



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

BZA APPLICATION FORM

Plan No: BZA-013707-2017

GENERAL INFORMATION

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

Special Permit : \_\_\_\_\_ Variance :   v   Appeal : \_\_\_\_\_

PETITIONER : Joseph Rose & Danielle Mishkin

PETITIONER'S ADDRESS : 72 Spring Street Cambridge, MA 02141

LOCATION OF PROPERTY : 72 Spring St Cambridge, MA

TYPE OF OCCUPANCY : Two Family Residence ZONING DISTRICT : Residence C-1 Zone

REASON FOR PETITION :  
Additions

**DESCRIPTION OF PETITIONER'S PROPOSAL :**

Petitioner requests Variance relief to add 55 SF dormer to back side of attic that exceeds allowable FAR and to construct an egress area, stairs and door partially within the side yard setback. Proposed dormer adheres to Cambridge's Design Guidelines for Dormers.

**SECTIONS OF ZONING ORDINANCE CITED :**

Article 5.000 Section 5.31 (Table of Dimensional Requirements).  
 Article 8.000 Section 8.22.3 (Non-Conforming Structure).  
 Article 10.000 Section 10.30 (Variance).

Original Signature(s) : *Joseph Rose / Danielle Mishkin*  
 (Petitioner(s) / Owner)  
JOSEPH ROSE / DANIELLE MISHKIN  
 (Print Name)

Address : 72 SPRING ST  
CAMBRIDGE, MA 02141  
 Tel. No. : 617.438.6324  
 E-Mail Address : CAMBRIDGEMOXIE@YAHOO.COM

Date : 26 JUNE 2017

**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 Joseph Rose and Danielle Mishkin  
(OWNER)

Address: 72 Spring Street, Cambridge, MA 02141

State that I/We own the property located at 72 Spring St, Cambridge, MA 02141 which is the subject of this zoning application.

The record title of this property is in the name of Joseph Rose and Danielle Mishkin

\*Pursuant to a deed of duly recorded in the date 3/3/2016, Middlesex South County Registry of Deeds at Book 66884, Page 196; or Middlesex Registry District of Land Court, Certificate No. \_\_\_\_\_ Book \_\_\_\_\_ Page \_\_\_\_\_.

Joseph Rose Danielle Mishkin  
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 MIDDLESEX

The above-name JOSEPH ROSE & DANIELLE MISHKIN personally appeared before me, this 5 of MAY, 2017, and made oath that the above statement is true.

Diana Kotsur Notary

My commission expires \_\_\_\_\_  
DIANA KOTSUR  
Notary Public (Notary Seal).  
Commonwealth of Massachusetts  
My Commission Expires Dec. 26. 2019



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

**BZA APPLICATION FORM**

**DIMENSIONAL INFORMATION**

APPLICANT: SHED Studio PRESENT USE/OCCUPANCY: Residence

LOCATION: 72 Spring St Cambridge, MA ZONE: Residence C-1 Zone

PHONE: \_\_\_\_\_ REQUESTED USE/OCCUPANCY: Residence

	<u>EXISTING</u> <u>CONDITIONS</u>	<u>REQUESTED</u> <u>CONDITIONS</u>	<u>ORDINANCE</u> <u>REQUIREMENTS</u> <sup>1</sup>	
<u>TOTAL GROSS FLOOR AREA:</u>	<u>2088</u>	<u>2143</u>	<u>1875</u>	(max.)
<u>LOT AREA:</u>	<u>2500</u>	<u>2500</u>	<u>5000</u>	(min.)
<u>RATIO OF GROSS FLOOR AREA</u> <u>TO LOT AREA:</u> <sup>2</sup>	<u>0.84</u>	<u>0.86</u>	<u>0.74</u>	(max.)
<u>LOT AREA FOR EACH DWELLING UNIT:</u>	<u>834</u>	<u>834</u>	<u>1500</u>	(min.)
<u>SIZE OF LOT:</u>				
WIDTH	<u>25'</u>	<u>25'</u>	<u>50'</u>	(min.)
DEPTH	<u>100'</u>	<u>100'</u>	<u>N/A</u>	
<u>SETBACKS IN FEET:</u>				
FRONT	<u>7'</u>	<u>7'</u>	<u>10'</u>	(min.)
REAR	<u>43'</u>	<u>43'</u>	<u>20'</u>	(min.)
LEFT SIDE	<u>3'10"</u>	<u>4'2"</u>	<u>7'6"</u>	(min.)
RIGHT SIDE	<u>N/A</u>	<u>N/A</u>	<u>7'6"</u>	(min.)
<u>SIZE OF BLDG.:</u>				
HEIGHT	<u>32'6"</u>	<u>32'6"</u>	<u>35'</u>	(max.)
LENGTH	<u>49'</u>	<u>49'</u>	<u>N/A</u>	
WIDTH	<u>21'8"</u>	<u>21'8"</u>	<u>N/A</u>	
<u>RATIO OF USABLE OPEN SPACE</u> <u>TO LOT AREA:</u>	<u>53%</u>	<u>48%</u>	<u>30%</u>	(min.)
<u>NO. OF DWELLING UNITS:</u>	<u>2</u>	<u>2</u>	<u>2</u>	(max.)
<u>NO. OF PARKING SPACES:</u>	<u>0</u>	<u>0</u>	<u>2</u>	(min./max)
<u>NO. OF LOADING AREAS:</u>	<u>0</u>	<u>0</u>	<u>N/A</u>	(min.)
<u>DISTANCE TO NEAREST BLDG.</u> <u>ON SAME LOT:</u>	<u>N/A</u>	<u>N/A</u>	<u>N/A</u>	(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).
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**

**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:

Dormer: Due to small lot size, existing FAR results in a very small footprint and small dwelling units which result in very small and insufficient living space for a family. The additional 55 s.f. resulting from the dormer on the 3rd floor will allow for an additional bedroom. The owner would like to dormer the roof to provide for a growing family and there not being adequate height clearance in the attic space. Dormer will provide windows, natural ventilation, needed height and allow for a shower for upstairs so as not have to go downstairs to use joint bathroom.

Stairs: Current egress from 2nd floor is through exit window. Additional stair and egress area provides a safer means of exiting from 2nd floor. There is a slight encroachment into the side setback (still within the building footprint). The owner would like to have safe egress from the 2nd floor dwelling unit and access to the outdoor space. The narrow lot size, existing lot-line construction and small lot area provide little conforming area to work within.

- 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 existing 2-family structure is an attached row house with near lot line construction on three sides with little room for egress. The structure is currently a non-conforming structure and therefore any modification requires zoning relief. The small size and dimensions of the existing lot and the townhouse configuration provide limited room for expansion within existing ordinance requirements.

Adding the proposed dormer will not affect the site whatsoever. Existing soil, topographical and shape conditions will remain intact. It is top of the building that will be integrated with a tasteful and non-offensive dormer.

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

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

Dormer: Several of the adjacent property owners already have dormer additions. The dormer is within the current footprint, adheres the Cambridge dormer guidelines, is consistent with abutting dormers in the row and will have no impact (light or privacy) on the abutting residences who support the plans. It will not be visibly noticeable from the street and is consistent with abutting dormers. With that being said, angles from which the dormer is visible, will reveal a fluid extension of the existing structure.

Stair: The new stair/egress area remains within the current sideyard setback - situation is not made worse. The proposed egress will secure safety from fire and provide better privacy screening for owner and neighbors. All other houses within the row have larger decks leading to back or side yards.

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

The requested relief is well within precedents already set by the Ordinance at other properties, including neighboring and adjacent properties. Being such a modest alteration, the dormer's integration into the building would not substantially derogate the intent of this ordinance. It will only be adding on 56 SF, it will not add more occupancy, its intent is merely to maximize head room and allow for a bathroom in an existing bedroom. It will provide more light and air.

