

BZA APPLICATION FORM

GENERAL INFORMATION

PLAN # : BZA-009724-2016

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

Special Permit: X Variance: Appeal:

PETITIONER: 44 Market Street, LLC represented by Stephan Dubouloz

PETITIONER'S ADDRESS: 50 Hancock Street, Cambridge MA 02139

LOCATION OF PROPERTY: 44 Market Street

TYPE OF OCCUPANCY: ONE AND TWO FAMILY ZONING DISTRICT: C-1

REASON FOR PETITION:

- | | |
|---|------------------------|
| <u> </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> </u> Dormer | <u> </u> Subdivision |
| <u> X </u> Other: <u> New window/door openings </u> | |

DESCRIPTION OF PETITIONER'S PROPOSAL:

Requesting relief to relocate an existing window and install new a new window and door in an existing structure that is nonconforming with respect to the Side Yard Setback required in the Zoning District.

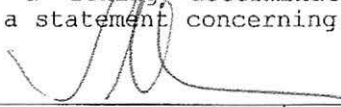
SECTIONS OF ZONING ORDINANCE CITED:

Article 8 Section Section 8.22.2.c

Article Section

Article Section

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

Original Signature(s): 
(Petitioner(s)/Owner)
Stephan Dubouloz
(Print Name)

Address: 50 Hancock Street, Cambridge MA 02139

Tel. No.: 617 259 7232

E-Mail Address: stephan.dubouloz@ngam.natixis.com

Date: 03-15-16

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 44 Market Street, LLC represented by Stephan Dubouloz
(OWNER)

Address: 50 Hancock Street, Cambridge MA 02139

State that I/We own the property located at 44 Market Street,
which is the subject of this zoning application.

The record title of this property is in the name of 44 Market Street, LLC

*Pursuant to a deed of duly recorded in the date 07/17/2015, Middlesex South
County Registry of Deeds at Book 65745, Page 454; or
Middlesex Registry District of Land Court, Certificate No. _____
Book _____ Page _____.



SIGNATURE BY LAND OWNER OR
AUTHORIZED TRUSTEE, OFFICER OR AGENT*

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

Commonwealth of Massachusetts, County of Suffolk

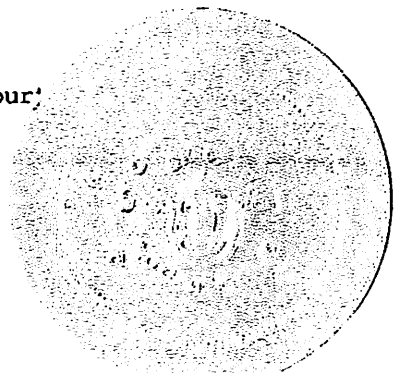
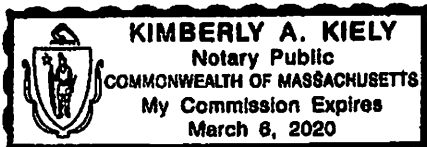
The above-name Stephan Dubouloz personally appeared before me,
this 1 of Jan, 2016, and made oath that the above statement is true.



Notary

My commission expires March 6, 2020 (Notary Seal).

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



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 44 Market 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:

This Special Permit application seeks a modest rearrangement and addition of door and window openings on one face of the existing non-conforming single family residence. The requirements of the Ordinance can be met because this is a non-conforming structure, pre-existing the Ordinance, and violating setback requirements. Any modification or addition of openings requires and is eligible for a Special Permit.

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:

Granting the requested relief would not cause congestion, hazard or substantial change in established neighborhood character because it is a minimal modification to the existing layout. The window and door changes proposed are minor changes on a facade that overlooks a parking lot and will not impact neighborhood character or relationships.

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 the site and of adjacent uses would be improved by the renovation of the existing dilapidated dwelling involving the minor rearrangement and addition of such openings. The scale and location of the proposed windows and door is in keeping with the established development patterns in the neighborhood and will be facing an adjacent parking area and so not impact the privacy of the adjacent development.

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 relocation and addition of window and door openings would not create a nuisance or hazard. It would facilitate the occupancy of the structure by making the window layout more rational relating to the interior uses of the building without impacting the privacy of abutters. It will also bring an as-of-right dormer in greater conformance to the Dormer Guidelines.

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 relief is modest in nature and is limited to rearrangement of openings on the side of a non-conforming structure adjacent to a parking lot. It is in keeping with existing structures in the neighborhood and would not impair the integrity of the district.

BZA APPLICATION FORM

DIMENSIONAL INFORMATION

APPLICANT: Boyes-Watson Architects **PRESENT USE/OCCUPANCY:** Single Family
LOCATION: 44 Market St Cambridge, MA **ZONE:** Residence C-1 Zone
PHONE: _____ **REQUESTED USE/OCCUPANCY:** Single Family

	<u>EXISTING</u> <u>CONDITIONS</u>	<u>REQUESTED</u> <u>CONDITIONS</u>	<u>ORDINANCE</u> <u>REQUIREMENTS</u> ¹	
<u>TOTAL GROSS FLOOR AREA:</u>	4865	4865	4879.5	(max.)
<u>LOT AREA:</u>	6506	6506	5000	(min.)
<u>RATIO OF GROSS FLOOR AREA</u> <u>TO LOT AREA: 2</u>	.75	.75	.75	(max.)
<u>LOT AREA FOR EACH DWELLING UNIT:</u>	2169	2169	1500	(min.)
<u>SIZE OF LOT:</u>				
WIDTH	50.5	50.5	50	(min.)
DEPTH	135.68	135.68	NA	
<u>SETBACKS IN FEET:</u>				
FRONT	9.6	9.6	10	(min.)
REAR	88	88	28.9	(min.)
LEFT SIDE	23.1	23.1	7.5	(min.)
RIGHT SIDE	5.9	5.9	7.5	(min.)
<u>SIZE OF BLDG.:</u>				
HEIGHT	23.1	23.1	35	(max.)
LENGTH	30.6	30.6	NA	
WIDTH	22.2	22.2	NA	
<u>RATIO OF USABLE OPEN SPACE</u> <u>TO LOT AREA:</u>	46.5	46.5	30	(min.)
<u>NO. OF DWELLING UNITS:</u>	4	4	4	(max.)
<u>NO. OF PARKING SPACES:</u>	4	4	4	(min./max)
<u>NO. OF LOADING AREAS:</u>	NA	NA	NA	(min.)
<u>DISTANCE TO NEAREST BLDG.</u> <u>ON SAME LOT:</u>	14.7	14.7	10	(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 currently three buildings proposed for the lot, an existing three story two-family dwelling at the rear of the lot, a two story single family structure at the front of the lot, and a new two story structure between the two existing buildings. All buildings will be of Type VA construction with concrete or masonry foundation and wood frame superstructures above.

1. SEE CAMBRIDGE ZONING ORDINANCE ARTICLE 5.000, SECTION 5.30 (DISTRICT OF DIMENSIONAL REGULATIONS).
2. TOTAL GROSS FLOOR AREA (INCLUDING BASEMENT 7'-0" IN HEIGHT AND ATTIC AREAS GREATER THAN 5') DIVIDED BY LOT AREA.
3. OPEN SPACE SHALL NOT INCLUDE PARKING AREAS, WALKWAYS OR DRIVEWAYS AND SHALL HAVE A MINIMUM DIMENSION OF 15'.

BZA APPLICATION FORM

GENERAL INFORMATION

PLAN # : BZA-009724-2016

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

2016 MAR 30 PM 12:05

Special Permit: X

Variance: _____

Appeal: _____

OFFICE OF THE CITY CLERK
CAMBRIDGE, MASSACHUSETTS

PETITIONER: 44 Market Street, LLC represented by Stephan Dubouloz

PETITIONER'S ADDRESS: 50 Hancock Street, Cambridge MA 02139

LOCATION OF PROPERTY: 44 Market Street

TYPE OF OCCUPANCY: ONE AND TWO FAMILY ZONING DISTRICT: C-1

REASON FOR PETITION:

- | | |
|--|--|
| <input type="checkbox"/> Additions | <input type="checkbox"/> New Structure |
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| <input type="checkbox"/> Dormer | <input type="checkbox"/> Subdivision |
| <input checked="" type="checkbox"/> Other: <u> New window/door openings </u> | |

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SECTIONS OF ZONING ORDINANCE CITED:

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Article _____ Section _____

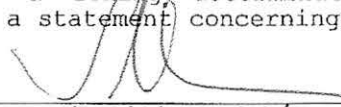
Article _____ Section _____

Applicants for a Variance must complete Pages 1-5

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(Petitioner(s)/Owner)

Stephan Dubouloz

(Print Name)

Address:

50 Hancock Street, Cambridge MA 02139

Tel. No.:

