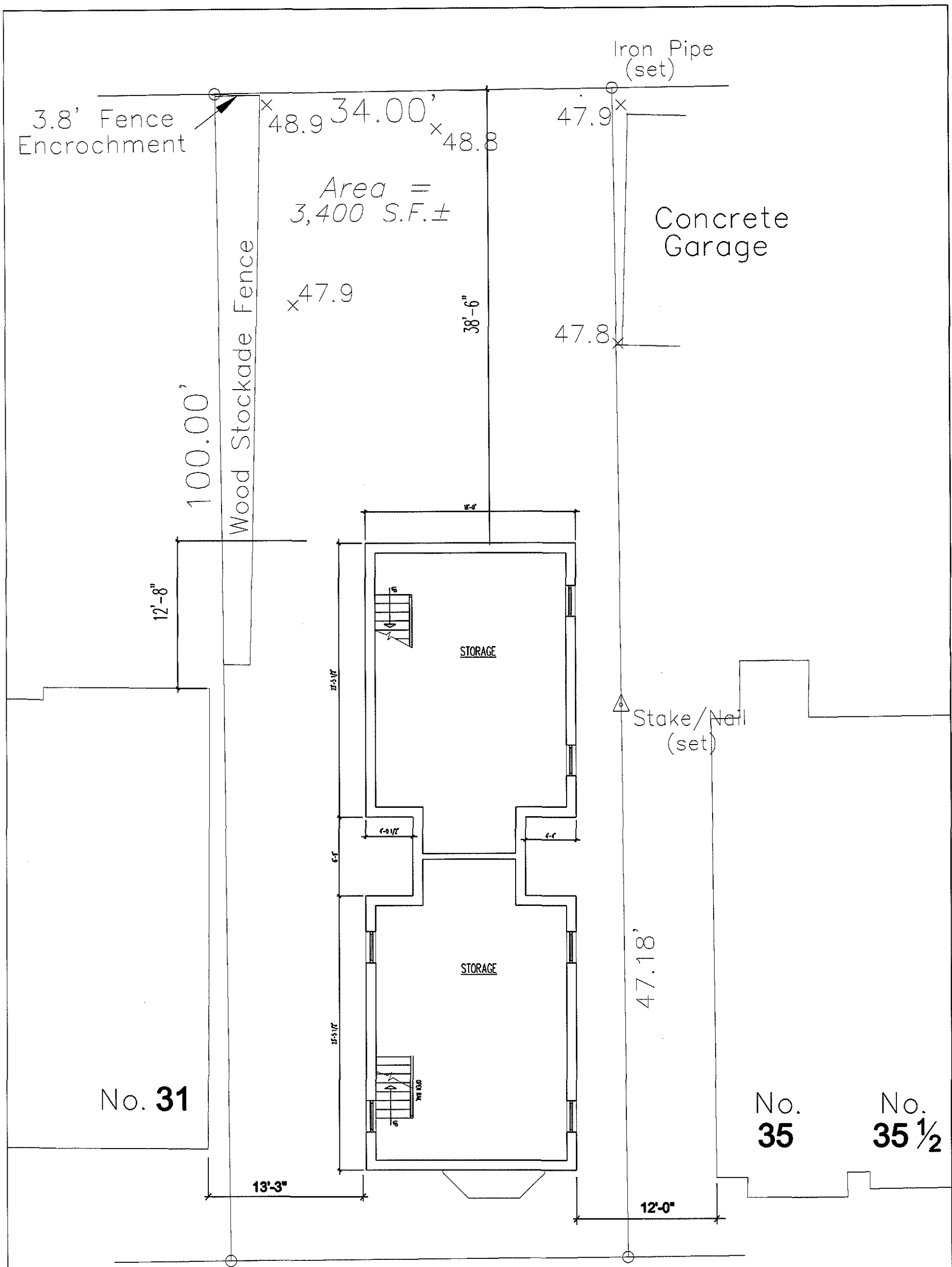
**JMA Architects, Inc.**

Four New Street, Newburyport, MA 01950  
E info@JMAarchitects-ma.com T 978. 465. 2263