The proposed egress is located against the existing house, provides additional privacy, secures safety from fire, provides more light and air, and promotes outdoor use and access to the back yard.

**\* 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 72 Spring 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:  
The proposed stair/egress area does not exceed current encroachment of the building into the side yard setback
- 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 addition is in the rear of the property and will not cause any change to the front of the building
- 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 stair/egress area does not exceed current encroachment of the building into the side yard setback, thus the existing situation is not made any worse due to the proposed addition. The design includes a privacy screen thus further mitigating the impact on the neighboring property
- 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 stair/egress area improves the safe exiting of residents of the proposed use. It will not have any detrimental impact on the neighbors or citizens of the City since it does not encroach or negatively affect their safety or welfare
- 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:



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2017 JUN 27 PM 12: 39

BZA APPLICATION FORM

Plan No: BZA-013707-2017

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TYPE OF OCCUPANCY : Two Family Residence ZONING DISTRICT : Residence C-1 Zone

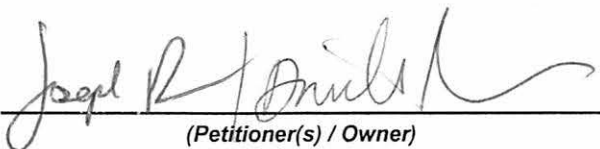
REASON FOR PETITION :  
Additions

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**SECTIONS OF ZONING ORDINANCE CITED :**

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Original Signature(s) :   
 (Petitioner(s) / Owner)  
JOSEPH ROSE / DANIELLE MISHKIN  
 (Print Name)

Address : 72 SPRING ST  
CAMBRIDGE, MA 02141

Tel. No. : 617.438.8324

E-Mail Address : CAMBRIDGEMOXIE@YAHOO.COM

Date : 26 JUNE 2017

# ROSE RESIDENCE

## DORMER ADDITION

### 72 SPRING STREET

### CAMBRIDGE, MA

**DESCRIPTION OF WORK**  
 NEW DORMER ADDITION AND EXTERIOR STAIR FROM SECOND FLOOR TO REAR YARD

**OWNER:**  
 JOSEPH ROSE & DANIELLE MISHKIN  
 72 SPRING STREET  
 CAMBRIDGE, MA  
 (617)438-0324

**ARCHITECT:**  
 SHED STUDIO  
 113 HAMPSHIRE STREET  
 CAMBRIDGE, MA 02139  
 RASHMI RAMASWAMY  
 (312)731-4832

### DRAWING INDEX

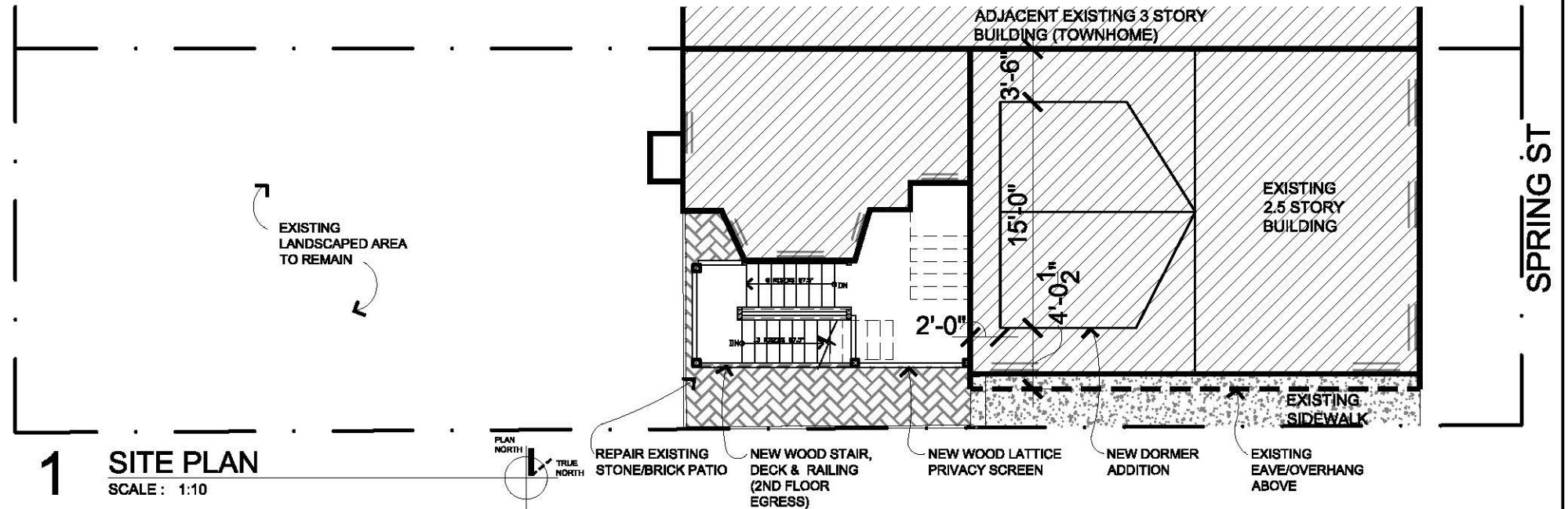
- ARCHITECTURAL**
- T.1 TITLE SHEET, SITE PLAN, PROJECT DATA, SCOPE OF WORK
  - A.1 PARTIAL SECOND FLOOR PLAN & STAIR
  - A.2 THIRD FLOOR/DORMER PLAN
  - A.3 EXTERIOR ELEVATIONS
  - A.4 EXTERIOR RENDERINGS, PHOTOS

**NOTE: DRAWINGS SHEET SIZE IS 11X17. IF DRAWINGS ARE PRINTED OUT AT A DIFFERENT SIZE, DRAWING SCALE SHOULD BE ADJUSTED**

