

BZA APPLICATION FORM
Plan No: BZA-013410-2017
GENERAL INFORMATION

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


SECTIONS OF ZONING ORDINANCE CITED :

| Article 5.000 | Section 5.31 (Table Dimensional Requirements). |
| :--- | :--- |
| Article 8.000 | Section $8.22 .2 . \mathrm{C}$ (Non-Conforming Structure). |

Original Signature(s) :


MAPC LeUChnER
(Print Name)
Address: 3 SODEN PL.
CAMBRDAE MA OEIB9
Tel. No.: $617475 \quad 5268$
E-Mail Address : $\qquad$
Date :
$=125 / 17$

## BRA 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 Marc Leuchner \& Courtney Mite
(OWNER)
Address: 3 Soden Place, Cambridge MA 02139

State that $I /$ We own the property located at 3 Soden Place, Cambridge MA 02139 which is the subject of this zoning application.

The record title of this property is in the name of Marc Leuchner \& Courtney Bite
*Pursuant to a deed of duly recorded in the date $11 / 28 / 00$, Middlesex South County Registry of Deeds at Book 48562 , Page 53 Middlesex Registry District of Land Court, Certificate No. $\qquad$ Book $\qquad$ Page $\qquad$ -

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


The above-name $\qquad$ personally appeared before me, this $17 \frac{\text { th }}{0}$ of $\frac{0 y}{0}, 2017$, and made oath that the above statement is true.

$\qquad$ Notary

My commission expires May 18, 2023 $\qquad$ (Notary Seal).

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


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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:

A literal enforcement of the setback provisions of Article 5.31 would not permit the petitioner to increase the pitch of the existing second floor roof to resolve a hazardous condition related to snow loading as well as, providing attic space for storage. The existing lot is unique to the fact that it is completely land locked, with an easement connecting the property to the street.
B) The hardship is owing to the following circumstances relating to the soil conditions, shape or to pograp hy of such lan d or str uctur es and especia lly affecting such land or structures but not affecting generally the zoning district in which it is located for the following reasons:

The hardship is directly related to unique nature of the lot. The pre-existing non-conforming lot does not meet current dimensional setback requirements. The new work will not impact or worsen the current non-conformity.
C) DESIRABLE RELIEF MAY BE GRANTED WITHOUT EITHER :

1) Substantial detriment to the public good for the following reasons: The project as described above will allow for a young Cambridge family, which has recently grown to include two young childreno continue to live in Cambridge, as such will add value to the community they have been a part of for the past $10+$ years. In addition, the exterior improvements of the house will be more attractive and help to promote a thriving neighborhood. The proposed work will also alleviate safety concerns for Leuchneand the neighbors.
2) Relief may be granted without nullifying or substantially derogating from the intent or purpose of this Ordinance for the following reasons:

The proposed changes does not put any part of the current structure closer to the lot line or worsen the non-conformity. By increasing the house vertically, as proposed, it will create a steeper pitched roof to resolve currently hazardous snow loading conditions. The proposed increase in height will still be 7 feet lower than the allowed height in the ci zoning district.

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

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 3 Soden Place (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 land locked nature of the house, and existing setbacks do not allow for requirements of the ordinance to be met. The proposed project does not further worsen the ordinance.
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 project is a vertical extension of the existing house, the foot print does not enlarge, therefore no changes in the access or egress would be affected. Over all the new addition will provide more benefit to the neighboorhood as the house will be more attractive.
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:

No portion of the proposed project will further restrict any adjacent uses as permitted in the Zoning Ordinance, as the proposed project does not put any part of the current structure closer to the lot line or worsen the existing non-conformity.
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 project resolves an existing hazard, by making the current low sloped roof steeper. This will help mitigate against hazardous snow loading conditions.
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 project does change the existing use, nor does it put any part of the structure closer to the lot line or worsen the existing non conformity
(ATTACHMENT B - PAGE 6)

## BZAAPPLICATION FORM

## DIMENSIONAL INFORMATION



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, S ECTION 5.30 (DISTRICT OF DIMENSIONAL REGULATIONS) .
2. TOTAL GROSS FLOOR AREA (INCLUDING BASEMENT $7^{\prime}-0^{\prime \prime}$ 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'.