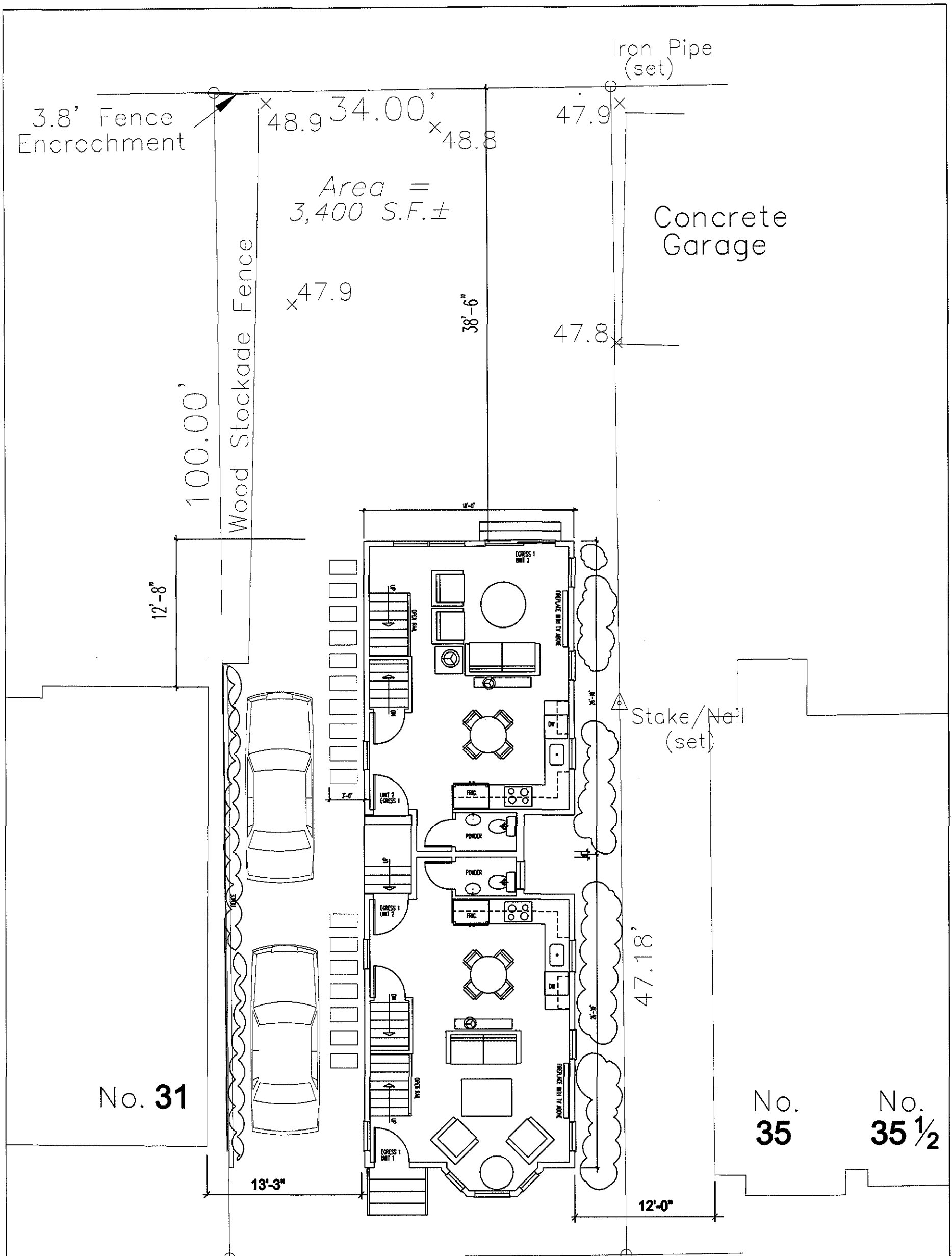
33 KINNAIRD STREET, CAMBRIDGE, MA  
PROPOSED DEMOLITION PLAN

SUBMITTED: DECEMBER 16, 2015