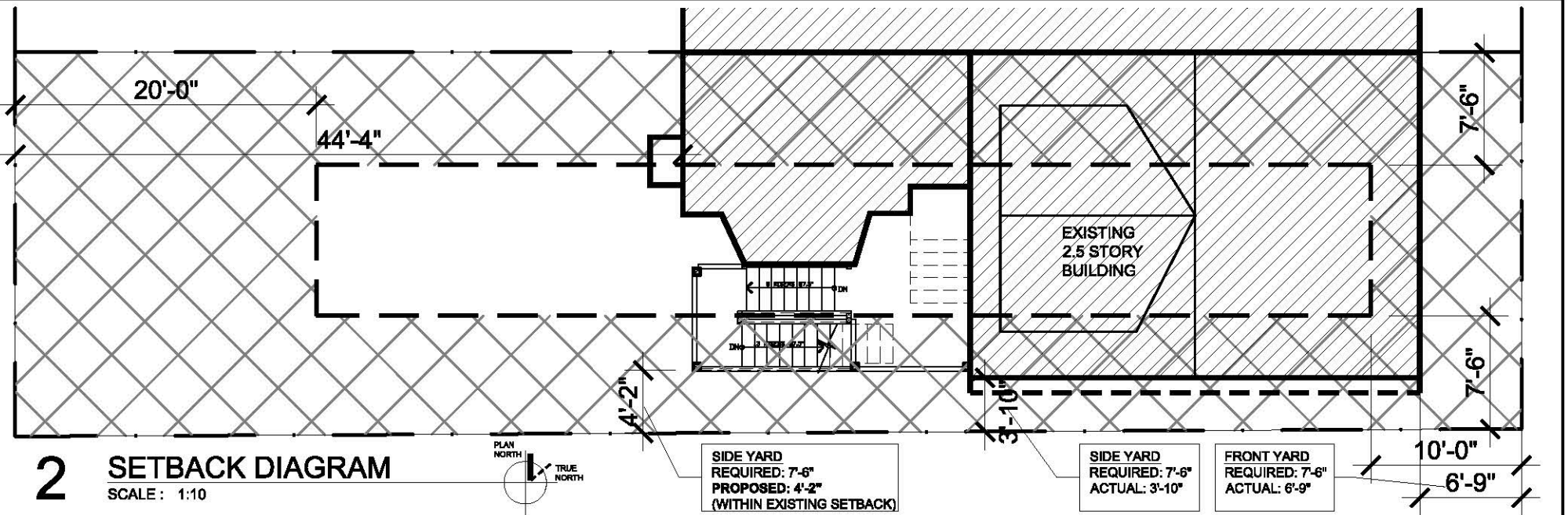
### PROJECT DATA

- APPLICABLE CODES:**
- CITY OF CAMBRIDGE ZONING ORDINANCE
  - CITY OF CAMBRIDGE DESIGN GUIDELINES FOR ROOF DORMERS
  - INTERNATIONAL BUILDING CODE 2009
  - 780 CMR - MA AMENDMENTS TO IBC, 8TH EDITION
  - 248 CMR MA UNIFORM PLUMBING CODE
  - 527 CMR - MA FIRE PREVENTION REGULATIONS
  - 521 CMR- ARCHITECTURAL ACCESS BOARD STANDARDS

- EXISTING DATA:**
- 2-STORY BUILDING WITH ATTIC
  - CONSTRUCTION TYPE: 5A



**1 SITE PLAN**  
 SCALE: 1:10



**2 SETBACK DIAGRAM**  
 SCALE: 1:10

### ZONING SUMMARY

**EXISTING:**  
 ZONE: C-1  
 USE: RESIDENTIAL (2 FAMILY)

**PROPOSED:**  
 NO CHANGE IN USE

	Lot area	Lot area/dwelling unit	Gross Floor Area	Min Lot width	Frontage	F.A.R	Height	Private Open space	Setbacks			Parking	Remarks
									Front Yard	Side Yard	Rear Yard		
Ordinance	5,000	1,500	1,875	50'	20'	0.75	35'	15'x15' 225sf/unit	10'	7'-6"	20'	1/unit	
Existing	2,500 (note #1)	2,500 (note #1)	2,088 (note #1)	25' (note #1)	25'	0.84 (note #1)	32'-0"	540 s.f. /unit	6'-9" (note #1)	3'-10" (R) 0'-0" (L) (note #1)	44'-6"	0 (note #1)	1. Existing FAR is non conforming 2. Existing Building encroaches into side yard setback
Proposed	no change	no change	2,143 (note #2)	no change	no change	0.88 (note #2)	32'-5" (30'-0" dormer)	no change	no change	4'-2" (R) 0'-0" (L) (note #2)	no change	no change	1. Proposed FAR is non conforming (slight increase from existing) 2. Proposed rear stair is within the Existing Building footprint/encroachment into side yard setback

- Notes:**
1. Existing non-conforming
  2. Proposed, non-conforming

**ZONING REVIEW**  
 06.05.17

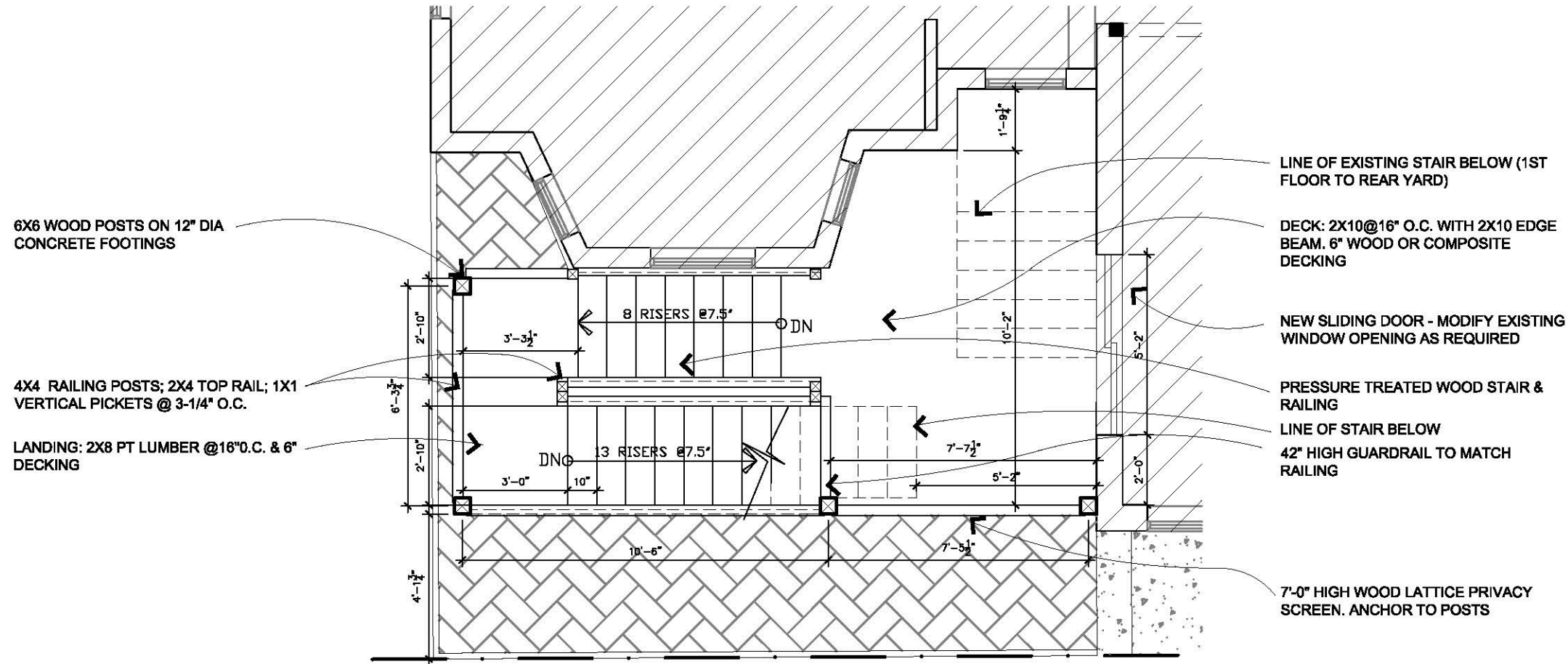
**SHED**  
 STUDIO  
 113 Hampshire Street  
 Cambridge MA 02139  
 (312)731.4832