BOARD OF ZONING APPEAL 831 MASSACHUSETTS AVENUE CAMBRIDGE, MA 02139

617 349-6100
BZA APPLICATION FORM
Plan No: BZA-013410-2017
GENERAL INFORMATION

The undersigned hereby petitions the Board of Zoning Appeal for the following :
Special Permit : $\qquad$ Variance : $\quad \mathrm{V}$
Appeal : $\qquad$
PETITIONER: Christopher Vance
PETITIONERS ADDRESS : $\qquad$ 1 Cherry Street Wenham, MA 01984
LOCATION OF PROPERTY : 3 Soden Place Cambridge, MA 02139-3103
TYPE OF OCCUPANCY :
Residence
ZONING DISTRICT : Residence C-1 Zone
REASON FOR PETITION :
Additions
DESCRIPTION OF PETITIONER'S PROPOSAL :
We are seeking relief in the form of variance to raise the current roof by eighth feet. We are also looking to add two new exterior windows. The current residence is a pre-existing nonconforming structure. The proposed changes would not be substantially more detrimental to the neighborhood.

SECTIONS OF ZONING ORDINANCE CITED :

| Article $\frac{5.000}{}$ | Section $5.31 \quad$ (Table Dimensional Requirements). |
| :--- | :--- |
| Article 8.000 | Section $8.22 .2 . C \quad$ (Non-Conforming Structure). |

Original Signature (s) :


MARE LEVCVINEL
(Print Name)
Address: 3 LODEN PL
CAMBRIDGE MA QU I 35
Tel. No.: $\quad 617 \quad 475 \quad 5268$
E-Mail Address : $\qquad$
Date: 5/25/17


(1) $\frac{02 \text { SECOND FLOOR NEW PLAN }}{\text { Scale: } 1 / 14^{\prime}=1-0^{\prime \prime}}$

(3) 03 ATTIC FLOOR

(2) $\frac{02 \text { SECOND FLOOR DEMO PLAN }}{\text { Scae: } 14^{\prime \prime} 11^{1.0}}$




## FAR CALCULATION

Cambridge Zoning Ordinance Definitions:
Floor Area Ratio. The ratio of gross floor are
Floor Area Gross. The sum, in square feet, of the gross horizontal areas of all floors of a building, as measured from the exterior walls $[$ except in $(8)$ and $(9)$ below
where onlly interior space shall be measured and in $(h)$ where the area of the parking facility shall be measured] of a building or the centerine
wit party where only
buidings.
Gross Floor Area shall include:
(a) roofed porches and ballonies whether enclosed or unclosed;


 (e) intiterior balconies, mezzanines, and penthousess,
(f) basement and cellar areas not excluded in (1), (3), and (9) below;


## Gross Floor Area shall not include: (1) areas used tor oft street loading purposes;

1) areas used tor of strieet loading purposes;
(2) area of papkring facilities in thtucturus ocaced underground and the area of on grade open parking spaces outside the builing footprint a tor below the maximum (3) basementit and ceillar rareas devoteded to tore operations and maintenanance of the building such as heating and cooling equipment, electrical and telephone facilities, and tuel storage;
(4) open and latice-work fire escapes:

(6) altic space and other raeas devoted to e elevator macchiniryorrmechanical equipment necessary for the operation of the builing, including sustainable mechanical
systems and related equipment and chases tor systems including, but not linited to, solar energy systems, geothermal systems and heat pumps, solar hot water





 22.40 of this Zoning Ordinance; and
$(13)$ space directly beneath overnangs, eaves, awnings, pergolas, arbors, trellises or other sunshading devices, in accordance with the regulations in Section 22.50 a
 In a auiding with more than two floors, the area of each floor level of any interior courtyard
than forty (40) (eet in any direction shall be includuded unless twenty (20) percent or more


PROPOSED BASEMENT


NEW FAR
Total gross area / Total lot size

$=1,614 \mathrm{SF} / 1,623=99.4 \%$ (NON COMPLIANT)