**P 1**

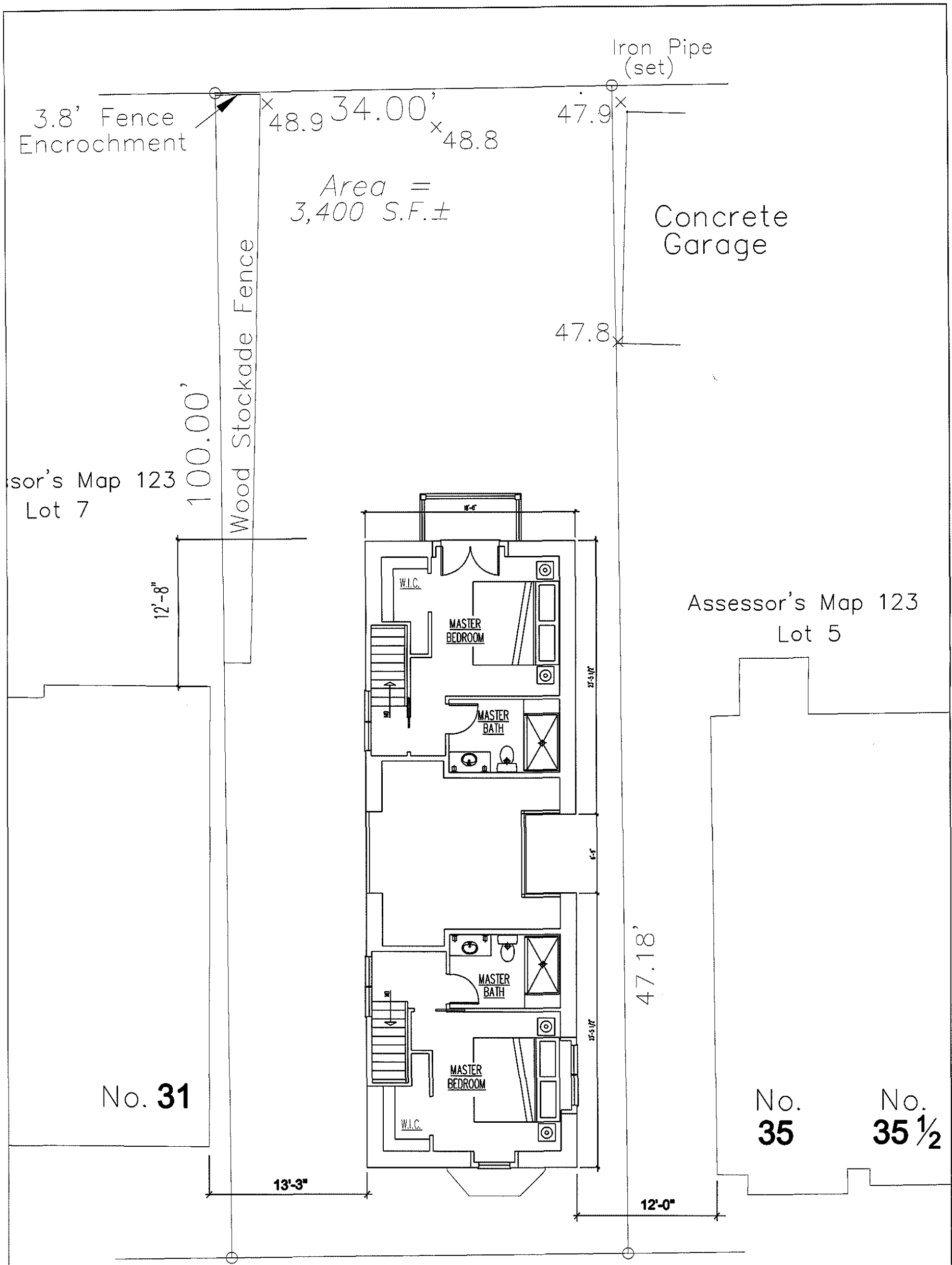


**BASEMENT FLOOR PLAN - THREE STORY DESIGN**  
 SCALE: 1/8" = 1'-0"