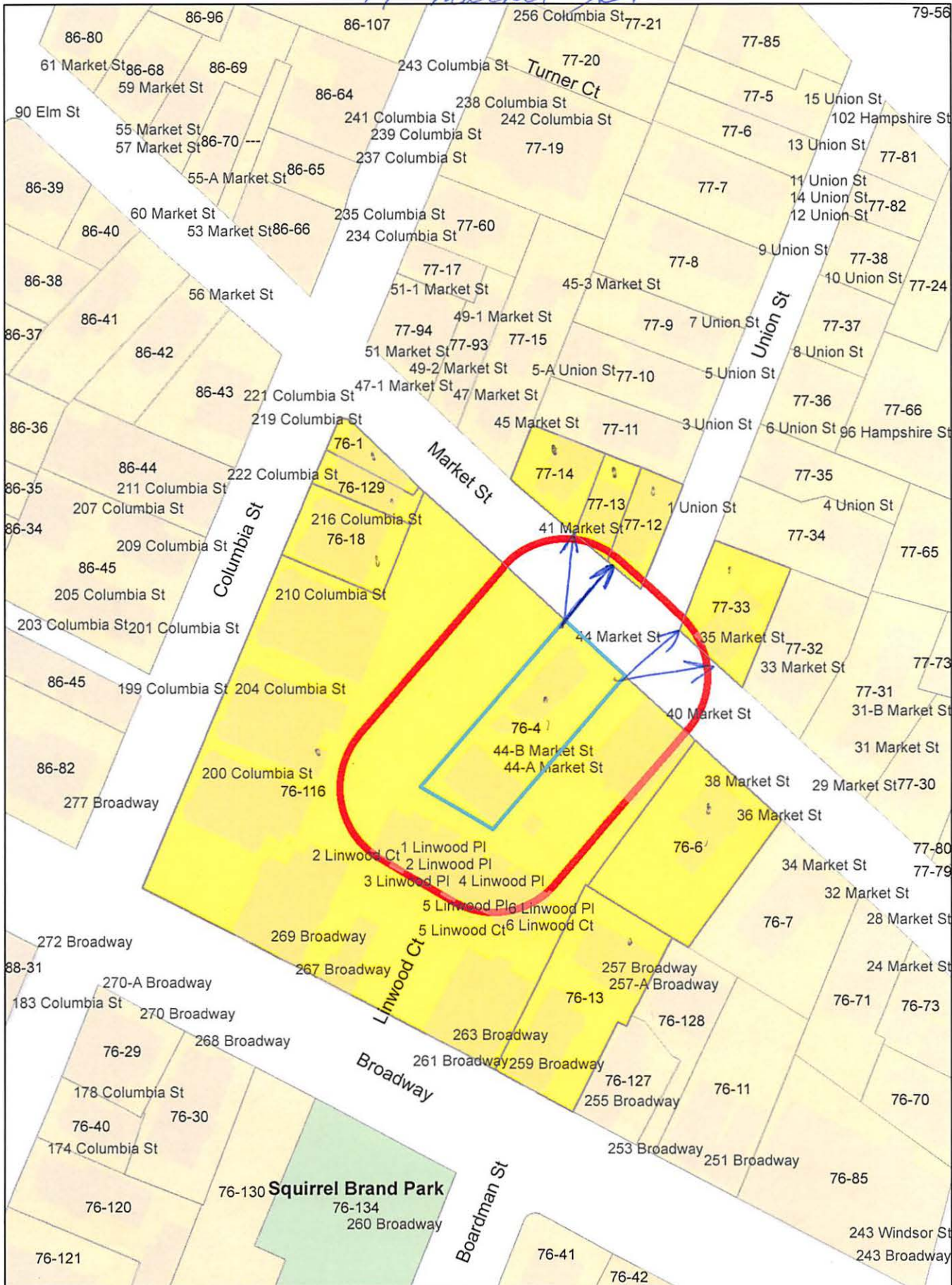
617 259 7232

E-Mail Address:

stephan.dubouloz@ngam.natixis.com

Date: 03-15-16

44 Market St.



44 Market St.

76-116
WELLINGTON-HARRINGTON
DEVELOPMENT CORP
C/O MALONEY PROPERTIES INC.
261 BROADWAY
CAMBRIDGE, MA 02139

77-33
KENNEDY, SEAN & GERALD F. SHEERIN
29 MURDOCK ST.
BRIGHTON, MA 02135

Petitioner
44 MARKET STREET LLC
C/O STEPHAN DUBOULOZ
50 HANCOCK STREET
CAMBRIDGE, MA 02139

76-6
COLLYMORE, PHYLLIS A. &
EVERETT H. COLLYMORE
38-1 MARKET ST.
CAMBRIDGE, MA 02139

77-13
MATTHEWS, SHARON
41 MARKET ST
CAMBRIDGE, MA 02139

Architect
BOYES WATSON ARCHITECTS
C/O STEPHEN HISERODT
30 BOW ST.
SOMERVILLE, MA 02143

76-1
SAEED, AMIR & FARAH KHALID SAEED
224 COLUMBIA ST
CAMBRIDGE, MA 02139

76-4
MORAN, WILLIAM R. & NELLIE G. MORAN
C/O 44 MARKET STREET LLC
50 HANCOCK ST
CAMBRIDGE, MA 02139

77-14
TSANKOV, ALEXANDER M. & MINCHO TSANKOV
43 MARKET ST, #43A
CAMBRIDGE, MA 02139

77-12
PICHEL, KAREN D.
320 N. AURORA ST
ITHACA, NY 14850

76-129
SAEED, AMIR
224 COLUMBIA ST
CAMBRIDGE, MA 02139

77-14
TAN, HONG
6 THOMPSON ST.
WAYLAND, MA 01778

76-13
257 BROADWAY STREET CAMBRIDGE, LLC
18 LAWN ST
CAMBRIDGE, MA 02138

76-6
CARROLL, JACQUELINE L. &
ALFRED CARROLL, JR.
36-1 MARKET STREET
CAMBRIDGE, MA 02139

76-18
KASMER, J. A.
289 HIGHLAND AVE
NEWTON, MA 02465



City of Cambridge

MASSACHUSETTS

BOARD OF ZONING APPEAL

831 Mass Avenue, Cambridge, MA.
(617) 349-6100

BZA

POSTING NOTICE – PICK UP SHEET

The undersigned picked up the notice board for the Board of Zoning Appeals Hearing.

Name: Angelos Motricius Date: 4/7/16
(Print)

Address: 44 Market St. Case No. BZA-009724-2016

Hearing Date: 4/28/16

Thank you,
Bza Members

client
STEFAN
DUBOULOZ

title
COVER

project
44 MARKET ST.

BOYES-WATSON
ARCHITECTS



thirty bow street
somerville, ma
02143
architects@boyeswatson.com
phone: (617) 629.8200
fax: (617) 629.8201

job number
19140

scale

date issued
03-20-16

SPECIAL
PERMIT

sheet no.
BZA 001



44 MARKET STREET

client
STEFAN
DUBOULOZ

title
DIMENSIONAL FORM
project
44 MARKET ST.

DIMENSIONAL FORM				11/5/2015
LOCATION:	44 Market Street - Phase 2	ZONE:	RES C-1	
		PRESENT USE/OCCUPANCY:	SINGLE FAMILY	
		REQUESTED OCCUPANCY:	SINGLE FAMILY	
		EXISTING	PROPOSED	ORDINANCE
LOT SIZE:				
	C-1	6,506	UNCHANGED	5000
FLOOR AREA RATIO				
	C-1	0.75	UNCHANGED	0.75
GROSS FLOOR AREA				
	BLDG 3	2,834	UNCHANGED	4879.5
	BLDG 1	1,022	UNCHANGED	
	BLDG 2	1,009.0	UNCHANGED	
	TOTAL GFA	4,865	UNCHANGED	
LOT AREA PER DWELLING UNIT				
		2,169	UNCHANGED	1,500.0
NO. OF D.U.				
		3	UNCHANGED	4
SIZE OF LOT:				
	WIDTH	50.5	UNCHANGED	50
	LENGTH	135.68'	UNCHANGED	NA
SIZE OF BLDG:				
	BUILDING HEIGHT	23.1'	UNCHANGED	35.0
	BUILDING LENGTH	30.6	UNCHANGED	NA
	BUILDING WIDTH	22.2	UNCHANGED	NA
SETBACKS - UNIT 1				
	FRONT	9.6'	UNCHANGED	10.0'
	REAR	88.0'	UNCHANGED	28.9
	LEFT SIDE	23.1'	UNCHANGED	7.5'
	RIGHT SIDE	5.90	UNCHANGED	7.5'
DISTANCE BETWEEN STRUCTURES				
	BLDG 1 - BLDG 2	14.7'	UNCHANGED	10'
	BLDG 2-BLDG 3	15.3'	UNCHANGED	10'
PRIVATE OPEN SPACE				
	USABLE OPEN SPACE *	22.2%	UNCHANGED	15.0%
	PERMEABLE OPEN SPACE	46.5%	UNCHANGED	15.0%
	TOTAL OPEN SPACE	46.5%	UNCHANGED	30.0%
NO. OF PARKING SPACES:				
		4	UNCHANGED	4



job number
19140

scale

date issued
03-20-16

SPECIAL PERMIT

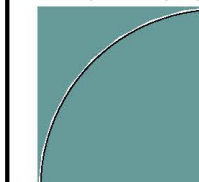
sheet no.
BZA 002

client
STEFAN
DUBOULOZ

title
CONTEXT PHOTOS

project
44 MARKET ST.