**ROSE RESIDENCE**  
 72 SPRING STREET  
 CAMBRIDGE, MA

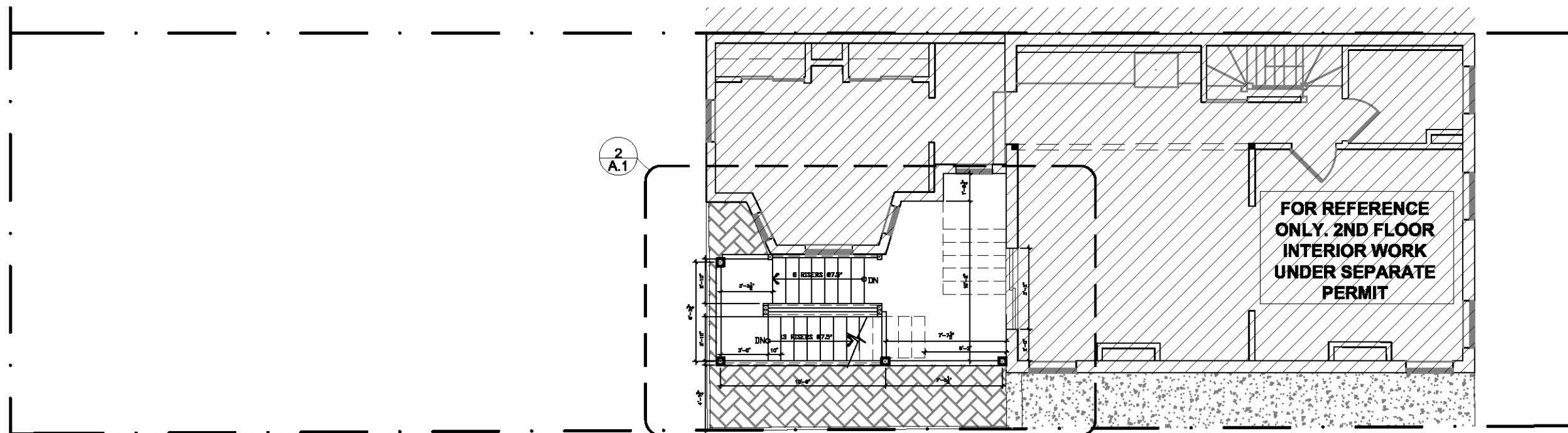
DATE: 06.07.17  
 BY: RR

**T.1**





**2** ENLARGED PLAN AT STAIR  
SCALE: 1/4"=1'-0"



**1** SECOND FLOOR OVERALL PLAN  
SCALE: 1/8"=1'-0"

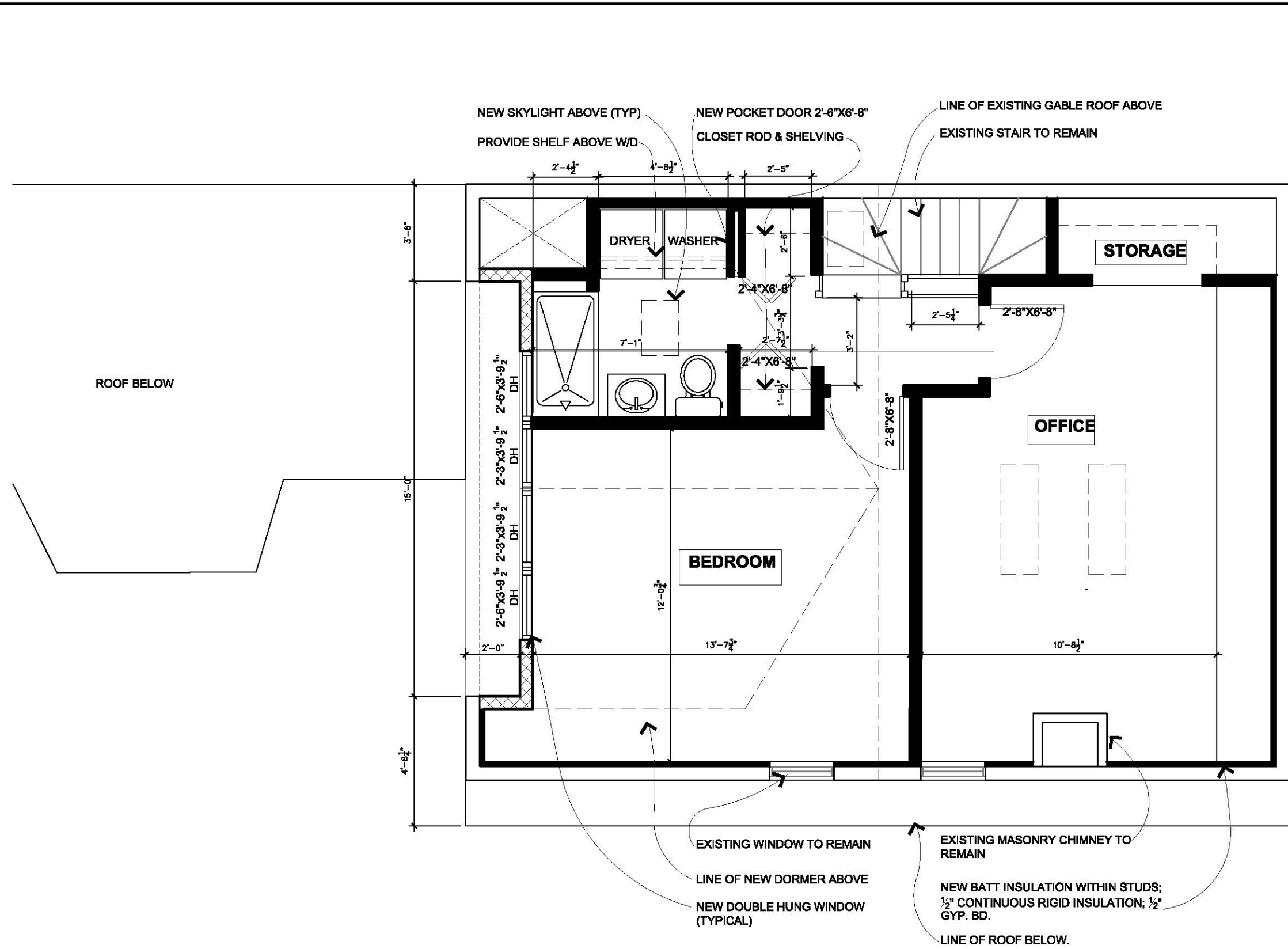
**NOTES**

**SHED**  
STUDIO  
113 Hampshire Street  
Cambridge MA 02139  
(312)731.4832

ROSE RESIDENCE  
72 SPRING STREET  
CAMBRIDGE, MA

DATE: 06.07.17  
BY: RR

**A.1**



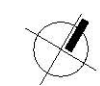
**LEGEND**

- EXTERIOR WALL:  
 -SIDING TO MATCH  
 EXISTING  
 -PLYWOOD SHEATHING  
 -2X6 STUDS @ 16" O.C.  
 -THERMAL INSULATION WITHIN STUDS  
 1/2" GYP BD
- INTERIOR WALL:  
 -2X4 STUDS @ 16" O.C.  
 1/2" GYP BD EACH SIDE

**NOTES**

**SPECIFICATIONS:**  
 DOORS & FRAMES - WOOD DOORS FOR PAINT, MATCH EXISTING DOORS IN APPEARANCE  
 TOILET - KOHLER HIGHLINE CLASSIC, ADA COMPLIANT 1.28 GPF SINGLE FLUSH ELONGATED TOILET IN WHITE, FROM HOME DEPOT  
 LAVATORY- SOLID SURFACE TOP W/ INTEGRAL SINK & VANITY TOP BY OWNER  
 TUB- FURNISHED BY OWNER