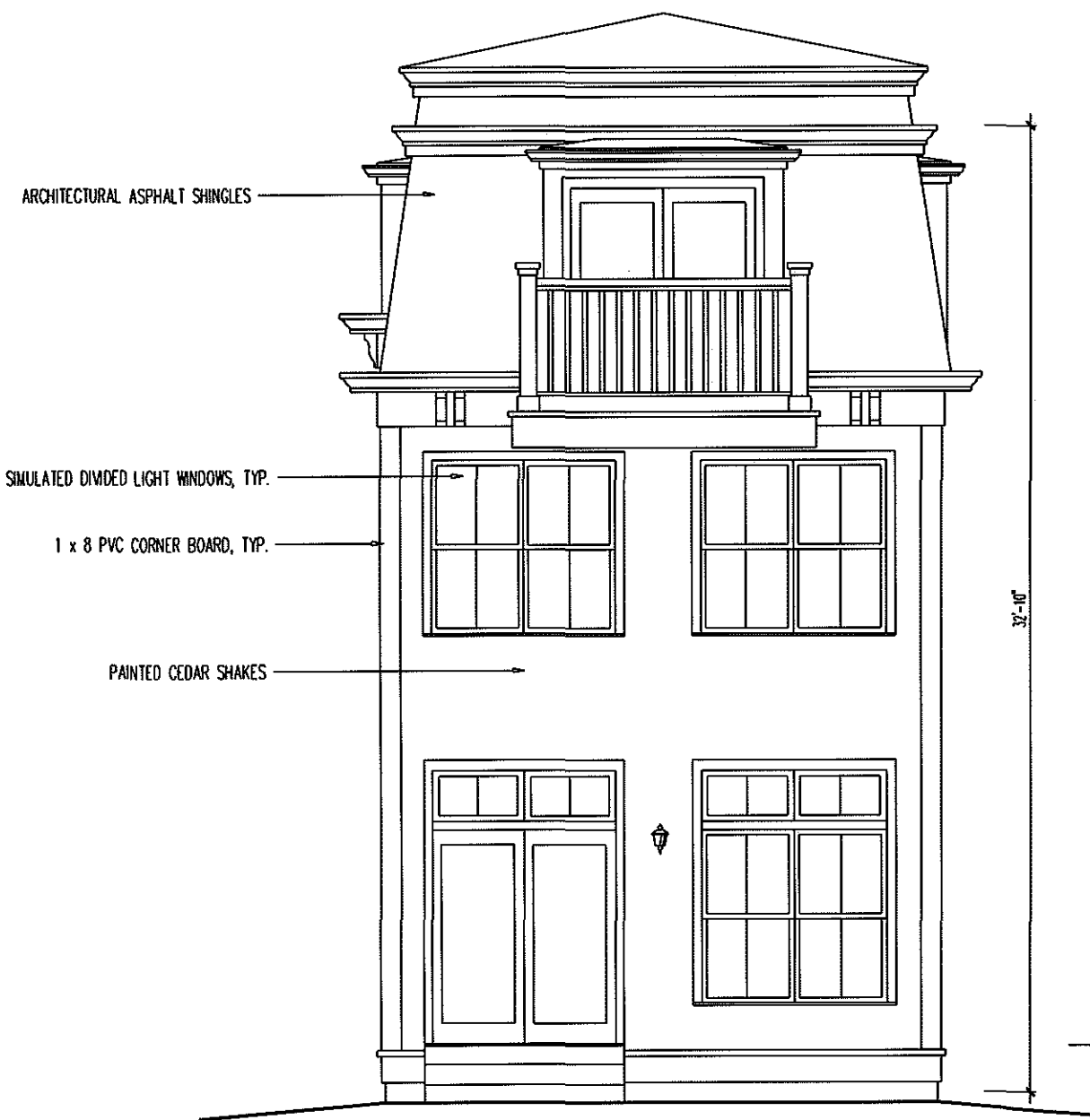
FIRST FLOOR PLAN - THREE STORY DESIGN  
 SCALE: 1/8" = 1'-0"