BOYES-WATSON
ARCHITECTS



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02143
architects@boyeswatson.com
phone: (617) 629.8200
fax: (617) 629.8201

job number
19140

scale

date issued
03-20-16

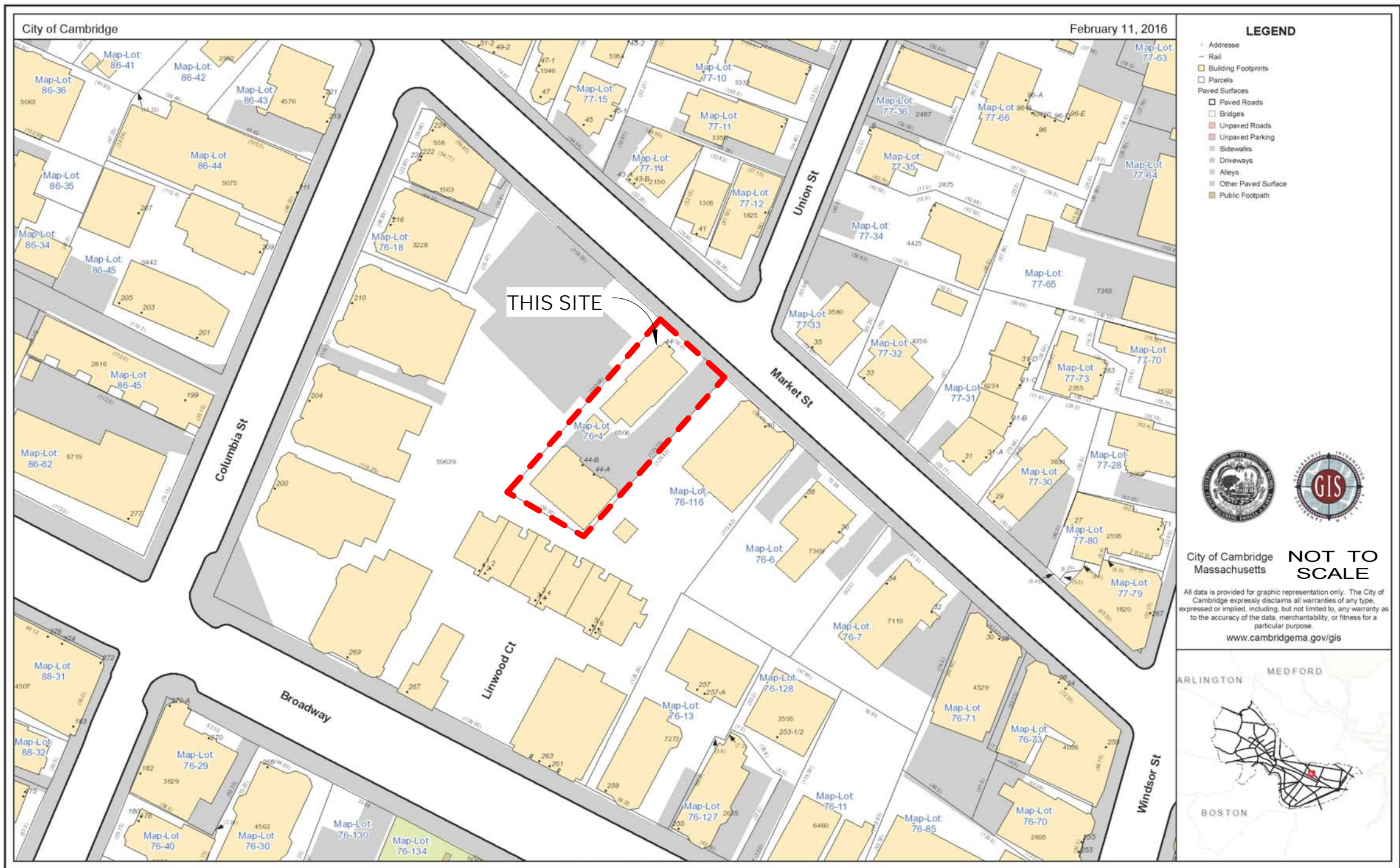
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sheet no.
BZA 003



client
STEFAN
DUBOULOZ

title
ASSESSORS MAP
project
44 MARKET ST.



BOYES-WATSON
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job number
19140

scale
NOT TO SCALE

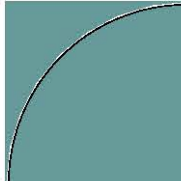
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PERMIT**

sheet no.
BZA 004

client
STEFAN
DUBOULOZ

title
PLOT PLAN
project
44 MARKET ST.

BOYES-WATSON
ARCHITECTS

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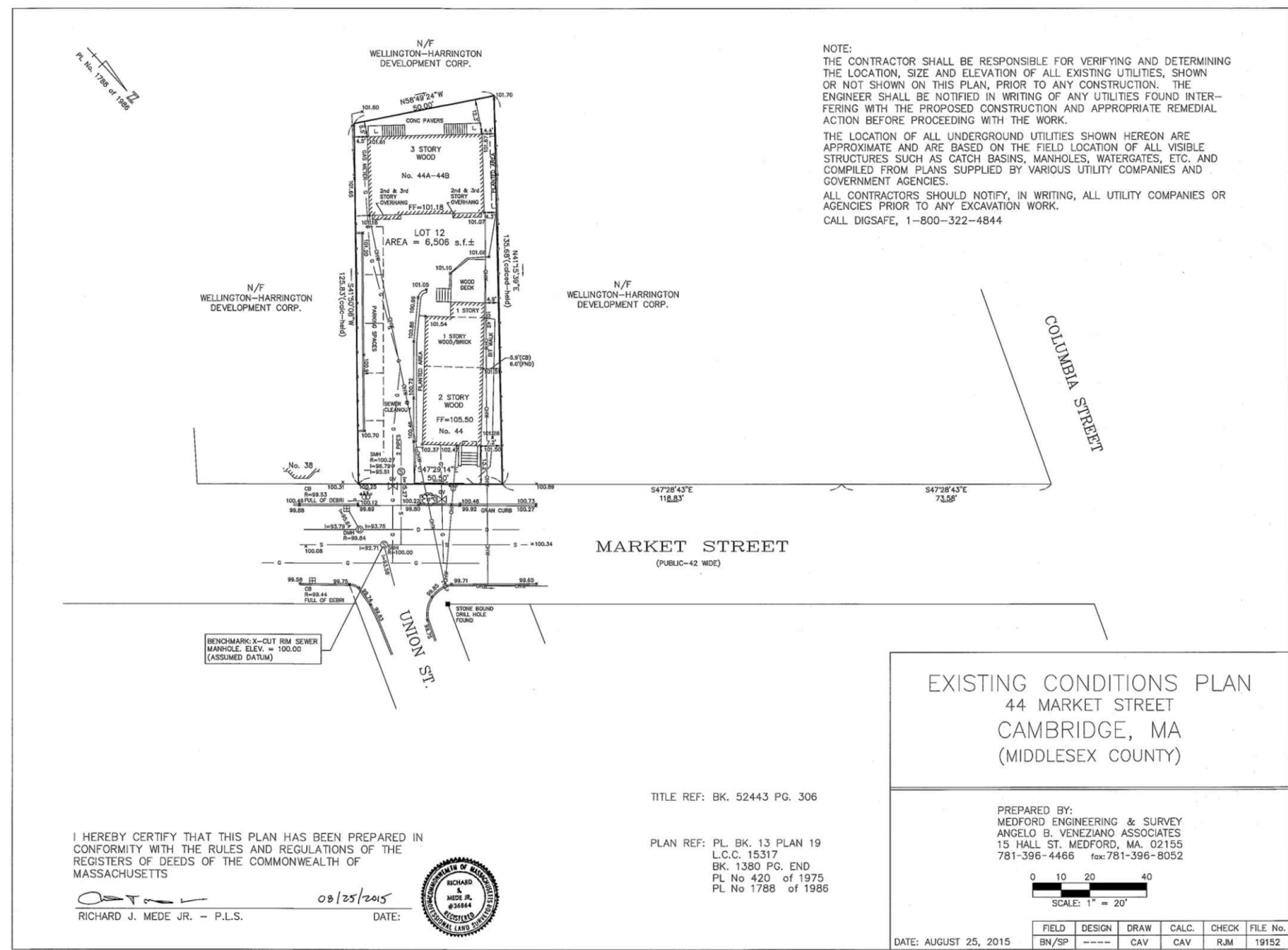
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NOT TO SCALE

date issued
03-20-16

**SPECIAL
PERMIT**

sheet no.
BZA 005



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client
STEFAN
DUBOULOZ

title
SITE PLAN
project
44 MARKET ST.