SECOND FLOOR


ZONE CLASSIFICATION - C1-RESIDENTIAL MAXIMUM FLOOR AREA RATIO O.75- NOT COMPLIANT
MNMMUM LOTSIZ $=5,000$ SF-NOT COMPLAANT MNMMM LOT WDTH $=50$ FT- NOT COMPLLANT
MIMMUM FRONTYARD



ZONING SITE PLAN

## OPEN SPACE CALCULATION

Usable Open Space
The part or parts of alot or structure which are reserved for the use of
occupants of a buididing which is used wholly or in part for residential
Occupants of a building which is used wholly, orin part, for resididntial purposes. This
space shall have minimum dimensions as prescribed in the Ordinance, shall exclude parking areas,
drivevays and walkways, and shall be open and unobstructed to the shy. Tress, plantings
arbor, ences, flagopoles, sculpture, fountains and recreational and drying apparatus and
sibl simiar objects shall not be conside ered obstructions when located within a private open
space Tothe extent permited in thtis Ordinance, balconies and roof areas may also be
5.22 - Private Open Space.
5.22 - Priva
5.22 .1
Pivate open space shall be provided on every lot sused for residential purposess
except tor those in the Cambiridge Center MXD Distict, and shall be a percee exxeept or thonse in the Cambridge Center MXD District, and shall be e perercentage of
the lo area as set torth in Section 5.31 . An area designated as private open space
 balconies, and may not have a slope greater than ten (10) percent. With the
excepion of balcony a reas, private open space shall be accessible to all occu


 calculated as private
private open space.

Soecial Reauirements in Residence $\mathrm{A}-1, \mathrm{~A}-2, \mathrm{~B}, \mathrm{C}$, and $\mathrm{C}-1$
At eass fitty ( 50 ) percent of the ree


Usable
Area
Total Private Open Space (0. sff) + Permeable Open Space ( 0 s
$=$ Total Usable Open Space (0 st)
Lot Size (1630 sf)
Total Open Space $=0$ sf $/ 1630$ sf $=0 \%$
$\qquad$











Dr. Louis A. Ferraro
Ferraro Realty Management, Inc.
10 Soden Street
Cambridge, MA 02139
April 14, 2017

Marc Leuchner and Courtney Hite
3 Soden Place/14R Soden Street
Cambridge, MA 02139

Dear Marc and Courtney:
I am writing this letter to express my full support for your pending construction project. Thank you for taking the time to review the proposed drawings as well as answering all of my questions about the project. I am convinced the scope of this project is appropriate and will benefit our neighborhood. I look forward to being kept informed as the project moves forward. Please feel free to share this letter of support with the City of Cambridge should they need confirmation of our support.


Dr. Louis A. Ferraro

May 7, 2017
Ray and Roberta Pina
13 Soden Street
Cambridge, MA 02139
Dear Cambridge Zoning Board,
We have discussed Marc and Courtney's plans for renovations to their house at 3 Soden Place, and we support the proposed plans.

We have known Marc and Courtney for the past 10+ years and they have been wonderful neighbors. We have come to know each other's' families well and we often rely on each other as neighbors. Their family is an asset to our neighborhood, which our family has been a part of for the past $80+$ years.

That said, we understand that the proposed renovations, particularly their request to raise the existing roof line, will prevent several problems that they've had with their house over the time they've lived there. We have experienced, first hand, some of the snow and ice problems that they've endured, such as the sheets of ice that currently build up and then slide off the roof, and have been there to supervise as Marc has gotten on the roof in the middle of the winter to shovel off the roof (often multiple times a winter).

We hope that their plans for renovation are approved and that the troubles they've had with the house since they moved in can be alleviated.

Thank you,

## 14 Soden St

Cambridge, MA 02139

Mar 31, 2017

To whom it may concern:
We are the owners and residents of 14 Soden Street and additionally we own 1 Soden Place. We are the neighbors of Marc Leuchner and Courtney Hite who own and reside at 3 Soden Place.

We support any necessary variance so that Marc and Courtney can increase the pitch of their roof, because the current roof creates an unsafe situation where snow and ice can build up and then suddenly release in a dangerous avalanche. We want our neighbors and their two small children to be safe!