**1** THIRD FLOOR (DORMER) PLAN  
 SCALE: 1/8"=1'-0"

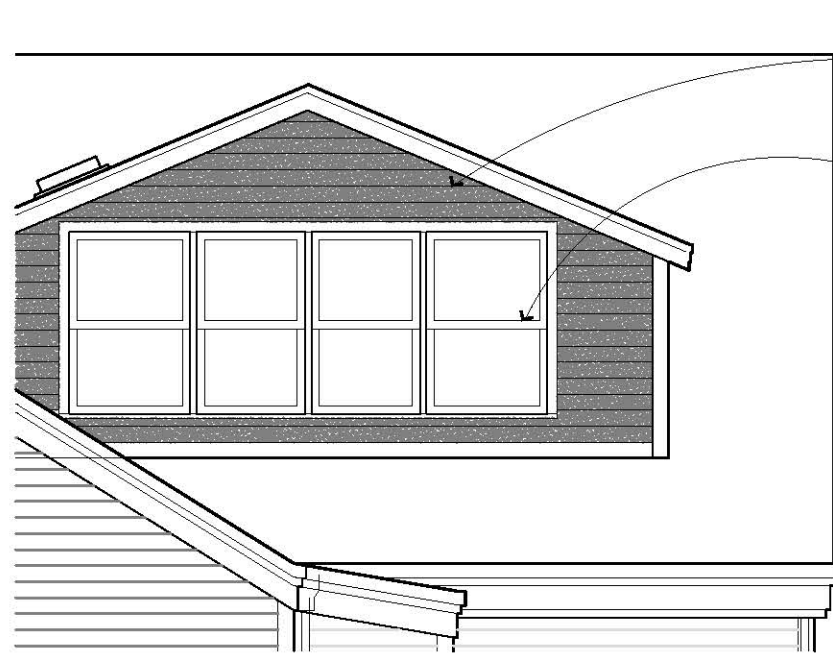


**SHED**  
 5 STUDIO  
 113 Hampshire Street  
 Cambridge MA 02139  
 (312)731.4832

ROSE RESIDENCE  
 72 SPRING STREET  
 CAMBRIDGE, MA

DATE: 06.07.17  
 BY: RR

**A.2**

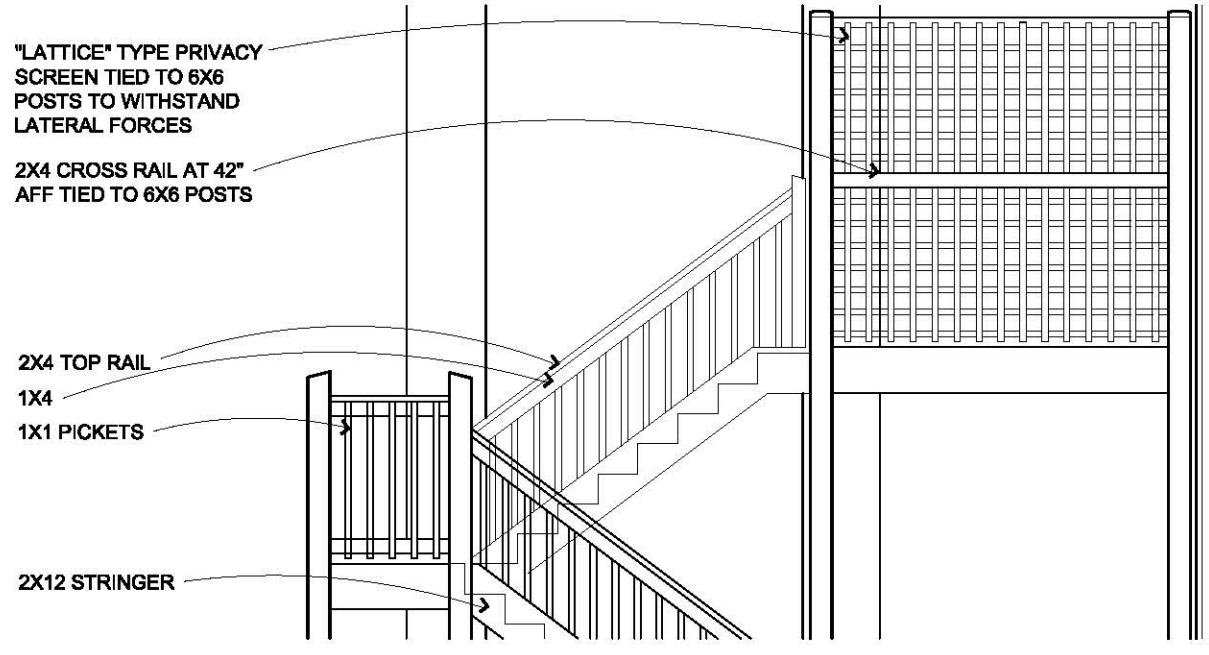


SIDING TO MATCH EXISTING

INSULATED VINYL DOUBLE HUNG WINDOWS (SEE PLAN FOR SIZES)

WALL AREA = 82 S.F.  
WINDOW AREA = 41.5 S.F. (>50%)

**3 ENLARGED ELEVATION AT DORMER**  
SCALE: 1/4"=1'-0"



"LATTICE" TYPE PRIVACY SCREEN TIED TO 6X6 POSTS TO WITHSTAND LATERAL FORCES

2X4 CROSS RAIL AT 42" AFF TIED TO 6X6 POSTS

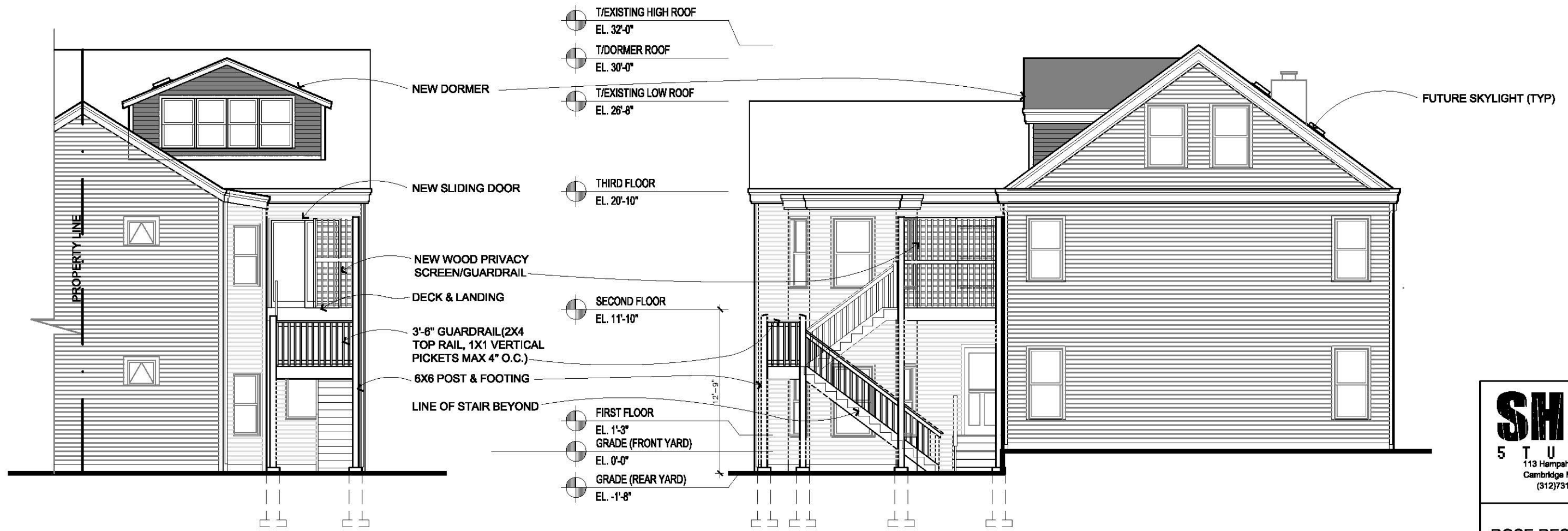
2X4 TOP RAIL

1X4

1X1 PICKETS

2X12 STRINGER

**4 ENLARGED ELEVATION AT STAIR**  
SCALE: 1/4"=1'-0"



T/EXISTING HIGH ROOF  
EL. 32'-0"

T/DORMER ROOF  
EL. 30'-0"

T/EXISTING LOW ROOF  
EL. 26'-8"

NEW DORMER

NEW SLIDING DOOR

NEW WOOD PRIVACY SCREEN/GUARDRAIL

DECK & LANDING

3'-8" GUARDRAIL (2X4 TOP RAIL, 1X1 VERTICAL PICKETS MAX 4" O.C.)