BOYES-WATSON
ARCHITECTS



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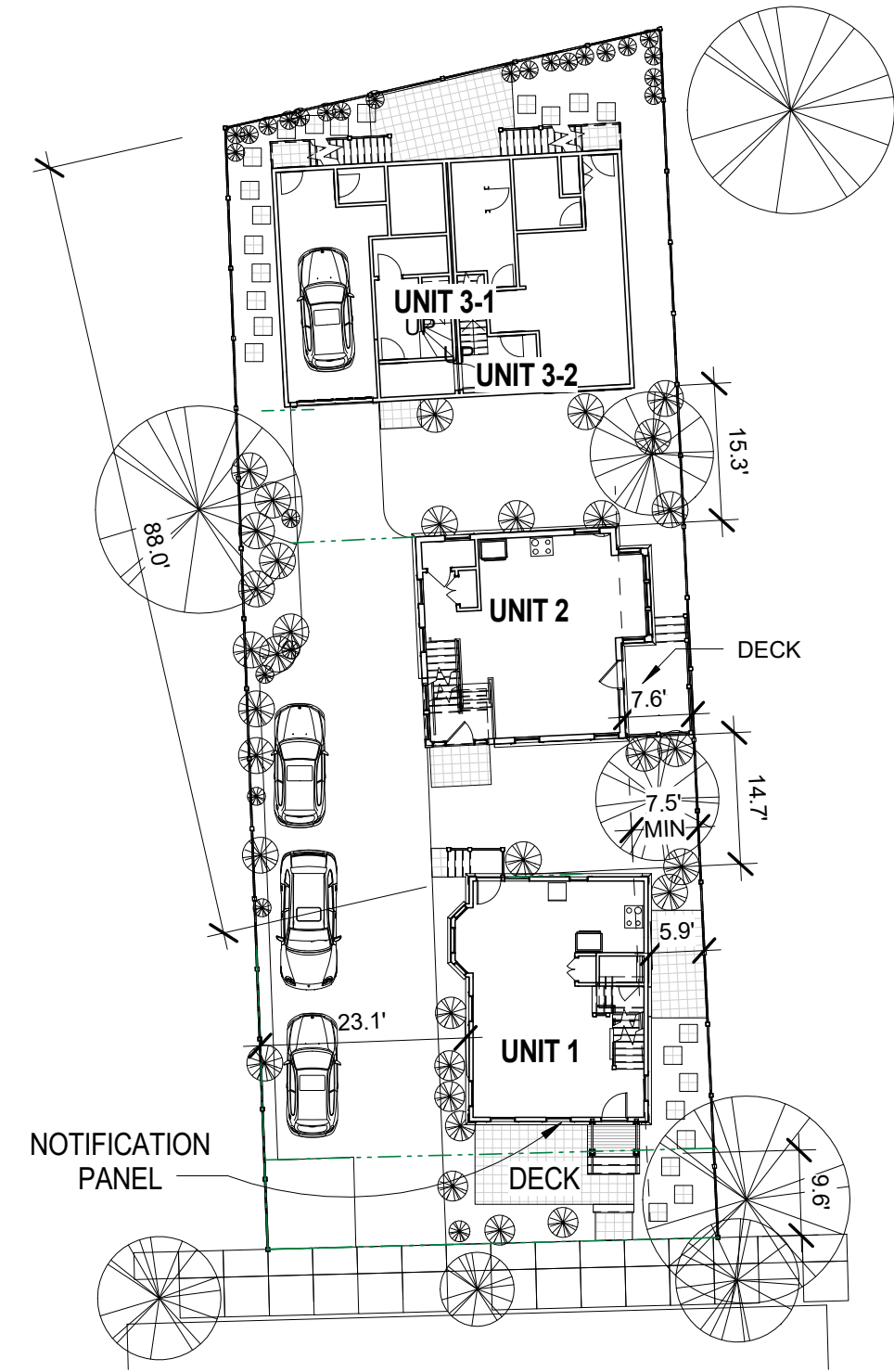
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scale
1" = 20'-0"

date issued
03-20-16

**SPECIAL
PERMIT**

sheet no.
BZA 101

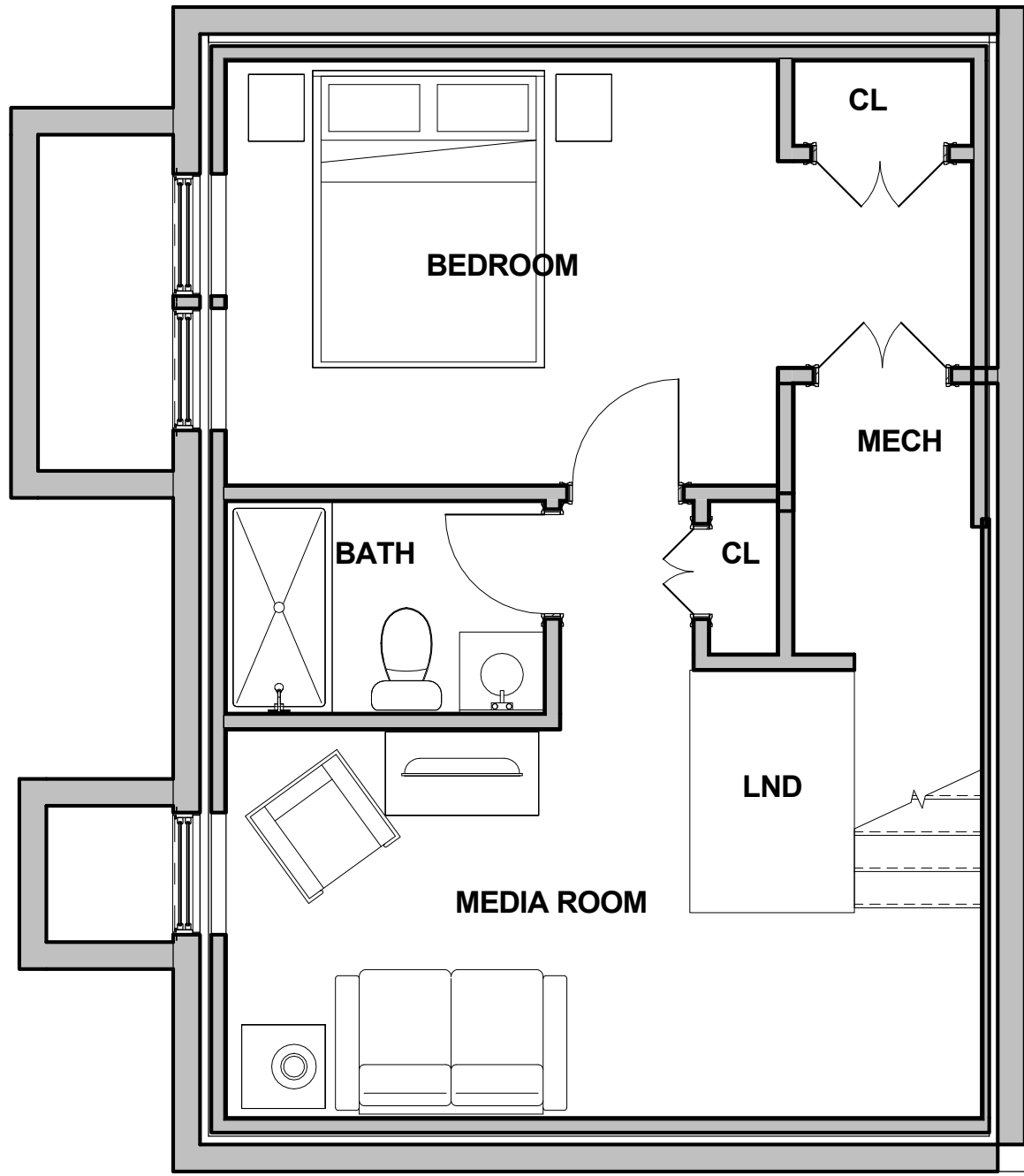


1 PROPOSED SITE PLAN
1" = 20'-0"

client
STEFAN
DUBOULOZ

title
BASEMENT LEVEL PLANS

project
44 MARKET ST.



NO CHANGES TO THE BASEMENT ARE PROPOSED IN THIS
SPECIAL PERMIT APPLICATION

1 PROPOSED BASEMENT
1/4" = 1'-0"

BOYES-WATSON
ARCHITECTS



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somerville, ma
02143
architects@boyeswatson.com
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job number
19140

scale
1/4" = 1'-0"

date issued
03-20-16

**SPECIAL
PERMIT**

sheet no.
BZA 102

client
STEFAN
DUBOULOZ

title
1ST FLOOR PLANS
project
44 MARKET ST.