THIRD FLOOR PLAN - THREE STORY DESIGN

SCALE: 1/8" = 1'-0"



REAR ELEVATION – THREE STORY DESIGN

SCALE : 3/16" = 1'-0"



FRONT ELEVATION – THREE STORY DESIGN

SCALE : 3/16" = 1'-0"

**JMA Architects, Inc.**

Four New Street, Newburyport, MA 01950  
 E info@JMAarchitects-ma.com T 978. 465. 2263

33 KINNAIRD STREET, CAMBRIDGE, MA  
 PROPOSED REAR & FRONT ELEVATION

DATE · MARCH 30, 2016

SCALE · 3/16" = 1'-0"

**A 5**





RIGHT SIDE ELEVATION - THREE STORY DESIGN

SCALE : 3/16" = 1'-0"

**JMA Architects, Inc.**

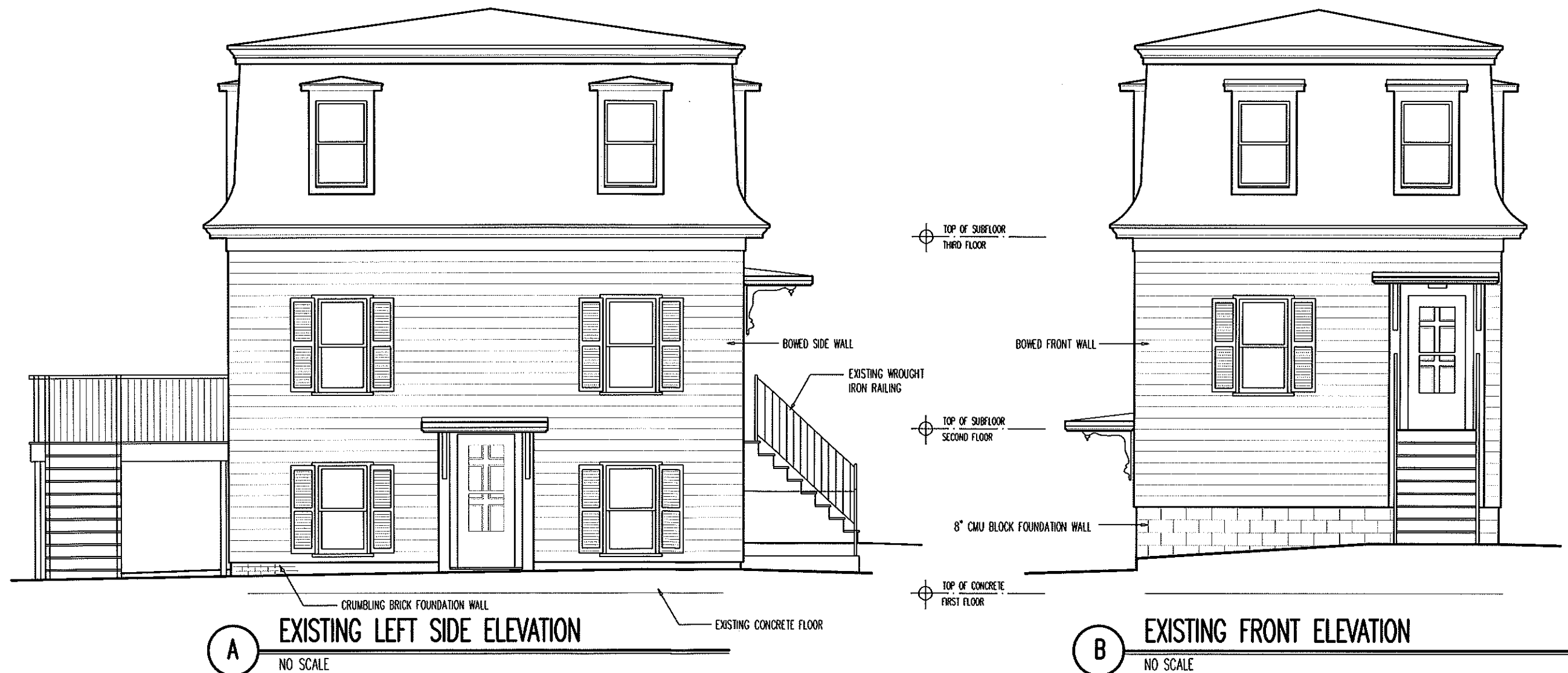
Four New Street, Newburyport, MA 01950

E info@JMAarchitects-ma.com T 978. 465. 2263

33 KINNAIRD STREET, CAMBRIDGE, MA  
PROPOSED RIGHT SIDE ELEVATION

MARCH 30, 2016

**A 6**



**A**

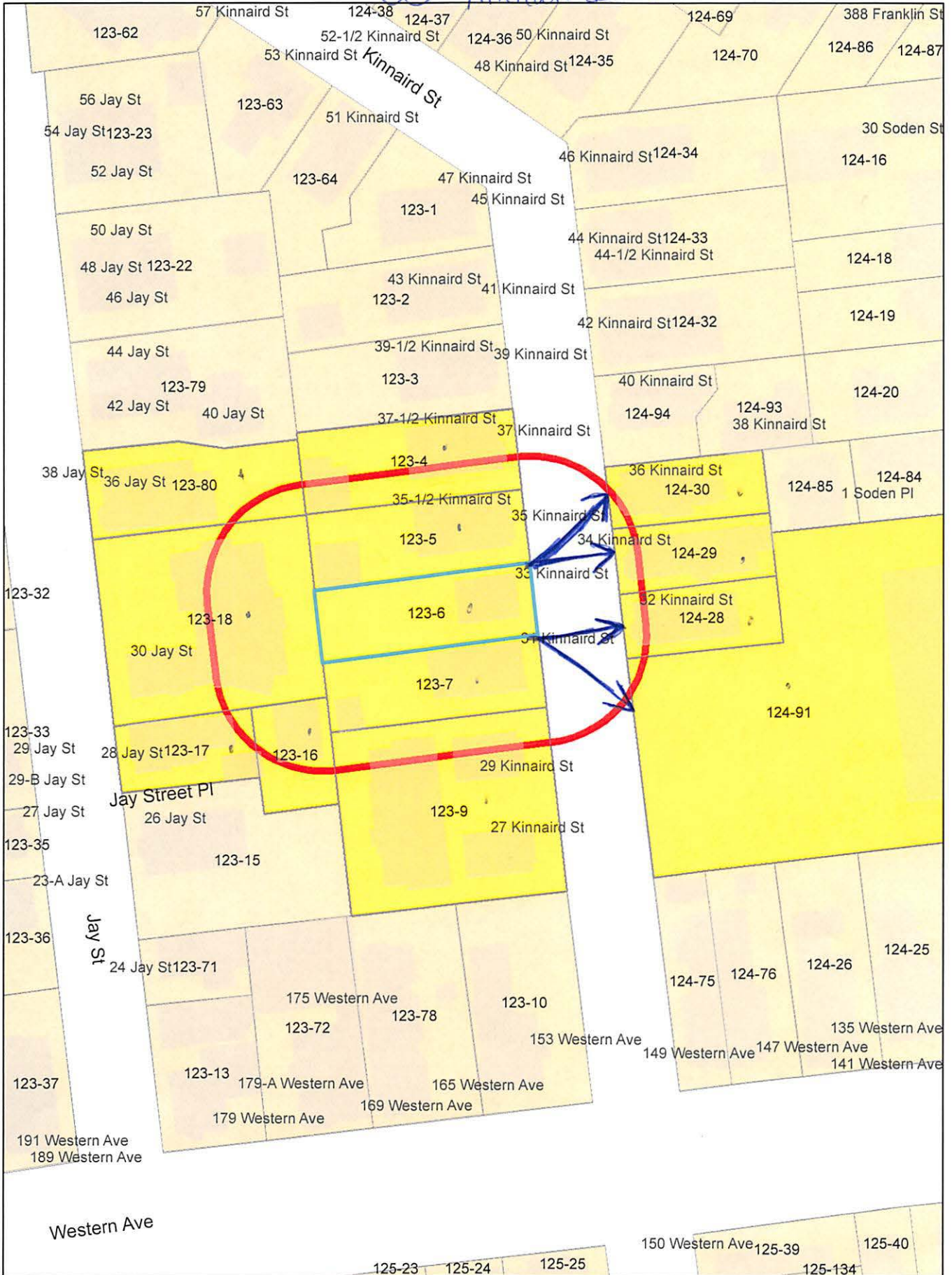
**EXISTING LEFT SIDE ELEVATION**  
NO SCALE

**B**

**EXISTING FRONT ELEVATION**  
NO SCALE



33 Kinnaird St.



33 Kinnaird St.