6X6 POST & FOOTING

LINE OF STAIR BEYOND

THIRD FLOOR  
EL. 20'-10"

SECOND FLOOR  
EL. 11'-10"

FIRST FLOOR  
EL. 1'-3"

GRADE (FRONT YARD)  
EL. 0'-0"

GRADE (REAR YARD)  
EL. -1'-8"

FUTURE SKYLIGHT (TYP)

**1 SOUTH ELEVATION**  
SCALE: 1/8"=1'-0"

**2 EAST ELEVATION**  
SCALE: 1/8"=1'-0"

**SHED**  
STUDIO  
113 Hampshire Street  
Cambridge MA 02139  
(312)731.4832

ROSE RESIDENCE  
72 SPRING STREET  
CAMBRIDGE, MA

DATE: 06.07.17  
BY: RR

**A.3**



**1** EXTERIOR VIEW  
SCALE: NO SCALE



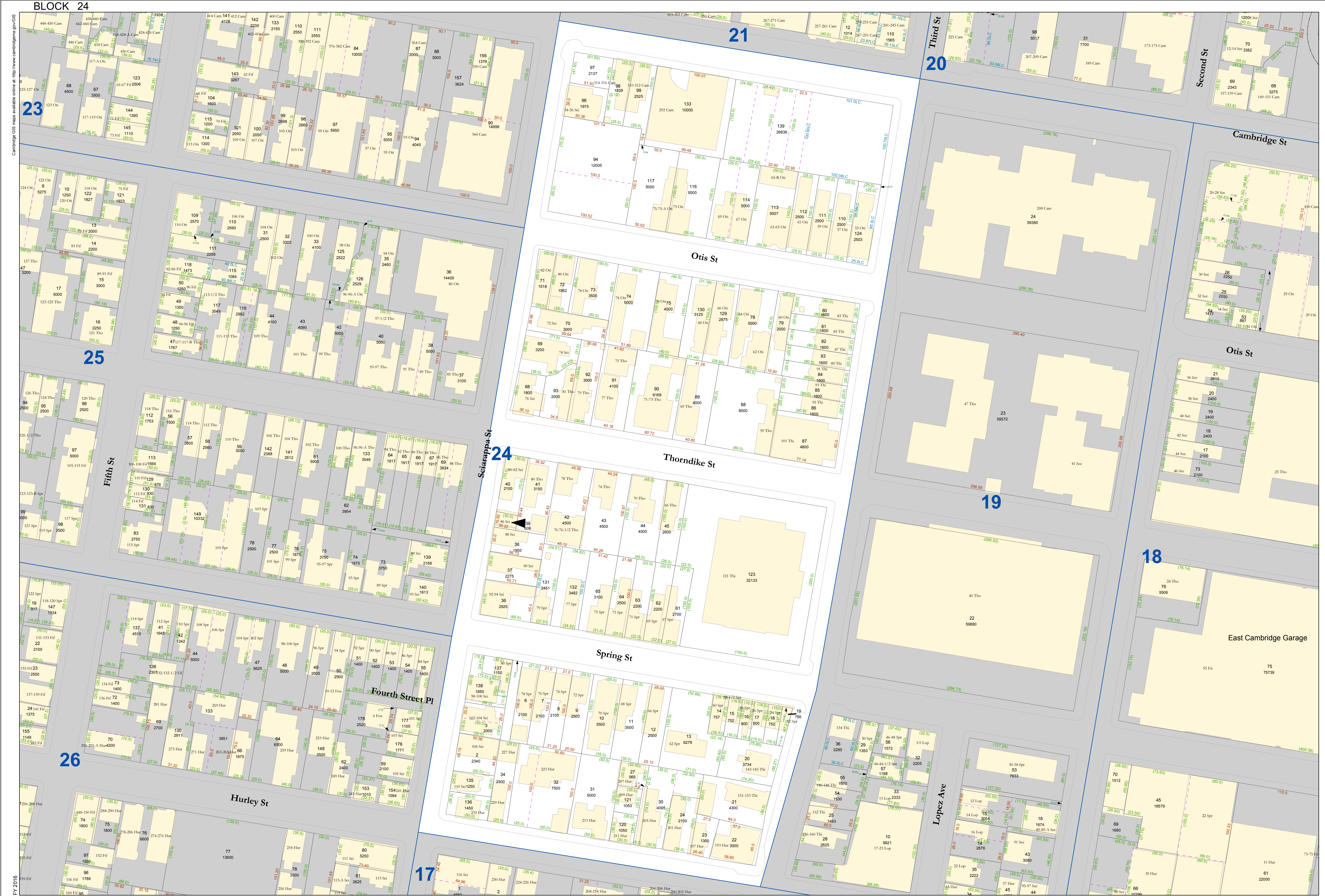
**2** EXISTING REAR YARD VIEW  
SCALE: NO SCALE

**SHED**  
STUDIO  
119 Hampshire Street  
Cambridge MA 02139  
(312)731.4832

ROSE RESIDENCE  
72 SPRING STREET  
CAMBRIDGE, MA

DATE: 08.07.17  
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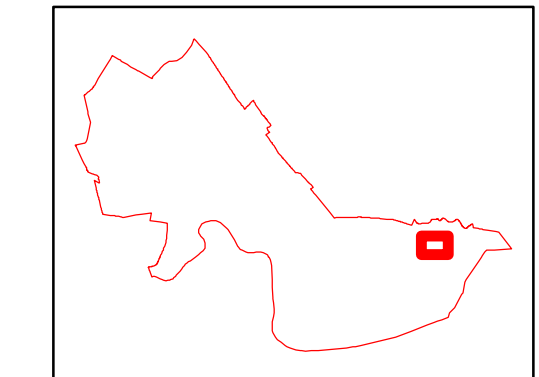
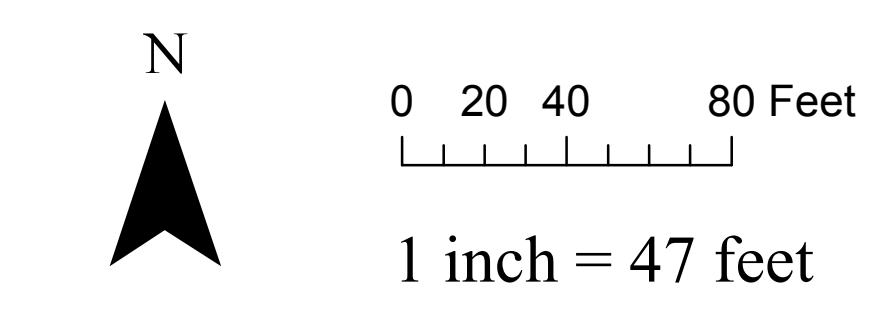
A.4



**City of Cambridge  
Assessing Department**  
795 Massachusetts Ave.  
Cambridge, MA 02139

- Buildings
  - Water
  - Lot Line
  - Sub-Parcel Line
  - Block Line
  - Easement
  - City Boundary
  - Railway
- 10 Lot Number      100 Parcel size in Sq. Ft.  
 24 Block Number      44.0LC Land Court Dimension  
 10 Cam Street Number      65.0 Survey Dimensions  
 (125.0) Deed Dimension

DISCLAIMER:  
All Real Property shown on this map was compiled from existing Assessor's Tax Maps dated 1920 to 2015 and maintained by the City Assessor's Office and the Department of Public Works. Subsequent maintenance has been completed using the City of Cambridge Geographic Information System (GIS). Parcels have not been created from survey, and map is suitable for assessing purposes only.  
The City of Cambridge assumes no legal responsibility for information shown on this map.