BOYES-WATSON
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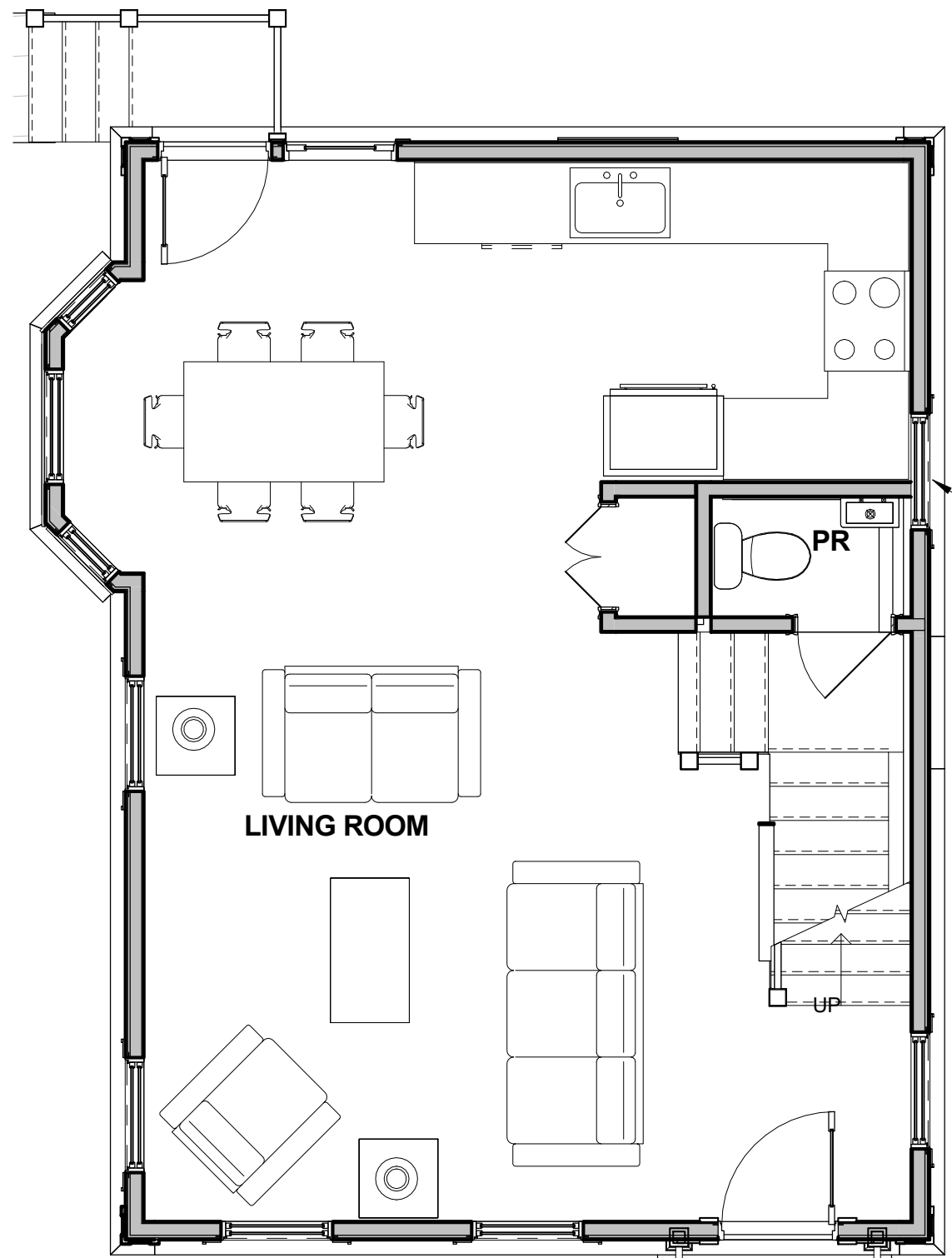
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1/4" = 1'-0"

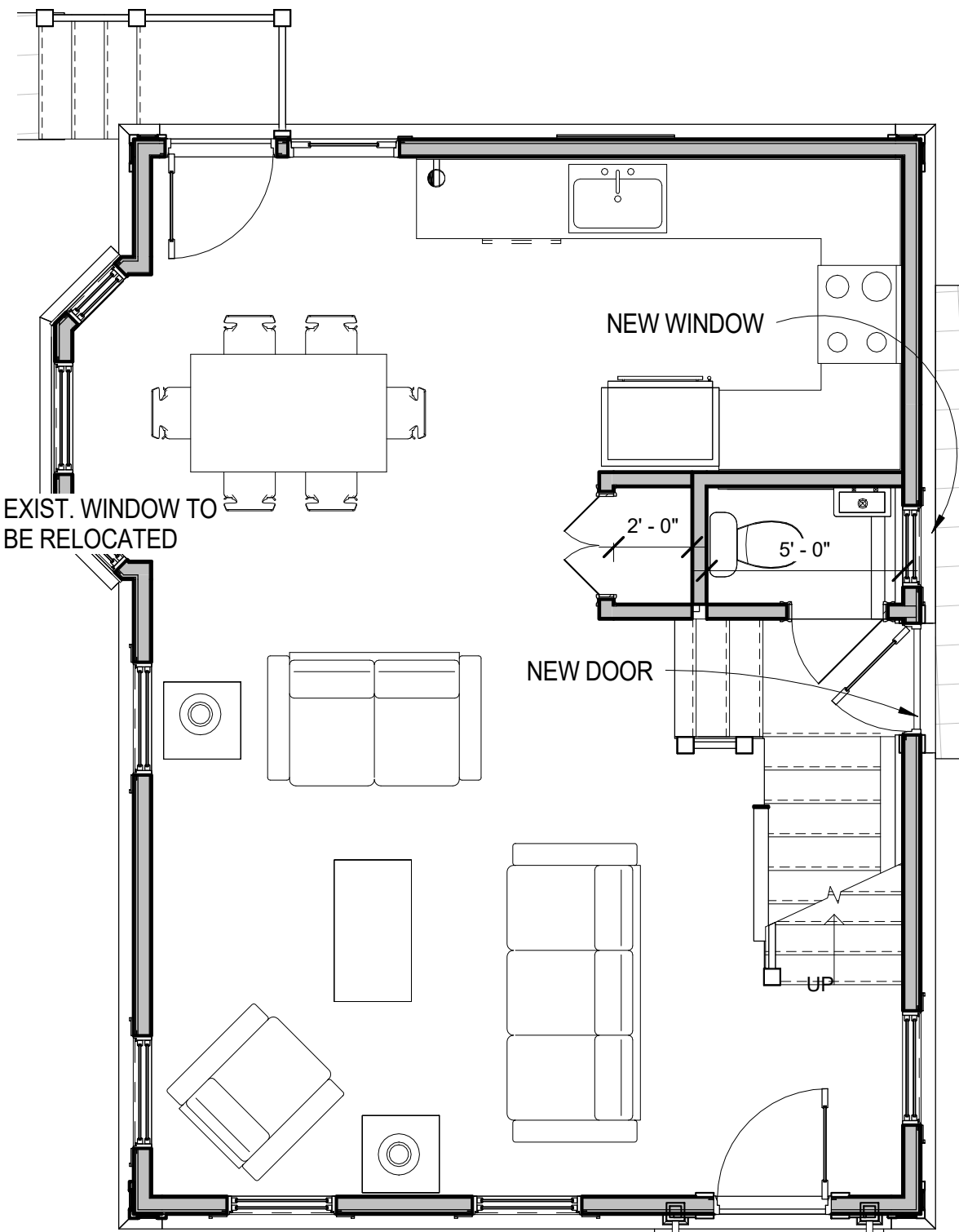
date issued
03-20-16

**SPECIAL
PERMIT**

sheet no.
BZA 103



1 EXISTING FIRST FLOOR
1/4" = 1'-0"



2 PROPOSED FIRST FLOOR
1/4" = 1'-0"

3/22/2016 3:24:14 PM

client
STEFAN
DUBOULOZ

title
2ND FLOOR PLANS
project
44 MARKET ST.

BOYES-WATSON
ARCHITECTS

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02143
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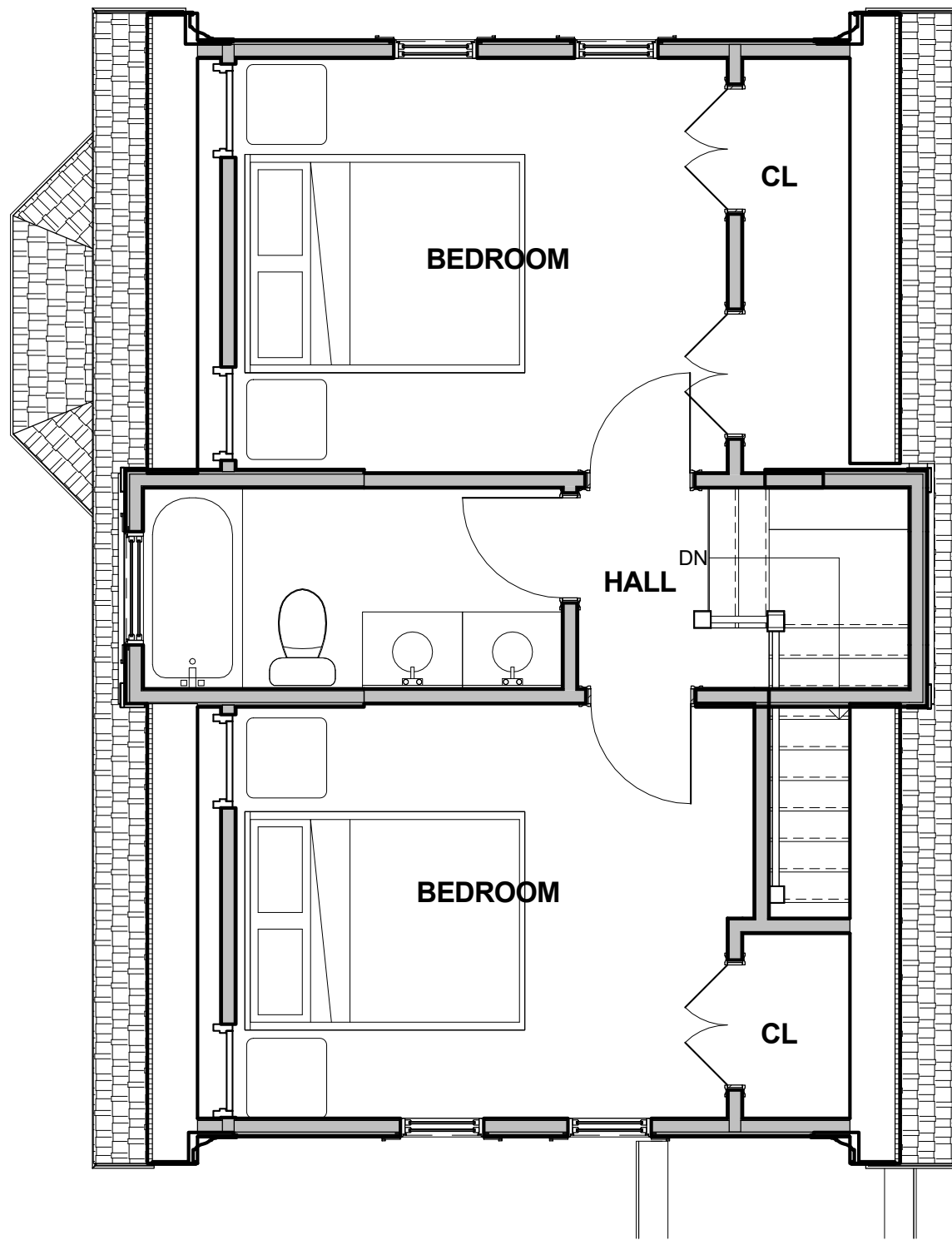
job number
19140

scale
1/4" = 1'-0"