Additionally Marc and Courtney have been proactive in communicating their plans, which we appreciate. Given the safety issue here, and that small children reside at 3 Soden Place, and that the house is not going to change substantially in appearance, we hope that the City of Cambridge will grant whatever variance is appropriate.

Sincerely,

617-733-8187
frederickhill@acm.org

Susan Bueti Hill
617-999-9384
suebue@yahoo.com

# Robert and Wynne Freed <br> 16 Soden Street <br> Cambridge, MA 02139 

April 7, 2017

To Whom It May Concern,
My wife Wynne and I are direct abutters who live next door to Marc Leuchner and Courtney Hite (3 Soden Place) at 16 Soden Street. Given that both of our homes are set back from the street, our properties are in very close proximity.
We have seen the drawings and write to support the plans put forth by Marc and Courtney, particularly as it relates to the exterior work and increasing the pitch of the roof.

Thank you for your consideration,


Robert Freed

Support provided by:
Rajiv and Miriam Manglani

36 Kinnaird Street
Cambridge, MA 02139

## Courtney Hite [courtney.e.hite@gmail.com](mailto:courtney.e.hite@gmail.com)

## Re: kinnaird

Rajiv Aaron Manglani [rajiv@alum.mit.edu](mailto:rajiv@alum.mit.edu)
Sun, May 7, 2017 at 11:53 AM
To: Courtney Hite [courtney.e.hite@gmail.com](mailto:courtney.e.hite@gmail.com)
hi courtney. miriam and i certainly do not oppose your plans as reviewed. feel free to include this email with your submission. good luck with the construction!
thanks,
rajiv

On Mon, Apr 24, 2017, at 01:43 PM, Courtney Hite wrote:
Hi Rajiv and Miriam,
So, we are now FINALLY ready to submit our plans to the city, after getting the paperwork in order. Just wanted to check in to see if you might be comfortable providing a letter of support?

Let me know if you have any questions or thoughts prior to our official submission.
Thanks!
Courtney
On Wed, Apr 5, 2017 at 4:13 PM, Courtney Hite [courtney.e.hite@gmail.com](mailto:courtney.e.hite@gmail.com) wrote:
Hi Rajiv and Miriam,
Hope your week is going well!
I wanted to let you know that we have spoken with all immediate neighbors and it seems that we have a nod of approval from everyone on our renovation plans!

We expect to submit the plans to the city next week and believe we will be put on an agenda for the zoning board in a few month's time. Along with our plans, we would really like to include letters of support from all immediate abutters, to show the city as they begin their review of our plans that we have spoken with neighbors and that there is no opposition. I'm wondering if you would be open to providing a letter of support?