*Petitioner*

123-4  
COHEN, DAVID  
37 KINNAIRD ST  
CAMBRIDGE, MA 02139

123-5  
TS KINNAIRD, LLC.  
38 WEBB ST  
LEXINGTON, MA 02420

SEAN D. HOPE, ESQ.  
675 MASS AVENUE – 5<sup>TH</sup> FL.  
CAMBRIDGE, MA 02139

124-29  
KINNAIRD ST. ASSOCIATES, LLC  
34 KINNAIRD ST.  
CAMBRIDGE, MA 02139

124-30  
LUCAS, LEONARD A. & SUSAN E. LUCAS  
36 KINNAIRD ST  
CAMBRIDGE, MA 02139

124-91  
FERRARO, ANTHONY L.  
TRUSTEE OF 10 SODEN ST. TRUST  
64 FLETCHER ROAD  
BELMONT, MA 02478

123-6  
DAILEY, WALTER J., A LIFE ESTATE  
33 KINNAIRD ST  
CAMBRIDGE, MA 02139

123-7  
TELINGATOR, CYNTHIA J.  
31 KINNAIRD ST  
CAMBRIDGE, MA 02139

123-9  
CARPENTER, THOMAS H. &  
NANCY WEILAND CARPENTER  
27-29 KINNAIRD ST., #1  
CAMBRIDGE, MA 02139

123-9  
MURPHY, MATTHEW T.  
27-29 KINNAIRD ST #5  
CAMBRIDGE, MA 02139

123-9  
KWOKA, JOHN E.  
27 KINNAIRD STREET., UNIT #6  
CAMBRIDGE, MA 02139

123-9  
SCHLISSEL, SCOTT J. & CAROLE VINCENT  