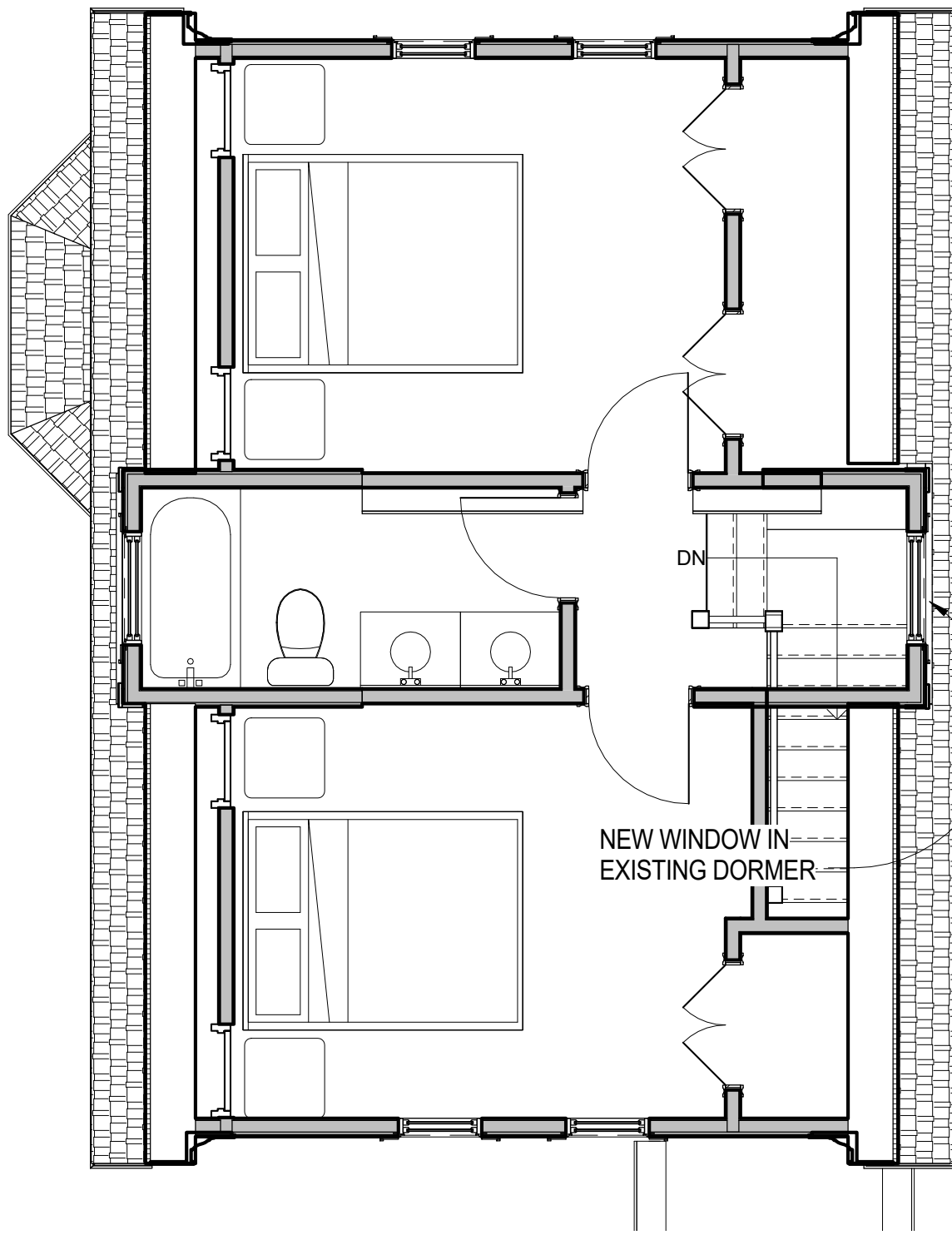
date issued
03-20-16

**SPECIAL
PERMIT**

sheet no.
BZA 104



1 EXISTING SECOND FLOOR PLAN
1/4" = 1'-0"



2 PROPOSED 2ND FLOOR PLAN
1/4" = 1'-0"

3/22/2016 3:24:15 PM

client
STEFAN
DUBOULOZ

title
EXISTING BUILDING ELEVATIONS
project
44 MARKET ST.

BOYES-WATSON
ARCHITECTS

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architects@boyeswatson.com
phone: (617) 629.8200
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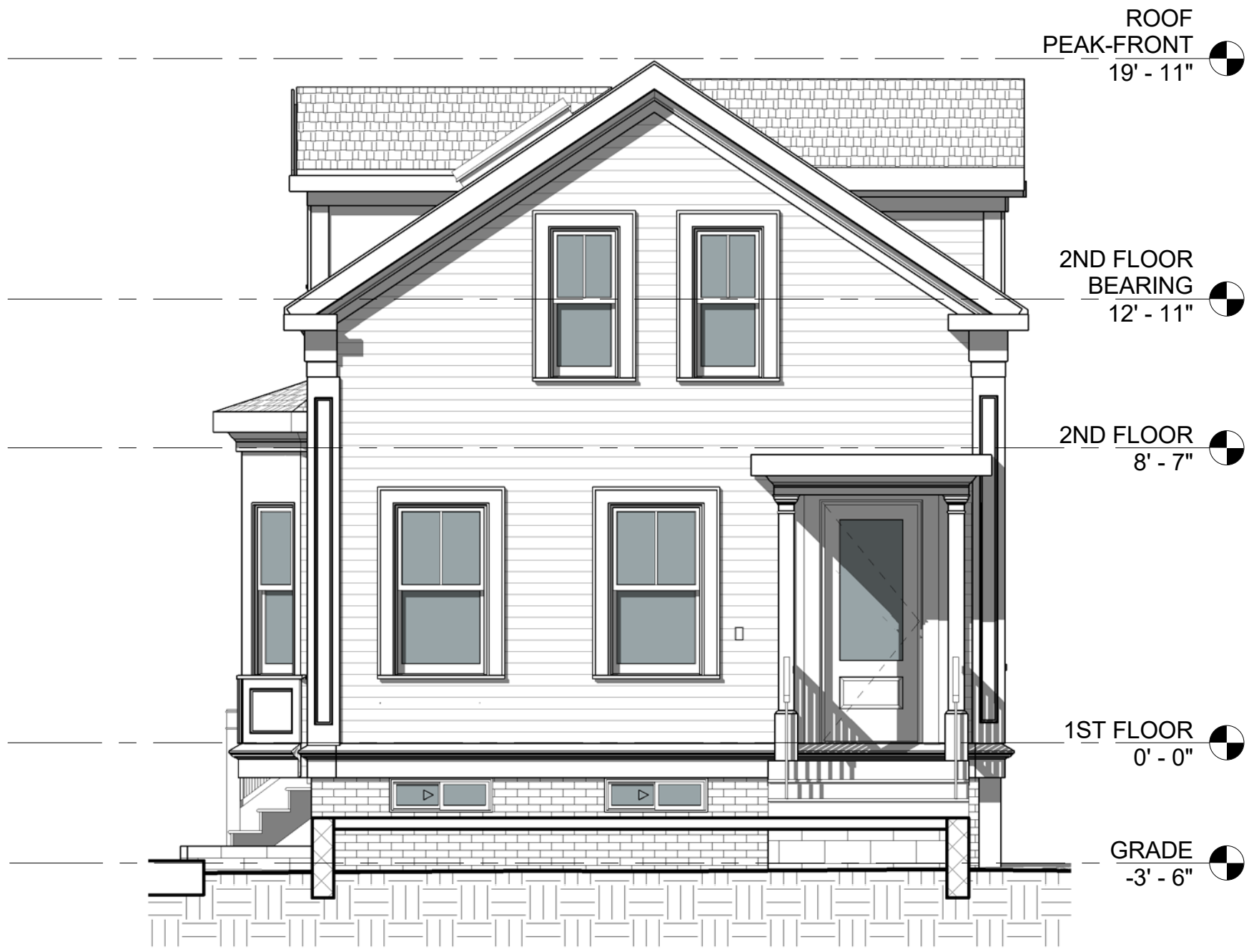
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scale
1/4" = 1'-0"

date issued
03-20-16

**SPECIAL
PERMIT**

sheet no.
BZA 201

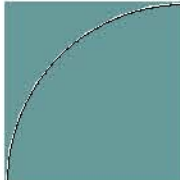


NO CHANGES TO THE FRONT ELEVATION ARE PROPOSED IN THIS
SPECIAL PERMIT APPLICATION

1 **EXISTING FRONT ELEVATION**
1/4" = 1'-0"

client
STEFAN
DUBOULOZ

title
EXISTING BUILDING ELEVATIONS
project
44 MARKET ST.