If so, I have attached a draft letter, but you can certainly alter it however you would like.
We'll continue to keep you posted with any major updates.
Thanks very much!
Courtney
617-369-2819
On Wed, Mar 22, 2017 at 11:03 PM, Rajiv Aaron Manglani [rajiv@alum.mit.edu](mailto:rajiv@alum.mit.edu) wrote: hi courtney and marc. thanks for your note.
we would love to see your plans for the house. are you available around 5 pm on sunday? you could stop by with your kids. our daughter is 8 and we have twin boys who are 4.
looking forward to connecting.
thanks,

```
rajiv
617-792-2892
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Emily and Jeremy Zasowski
38 Kinnaird Street \#2
Cambridge MA, 02139

March 3, 2017

To whom it may concern,
We write in support of the proposed plans related to 3 Soden Place, Cambridge, MA. Our understanding is that the plans to raise the pitch of the existing roof will alleviate long-standing problems that home owners, Marc and Courtney, have faced with water, ice, and snow. We view this request as reasonable and of minimal impact to ourselves, despite the close proximity of our two residences.

We also have no objection to the proposed addition of windows included in their plan; this has no impact on us.

Marc and Courtney are great neighbors and we hope that you find their request for improvement as understandable and reasonable as we do.

Kind regards,


Emily Zasowski and Jeremy Zasowski

Devon \& Hillary Bush
38 Kinnaird \#3
Cambridge, MA 02139

Marc Leuchner and Courtney Hite
3 Soden Place/14R Soden Street
Cambridge, MA 02139

Dear Marc and Courtney:
We are writing this letter to express full support for your pending construction project. Thank you for taking the time to review the proposed drawings as well as answering our questions about the project. As immediate neighbors with window views of the property, we agree the project is appropriately scoped and will not have undue impact. We appreciate your commitment to preserving and enhancing the neighborhood, and look forward to being kept informed as the project moves forward. Please feel free to share this letter of support with the City of Cambridge should they need confirmation of our support.

Sincerely,

## 38 Kinnaird St. \#1

Cambridge, MA 02139
April 11, 2017
Marc Leuchner and Courtney Hite
3 Soden Place/14R Soden Street
Cambridge, MA 02139
Dear Marc and Courtney:
We are writing to express our support for your home construction project as detailed to us in our meeting several weeks ago and in the drawings you've shared with us. We appreciate your meeting with us and answering our questions. We also appreciate the plan to work on your foundation in such a way as to minimize potential impact on our own nearby foundation. We are pleased that a change in the pitch of the roof will provide greater safety by reducing the risk of falling ice and snow. We know that you will continue to keep us informed as the project moves forward. Please do feel free to share this letter with the City of Cambridge if they would like confirmation of our support.

Sincerely yours,
David Laurila
Karen Turley


## 124-20

AHMED, MOHAMMED IQBAL
1 SOLOMON PIERCE RD
LEXINGTON, MA 02420

124-24
ANZALONE, JAMES E.
127 WESTERN AVE CAMBRIDGE, MA 02139

## 124-28

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

## 124-32

MEYERSON, HARVEY
715 CHESAPEAKE AVE
SILVER SPRING, MD 20610

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124-84
HILL, FREDERICK HUGH
14 SODEN ST
CAMBRIDGE, MA 021
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## 124-93

TURLEY, KAREN K. \& DAVID LAURILA
38 KINNAIRD ST., \#1
CAMBRIDGE, MA 02139

## 124-94

PAKSTIS, SARAH
C/O MINIKEL, ERIC \& SONIA VALLABH 40 KINNAIRD ST., UNIT 1
CAMBRIDGE, MA 02139

## 124-20

FREED, ROBERT J. \& WYNNE L. FREED 16 SODEN ST \#3
CAMBRIDGE, MA 02139

## 124-19

GILBERT, STEVEN M. \& JEFFREY B. GILBERT 18-20 SODEN ST., UNIT \#2
CAMBRIDGE, MA 02139

124-20
STEELE, CHRISTINA B.
16 SODEN ST \#2
CAMBRIDGE, MA 02139

124-25
BLUEPOWER, LLC
55 HAGAN RD
NEWTON, MA 02459

## 124-29

KINNAIRD ST. ASSOCIATES, LLC
34 KINNAIRD ST.
CAMBRIDGE, MA 02139

124-75-76
GOUGHRABOU, AHMED \&
LATIFA GOUGHRABOU
149 WESTERN AVE CAMBRIDGE, MA 02139

## 124-85

LEUCHNER, MARC \& COURYNEY HITE 14R SODEN ST CAMBRIDGE, MA 02139

## 124-93

SPARKES, MATTHEW K. \& SUSAN P. SPARKES 38 KINNAIRD ST., UNIT \#2
CAMBRIDGE, MA 02139

124-94
SLUYTER, SUSAN B.
40 KINNAIRD ST., \#2
CAMBRIDGE, MA 02139

VANCE WILLIAMS ARCHITECTS C/O CHRISTOPHER VANCE 1 CHERRY STREET WENHAM, MA 01984

MARC LEUCHNER \& COURTNEY HITE 3 SODEN PLACE CAMBRIDGE, MA 02139

124-26
QUIGLEY, GARY J.
141 WESTERN AVE
CAMBRIDGE, MA 02139

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

124-19
WINE, PAMELA R.
20 SODEN ST., UNIT\#3
CAMBRIDGE, MA 02139

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

124-93
BUSH, DEVON M. HILLARY J. HURST 38 KINNAIRD ST, \#3
CAMBRIDGE, MA 02139

124-94
DING, SZE HOAY
40 KINNAIRD ST, \#3
CAMBRIDGE, MA 02139