Parcel Block Map  
**24**

FY 2016

**BZA APPLICATION FORM**

**GENERAL INFORMATION**

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Special Permit:  X  Variance:  X  Appeal:

PETITIONER:  Joseph Rose and Danielle Mishkin

PETITIONER'S ADDRESS:  72 Spring Street, Cambridge, MA 02141

LOCATION OF PROPERTY:  72 Spring Street, Cambridge, MA 02141

TYPE OF OCCUPANCY:  Residence  ZONING DISTRICT:  C-1

**REASON FOR PETITION:**

<u> X </u> Additions	<u> </u> New Structure
<u> </u> Change in Use/Occupancy	<u> </u> Parking
<u> </u> Conversion to Addi'l Dwelling Unit's	<u> </u> Sign
<u> X </u> Dormer	<u> </u> Subdivision
<u> </u> Other: <u> </u>	

**DESCRIPTION OF PETITIONER'S PROPOSAL:**

Petitioner requests Variance relief to add 55SF dormer to back side of attic and construct an egress area and stairs partially within the setback. Proposed dormer adheres to Cambridge's Design Guidelines for Dormers.

Petitioner requests Special Permit relief to add new door opening within the setback

**SECTIONS OF ZONING ORDINANCE CITED:**

Article  8  Section  22.3

Article  5  Section  31 (Table of Dimensional Requirements)

Article  10  Section  10.30 (Variance) and 10.40 (Special Permit)

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)   
 Joseph Rose and Danielle Mishkin   
 (Print Name)

**Address:**  72 Spring Street, Cambridge, MA 02141

**Tel. No.:**  cell: 617-438-0324

**E-Mail Address:**  cambridgemoxie@yahoo.com

**Date:**

**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.

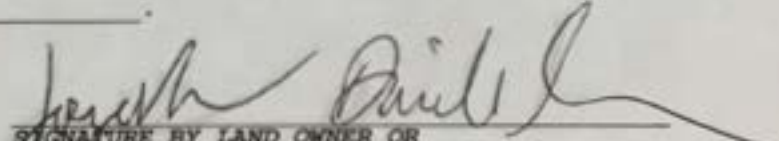
I/We Joseph Rose and Danielle Mishkin  
(OWNER)

Address: 72 Spring Street, Cambridge, MA 02141

State that I/We own the property located at 72 Spring St, Cambridge, MA 02141 which is the subject of this zoning application.

The record title of this property is in the name of Joseph Rose and Danielle Mishkin

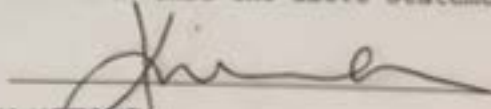
\*Pursuant to a deed of duly recorded in the date 3/3/2016, Middlesex South County Registry of Deeds at Book 66884, Page 196; or Middlesex Registry District of Land Court, Certificate No. \_\_\_\_\_ Book \_\_\_\_\_ Page \_\_\_\_\_.

  
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 MIDDLESEX

The above-name JOSEPH ROSE & DANIELLE MISHKIN personally appeared before me, this 5 of MAY, 2017, and made oath that the above statement is true.

 Notary

My commission expires \_\_\_\_\_  
 **DIANA KOTZUR**  
Notary Public (Notary Seal).  
Commonwealth of Massachusetts  
My Commission Expires Dec 26, 2019

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

BZA APPLICATION FORM

DIMENSIONAL INFORMATION

APPLICANT: Joseph Rose and Danielle Mishkin PRESENT USE/OCCUPANCY: Residential / 2- Fam

LOCATION: 72 Spring Street, Cambridge, MA 02141 ZONE: C-1

PHONE: cell: 617-438-0324 REQUESTED USE/OCCUPANCY: Residential / 2- Fam

	<u>EXISTING</u> <u>CONDITIONS</u>	<u>REQUESTED</u> <u>CONDITIONS</u>	<u>ORDINANCE</u> <u>REQUIREMENTS</u> <sup>1</sup>
TOTAL GROSS FLOOR AREA:	<u>2088 sf</u>	<u>2143 sf</u>	<u>1875 sf</u> (max.)
LOT AREA:	<u>2500 sf</u>	<u>no change</u>	<u>5000 sf</u> (min.)
RATIO OF GROSS FLOOR AREA TO LOT AREA: <sup>2</sup>	<u>.84</u>	<u>.86</u>	<u>0.75</u> (max.)
LOT AREA FOR EACH DWELLING UNIT:	<u>834 SF</u>	<u>834 SF</u>	<u>1500 SF</u> (min.)
SIZE OF LOT:			
WIDTH	<u>25'-0"</u>	<u>no change</u>	<u>50'-0"</u> (min.)
DEPTH	<u>100'-0"</u>	<u>no change</u>	<u>n/a</u>
Setbacks in Feet:			
FRONT	<u>7'-0"</u>	<u>no change</u>	<u>10'-0"</u> (min.)
REAR	<u>43'-0"</u>	<u>no change</u>	<u>20'-0"</u> (min.)
LEFT SIDE	<u>7'-6"</u>	<u>7'-0"</u>	<u>7'-6"</u> (min.)
RIGHT SIDE	<u>0'-0"</u>	<u>no change</u>	<u>7'-6"</u> (min.)
SIZE OF BLDG.:			
HEIGHT	<u>??</u>	<u>no change</u>	<u>35'-0"</u> (max.)
LENGTH			
WIDTH			
RATIO OF USABLE OPEN SPACE TO LOT AREA: <sup>3</sup> )	<u>??</u>	<u>??</u>	<u>.30</u> (min.)
NO. OF DWELLING UNITS:	<u>2</u>	<u>2</u>	<u>1</u> (max.)
NO. OF PARKING SPACES:	<u>0</u>	<u>0</u>	<u>2</u> (min./max)
NO. OF LOADING AREAS:	<u>0</u>	<u>0</u>	<u>0</u> (min.)
DISTANCE TO NEAREST BLDG. ON SAME LOT:	<u>n/a</u>	<u>n/a</u>	<u>n/a</u> (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.

There are no other buildings on this lot  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

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**

**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 owner would like to have safe egress from the 2nd floor dwelling unit and access to the outdoor space. The narrow lot size, existing lot-line construction and small lot area provide little conforming area to work within.

The owner would like to dormer the roof to provide for a growing family and there not being adequate height clearance in the attic space. Dormer will provide windows, natural ventilation, needed height and allow for a shower for upstairs so as not have to go downstairs to use joint bathroom.

- 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 existing 2-family structure is an attached row house with near lot line construction on three sides with little room for egress. The structure is currently a non-conforming structure and therefore any modification requires zoning relief. Adding the proposed dormer will not affect the site whatsoever. Existing soil, topographical and shape conditions will remain intact. It is top of the building that will be integrated with a tasteful and non-offensive dormer.

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

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

The dormer is within the current footprint, adheres the Cambridge dormer guidelines, is consistent with abutting dormers in the row and will have no impact (light or privacy) on the abutting residences who support the plans. It will not be visibly noticeable from the street and is consistent with abutting dormers. With that being said, angles from which the dormer is visible, will reveal a fluid extension of the existing structure. The proposed egress will secure safety from fire and provide better privacy screening for owner and neighbors. All other houses within the row have larger decks leading to back or side yards.

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

Being such a modest alteration, the dormer's integration into the building would not substantially derogate the intent of this ordinance. It will only be adding on 56 SF, it will not add more occupancy, its intent is merely to maximize head room and allow for a bathroom in an existing bedroom. It will provide more light and air.

The proposed egress is located against the existing house, provides additional privacy, secures safety from fire, provides more light and air, and promotes outdoor use and access to the back yard.

- \* 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 72 Spring Street, Cambridge(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 can be met.

- 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:

??

- 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:

??

- 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, but rather will substantially improve the quality of life and access to outdoor space

- 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 use maintains the integrity of the district



# CAMBRIDGE HISTORICAL COMMISSION

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

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

## Jurisdiction Advice

To the Owner of Property at 72 Spring 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.**  
**No demolition permit application 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: Located in the East Cambridge NR District.

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 June 28, 2017

Received by Uploaded to Energov

Date June 28, 2017

Relationship to project BZA 13707-2017

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.