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job number
19140

scale
1/4" = 1'-0"

date issued
03-20-16

**SPECIAL
PERMIT**

sheet no.
BZA 202



NO CHANGES TO THE LEFT SIDE ELEVATION ARE
PROPOSED IN THIS SPECIAL PERMIT APPLICATION

1 EXISTING LEFT SIDE ELEVATION
1/4" = 1'-0"

client
STEFAN
DUBOULOZ

title
EXISTING BUILDING ELEVATIONS
project
44 MARKET ST.

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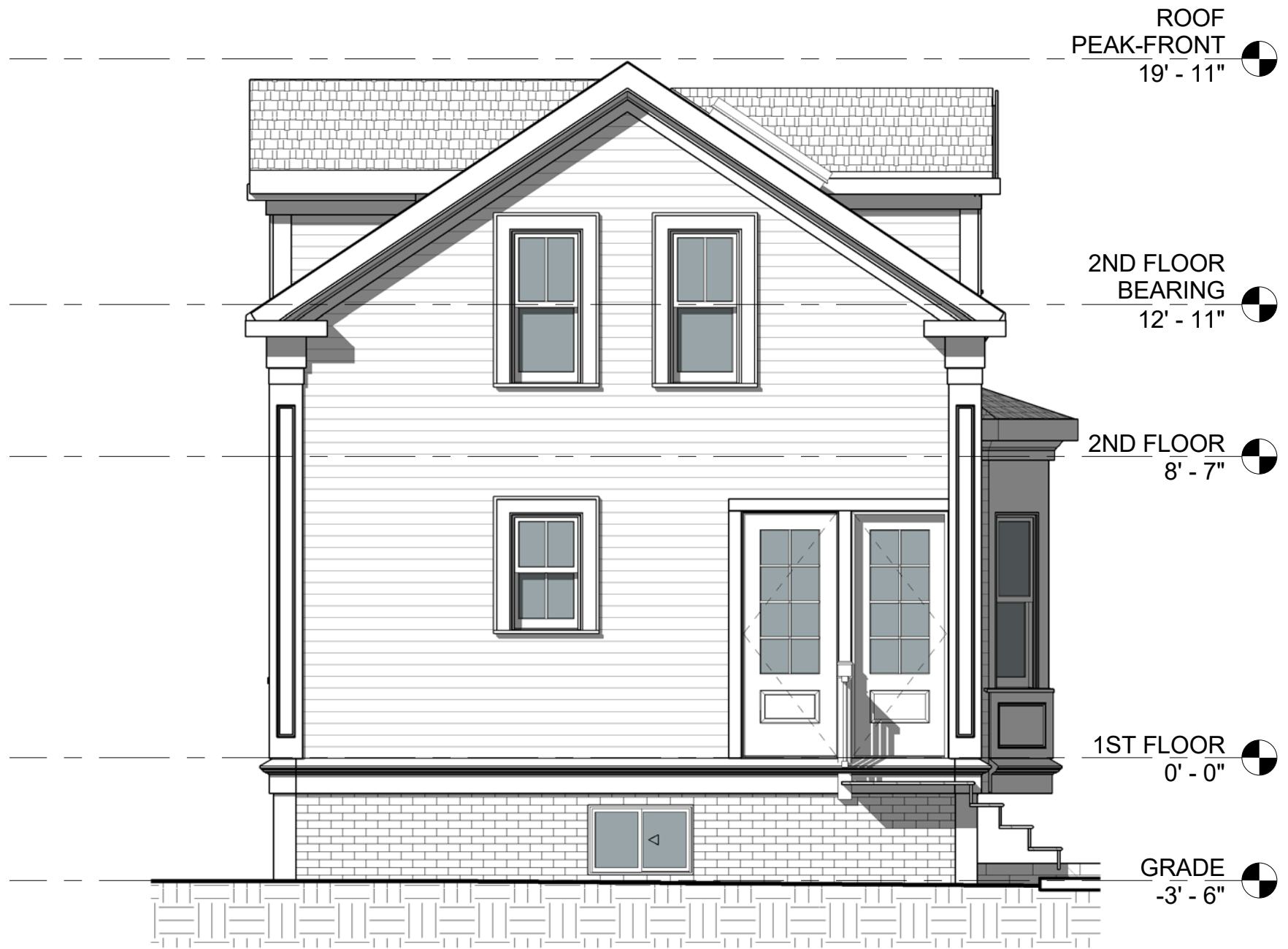
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1/4" = 1'-0"

date issued
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**SPECIAL
PERMIT**

sheet no.
BZA 203



NO CHANGES TO THE REAR ELEVATION ARE PROPOSED
IN THIS SPECIAL PERMIT APPLICATION

1 **EXISTING REAR ELEVATION**
1/4" = 1'-0"

client
STEFAN
DUBOULOZ

title
EXISTING BUILDING ELEVATIONS
project
44 MARKET ST.

BOYES-WATSON
ARCHITECTS

thirty bow street
somerville, ma
02143
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phone: (617) 629.8200
fax: (617) 629.8201

job number
19140

scale
1/4" = 1'-0"

date issued
03-20-16

**SPECIAL
PERMIT**

sheet no.
BZA 204



1 EXISTING RIGHT SIDE ELEVATION
1/4" = 1'-0"

client
STEFAN
DUBOULOZ

title
PROPOSED BLDG. ELEVATIONS
project
44 MARKET ST.

BOYES-WATSON
ARCHITECTS

thirty bow street
somerville, ma
02143
architects@boyeswatson.com
phone: (617) 629.8200
fax: (617) 629.8201

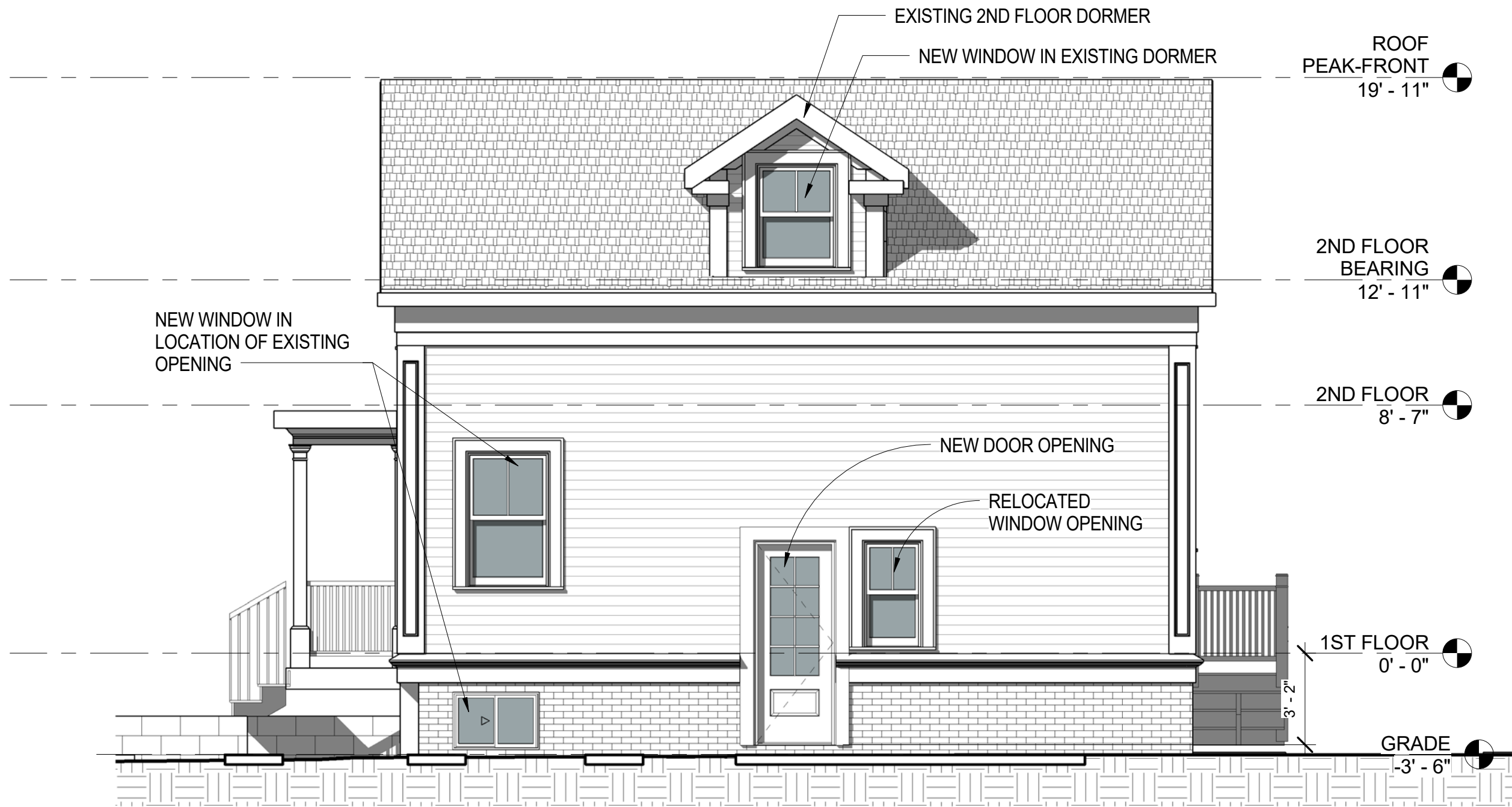
job number
19140

scale
1/4" = 1'-0"

date issued
03-20-16

**SPECIAL
PERMIT**

sheet no.
BZA 205



1 PROPOSED RIGHT SIDE ELEVATION
1/4" = 1'-0"

BZA APPLICATION FORM

CHECK LIST

PROPERTY LOCATION: _____ DATE: _____

PETITIONER OR REPRESENTATIVE: _____

ADDRESS & PHONE: _____

BLOCK: _____ LOT: _____

PLEASE CHECK THAT YOU HAVE INCLUDED THE FOLLOWING WITH YOUR APPLICATION. APPLICATIONS WILL NOT BE ACCEPTED FOR PROCESSING & SCHEDULING UNLESS ALL REQUIRED DOCUMENTS ARE PROVIDED.