27-29 KINNAIRD ST. UNIT #2  
CAMBRIDGE, MA 02139

123-18  
RIGOPULOS, PETER C.  
30 JAY ST. UNIT#3  
CAMBRIDGE, MA 02139

123-18  
SONENBERG, JANET  
30 JAY ST. UNIT#1  
CAMBRIDGE, MA 02139

123-18  
KLAUSEN, JYTTE  
30 JAY ST. UNIT#2  
CAMBRIDGE, MA 02139

123-17  
MADRICK, ROBERT & DYLAN BLACK  
28 JAY ST  
CAMBRIDGE, MA 02139

123-9  
BRAITHWAITE, GAVIN J. C. &  
MARY ANGELA CARINI, TRUSTEE  
27 KINNAIRD ST., #3  
CAMBRIDGE, MA 02139

123-16  
MARSTALL, CHRIS B. & RACHEL C. CALDWELL  
1 JAY STREET PL  
CAMBRIDGE, MA 02139

124-28  
CANE, DAVID A. & ALETA FEINSOD CANE  
TRUSTEES, CANE FAMILY NOM TRUST  
32 KINNAIRD ST  
CAMBRIDGE, MA 02139

123-18  
SIGMAN, MICHAEL &  
CHRISTINE SIGMAN, TRUSTEES  
4899 MONTROSE BLVD, #1505  
HOUSTON, TX 77006

123-9  
DICKSON, LISA C.  
27-29 KINNAIRD ST., #4  
CAMBRIDGE, MA 02139

123-80  
WILSON, JUDITH C.  
A LIFE ESTATE  
36 JAY ST  
CAMBRIDGE, MA 02139