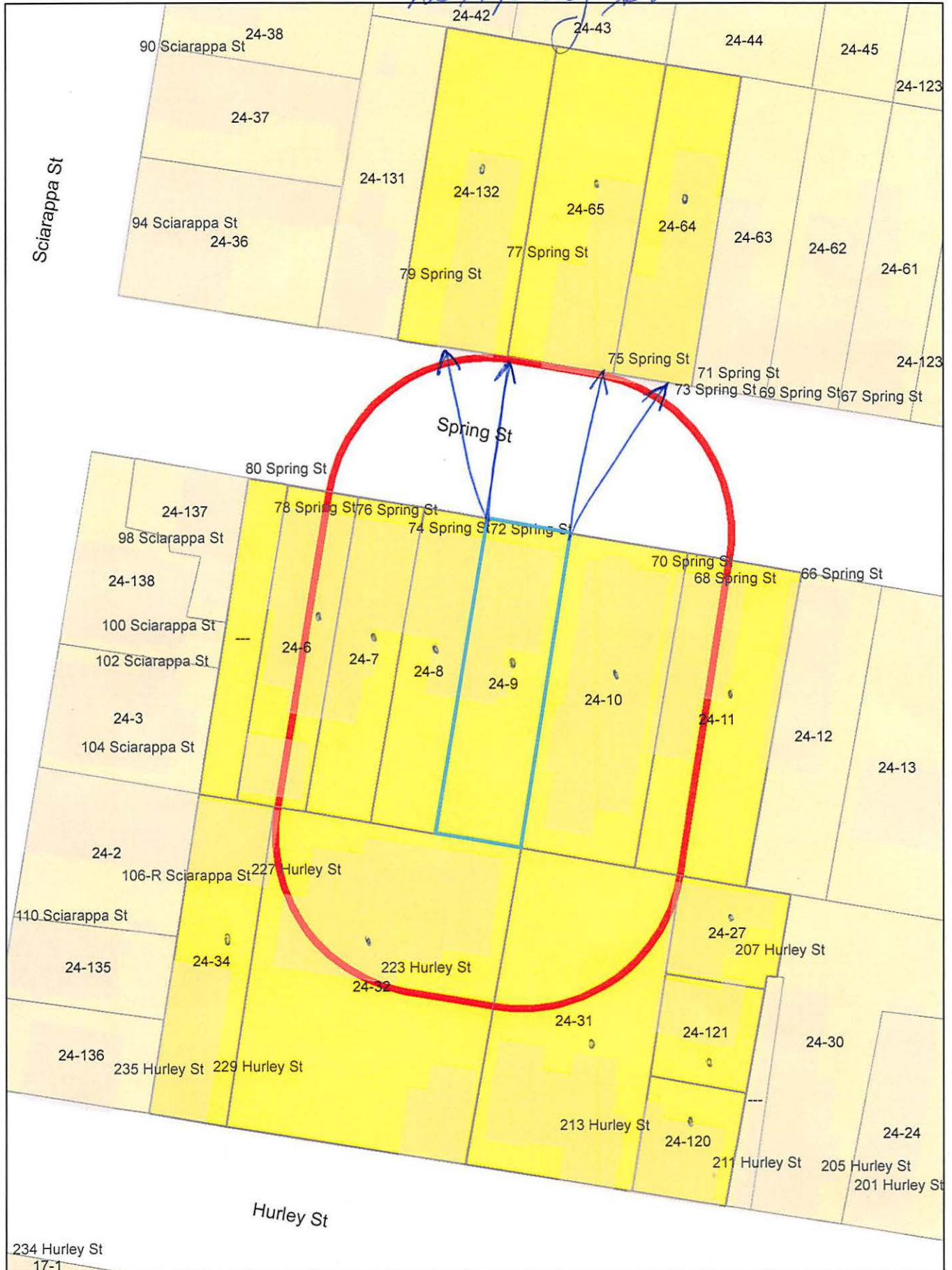
Demolition permit applications can be obtained from the Inspectional Services Department. The completed application should be submitted to the Historical Commission, where the staff will review the application. If the Executive Director of the Historical Commission makes an initial determination that 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., 2<sup>nd</sup> Fl.  
Cambridge, MA 02139  
Ph: 617/349-4683 or TTY: 617/349-6112  
<http://www.cambridgema.gov/Historic>

72 Spring St.



72 Spring St.

Petitioner

24-64  
RODGERS, DREW  
73 SPRING ST., #1  
CAMBRIDGE, MA 02141

24-64  
CHENETTE, EMILY J.  
C/O LEVY, ILAN & KRISTIN LENNEA ELLIS-LE  
148 SPRING ST  
CAMBRIDGE, MA 02141

JOSEPH ROSE & DANIELLE MISHKIN  
72 SPRING STREET  
CAMBRIDGE, MA 02141

24-7  
KORECKI, ROBERT H. &  
GERALDINE TRUSTEES OF  
76 SPRING ST  
CAMBRIDGE, MA 02141

24-8  
MULLANEY, JAMES & KAREN MULLANEY  
74 SPRING ST  
CAMBRIDGE, MA 02141

24-9  
POILLUCCI, MARY  
C/O MISHKIN, DANIELLE E. & JOSEPH E. ROS  
72 SPRING ST  
CAMBRIDGE, MA 02141

24-10  
HALITE, LLC  
C/O NCP MANAGEMENT CO  
PO BOX 590179  
NEWTON CENTER, MA 02459

24-11  
PACHECO, ALLEN  
68 SPRING ST  
CAMBRIDGE, MA 02141

24-27  
CABRAL, ANTONIO A. & MARIA P. CABRAL,  
TRUSTEES THE CABRAL FAMILY TRUST  
6 HUDSON ST  
SOMERVILLE, MA 02143

24-31  
JAQUITH, MARK H. &  
HEATHER MAGUIRE HOFFMAN  
213 HURLEY ST  
CAMBRIDGE, MA 02141

24-34  
O'DELL, JAMES & LILIA GOUARIAN  
35 FRANCES ST.  
MELROSE, MA 02176

24-34  
PHIPPS, PAULA C.  
227 HURLEY ST., UNIT #2  
CAMBRIDGE, MA 02141

24-34  
KIM, LEE ANN  
9 CEDAR HILL RD  
DOVER, MA 02030

24-34  
ZENG, SHANG  
229 HURLEY ST. UNIT 1  
CAMBRIDGE, MA 02141

24-34  
SIMS, EZRA G., JR.  
229 HURLEY ST., UNIT #2  
CAMBRIDGE, MA 02141

24-34  
STEWART, CHARLES M.  
229 HURLEY ST. UNIT#3  
CAMBRIDGE, MA 02139

24-65  
REGAL, MARIE G.  
75 SPRING ST.  
CAMBRIDGE, MA 02141

24-120  
AMERAL, WILLIAM & NORMA AMERAL  
211 HURLEY ST  
CAMBRIDGE, MA 02141

24-121  
COLONNESE, DANIEL &  
JENNIFER BRITTON-COLONNESE  
209 HURLEY ST  
CAMBRIDGE, MA 02139

24-132  
KOSINSKI, CECELIA F., A LIFE ESTATE  
77 SPRING STREET  
CAMBRIDGE, MA 02141

24-32  
VELLUCCI, LAURA  
223 HURLEY ST 1  
CAMBRIDGE, MA 02141

24-32  
VELLUCCI, BRIDGET L.  
223 HURLEY ST., UNIT #3  
CAMBRIDGE, MA 02141

24-32  
VELLUCCI, PETER A. JR.  
223 HURLEY ST., UNIT #2  
CAMBRIDGE, MA 02141

24-6  
PEREZ CAMAYD, ANA CRISTINA  
de la PRAT CAMAYD  
78 SPRING ST  
CAMBRIDGE, MA 02141