*PLEASE INCLUDE THIS CHECKLIST WITH YOUR APPLICATION.
ALL DOCUMENTS ARE TO BE TYPED OR WRITTEN LEGIBLY.*

<u>DOCUMENTS</u>	<u>REQUIRED</u>	<u>ENCLOSED</u>
Application Form 3 Forms with Original Signatures	_____	_____
Supporting Statements - Scanned & 1 set to Zoning	_____	_____
Application Fee (You will receive invoice online)	_____	_____
Assessor's GIS "Block Map" (Available on line or At Engineering Dept. - 147 Hampshire Street)	_____	_____
Dimensional Form - Refer to Cambridge Zoning Ordinance - Scanned & 1 set to Zoning (Subject to further review by Zoning Specialist)	_____	_____
Ownership Certificate, Notarized - Scanned & 1 set to Zoning	_____	_____
Floor Plans - Scanned & 1 set to Zoning	_____	_____
Elevations - Scanned & 1 set to Zoning	_____	_____
Certified Plot Plan - Scanned & 1 set to Zoning (By Registered Land Surveyor)	_____	_____
Photographs of Property - Scanned & 1 set to Zoning	_____	_____
Parking Plan (if relevant to your application) Scanned & 1 set to Zoning	_____	_____
<u>FOR SUBDIVISION ALSO INCLUDE:</u> Scanned & 1 set to Zoning		
Proposed Deeds	_____	_____
Evidence of Separate Utilities **	_____	_____
Proposed Subdivision Plan	_____	_____

Petitioners are advised to refer to Attachment A (Procedures for applying to the Board of Zoning Appeal) & consult zoning staff for review.
It is advisable for the Petitioner to discuss the petition with the abutters as listed in the Zoning BZA Case file.

* For Special Permits under Art. 4.32.G.1 (Communication Towers and Antennas), include a photo simulation.
** Can be submitted after subdivision has been approved.

BZA APPLICATION FORM

GENERAL INFORMATION

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

Special Permit: X Variance: _____ Appeal: _____

PETITIONER: 44 Market Street, LLC represented by Stephan Dubouloz

PETITIONER'S ADDRESS: 50 Hancock Street, Cambridge MA 02139

LOCATION OF PROPERTY: 44 Market Street

TYPE OF OCCUPANCY: ONE AND TWO FAMILY ZONING DISTRICT: C-1

REASON FOR PETITION:

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

DESCRIPTION OF PETITIONER'S PROPOSAL:

Requesting relief to relocate an existing window and install new a new window and door in an existing structure that is nonconforming with respect to the Side Yard Setback required in the Zoning District.

SECTIONS OF ZONING ORDINANCE CITED:

Article 8 Section Section 8.22.2.c
Article _____ Section _____
Article _____ Section _____

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

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

Stephan Dubouloz
(Print Name)

Address: 50 Hancock Street, Cambridge MA 02139

Tel. No.: 617 259 7232

E-Mail Address: stephan.dubouloz@ngam.natixis.com

Date: 03-15-16

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 44 Market Street, LLC represented by Stephan Dubouloz
(OWNER)

Address: 50 Hancock Street, Cambridge MA 02139

State that I/We own the property located at 44 Market Street,
which is the subject of this zoning application.

The record title of this property is in the name of 44 Market Street, LLC

*Pursuant to a deed of duly recorded in the date 07/17/2015, Middlesex South
County Registry of Deeds at Book 65745, Page 454; or
Middlesex Registry District of Land Court, Certificate No. _____
Book _____ Page _____.



SIGNATURE BY LAND OWNER OR
AUTHORIZED TRUSTEE, OFFICER OR AGENT*

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

Commonwealth of Massachusetts, County of Suffolk

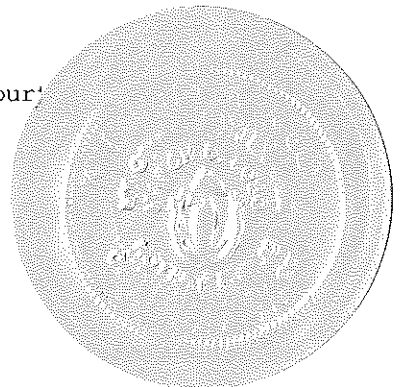
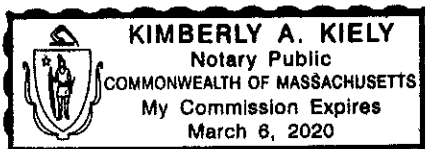
The above-name Stephan Dubouloz personally appeared before me,
this 1 of Jan, 2016, and made oath that the above statement is true.



Notary

My commission expires March 6, 2020 (Notary Seal).

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



BZA APPLICATION FORM

DIMENSIONAL INFORMATION

APPLICANT: _____ PRESENT USE/OCCUPANCY: _____

LOCATION: _____ ZONE: _____

PHONE: _____ REQUESTED USE/OCCUPANCY: _____

	<u>EXISTING</u> <u>CONDITIONS</u>	<u>REQUESTED</u> <u>CONDITIONS</u>	<u>ORDINANCE</u> <u>REQUIREMENTS</u> ¹
TOTAL GROSS FLOOR AREA:	_____	_____	_____ (max.)
LOT AREA:	_____	_____	_____ (min.)
RATIO OF GROSS FLOOR AREA TO LOT AREA: ²	_____	_____	_____ (max.)
LOT AREA FOR EACH DWELLING UNIT:	_____	_____	_____ (min.)
SIZE OF LOT:			
WIDTH	_____	_____	_____ (min.)
DEPTH	_____	_____	_____ (min.)
Setbacks in Feet:			
FRONT	_____	_____	_____ (min.)
REAR	_____	_____	_____ (min.)
LEFT SIDE	_____	_____	_____ (min.)
RIGHT SIDE	_____	_____	_____ (min.)
SIZE OF BLDG.:			
HEIGHT	_____	_____	_____ (max.)
LENGTH	_____	_____	_____ (min.)
WIDTH	_____	_____	_____ (min.)
RATIO OF USABLE OPEN SPACE TO LOT AREA: ³)	_____	_____	_____ (min.)
NO. OF DWELLING UNITS:	_____	_____	_____ (max.)
NO. OF PARKING SPACES:	_____	_____	_____ (min./max)
NO. OF LOADING AREAS:	_____	_____	_____ (min.)
DISTANCE TO NEAREST BLDG. ON SAME LOT:	_____	_____	_____ (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 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 _____ (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:
This Special Permit application seeks a modest rearrangement and addition of door and window openings on one face of the existing non-conforming single family residence. The requirements of the Ordinance can be met because this is a non-conforming structure, pre-existing the Ordinance, and violating setback requirements. Any modification or addition of openings requires and is eligible for a Special Permit.
- 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:
Granting the requested relief would not cause congestion, hazard or substantial change in established neighborhood character because it is a minimal modification to the existing layout. The window and door changes proposed are minor changes on a facade that overlooks a parking lot and will not impact neighborhood character or relationships.
- 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 the site and of adjacent uses would be improved by the renovation of the existing dilapidated dwelling involving the minor rearrangement and addition of such openings. The scale and location of the proposed windows and door is in keeping with the established development patterns in the neighborhood and will be facing an adjacent parking area and so not impact the privacy of the adjacent development.
- 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 relocation and addition of window and door openings would not create a nuisance or hazard. It would facilitate the occupancy of the structure by making the window layout more rational relating to the interior uses of the building without impacting the privacy of abutters. It will also bring an as-of-right dormer in greater conformance to the Dormer Guidelines.
- 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 relief is modest in nature and is limited to rearrangement of openings on the side of a non-conforming structure adjacent to a parking lot. It is in keeping with existing structures in the neighborhood and would not impair the integrity of the district.



CAMBRIDGE HISTORICAL COMMISSION

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



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

Jurisdiction Advice

To the Owner of Property at 44 Market St.:

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 review of proposed window + door changes.
- 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 SB

Date 3/28/16

Received by uploaded to Energov
Relationship to project _____

Date "

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/demolitiondelay.html>