BZA APPLICATION FORM

GENERAL INFORMATION

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

Special Permit: ______  Variance: X  Appeal: ______

PETITIONER: Dark Ride Media, LLC

PETITIONER'S ADDRESS: C/O Patrick W. Barrett, Esq. 41A Pleasant St Cambridge, MA 02139

LOCATION OF PROPERTY: 288 Green Street

TYPE OF OCCUPANCY: 4.35 (g) (h)  ZONING DISTRICT: Res C-3; Central Square Overlay

REASON FOR PETITION:

_____ Additions  _____ New Structure

X  Change in Use/Occupancy  _____ Parking

_____ Conversion to Add'l Dwelling Unit's  _____ Sign

_____ Dormer  _____ Subdivision

_____ Other: ________________________________

DESCRIPTION OF PETITIONER'S PROPOSAL:

Petitioner requests variance relief to convert former below grade function hall into a theatre and
accessory cafe serving beer and wine. This variance was granted in 2016 but for financial reason
petitioner's variance has since lapsed.

SECTIONS OF ZONING ORDINANCE CITED:

Article 4.000  Section Use Regulations 4.35 (g) (h)  & 20.000 Section 20.304.5 Use Limitations and
Restrictions.

Article 5.000  Section 5.31 Table of Dimensional Regulations

Article 10.000  Section 10.40 Variance Relief

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)

Address: 41A Pleasant Street Cambridge, MA 02139

Tel. No.: 617 778 3521

E-Mail Address: jbrealtyllc@gmail.com

Date: ________________________________

(ATTACHMENT B - PAGE 2)
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 Dark Ride Media, LLC. (OWNER)

Address: 288 Green Street

State that I/We own the property located at 288 Green Street, which is the subject of this zoning application.

The record title of this property is in the name of Greek-American Political Club.

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

Book Page

/S/ 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 Patrick W Barrett personally appeared before me, this 6th of July, 2019, and made oath that the above statement is true.

My commission expires May 17, 2024 (Notary Seal).

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

SUPPORTING STATEMENT FOR A VARIANCE

EACH OF THE FOLLOWING REQUIREMENTS FOR A VARIANCE MUST BE ESTABLISHED AND SET FORTH IN COMPLETE DETAIL BY THE APPLICANT IN ACCORDANCE WITH MGL 40A, SECTION 10:

A) A literal enforcement of the provisions of this Ordinance would involve a substantial hardship, financial or otherwise, to the petitioner or appellant for the following reasons:

A literal enforcement of the provisions of this Ordinance would involve a substantial hardship to the petitioner because the location below grade space has a prior history as a function hall but is not suitable for any of the other allowed uses within the district because of the large size and lack of street frontage. The proposed use is sited in the basement of a pre-existing non-conforming commercial building that hosts live music, salsa and dancing classes, and other uses currently not permitted in the Residence C-3 zone but are prevalent within the Central Square Overlay District, Business B district, and are encouraged within Central Square Cultural District in which the locus sits. The space has been vacant since 2003 and will provide highly sought after rehearsal space and theatre space in Central Square.

B) The hardship is owing to the following circumstances relating to the soil conditions, shape or topography of such land or structures and especially affecting such land or structures but not affecting generally the zoning district in which it is located for the following reasons:

The hardship is owing to the structure sited within a pre-existing non-conforming structure whose size and lack of street frontage prohibit any meaningful use. The same use are allowed within the Overlay District and across Green Street in the Business B District and are currently grandfathered on the upper floors of the locus. The below space did have a similar use that lost its grandfather status after ceasing operations for more than two years.

C) DESIRABLE RELIEF MAY BE GRANTED WITHOUT EITHER:

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

Desirable relief may be granted, and was in 2016, without substantial detriment to the public good because the Theatre Use will support the arts and mix of entertainment that has been the subject of multiple studies and goals of Central Square which is the City's only Cultural District.

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

In section 1.03 (Purpose) the Ordinance calls for the most rational use of land throughout the City. Due to the location's size and orientation with a complete lack of street frontage, its prior use as a function and entertainment space, and the incompatibility with any allowed use within Residence C-3 the proposed use is the only practical use of the space that also fulfills the goals and purpose of the Cultural District in which it sits.

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

(ATTACHMENT B - PAGE 5)
**BZA APPLICATION FORM**

**DIMENSIONAL FORM**

<table>
<thead>
<tr>
<th>Applicant:</th>
<th>Present Use/Occupancy: social space</th>
</tr>
</thead>
<tbody>
<tr>
<td>Location:</td>
<td>288 Green Street, Cambridge, MA 02139</td>
</tr>
<tr>
<td>Zone:</td>
<td>C-3</td>
</tr>
<tr>
<td>Phone:</td>
<td>Requested Use/Occupancy: theater/rehearsal space</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Total Gross Floor Area:</th>
<th>Existing Conditions</th>
<th>Requested Conditions</th>
<th>Ordinance Requirements</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>5,265 sf for renovation</td>
<td>5,265 sf no change to exterior</td>
<td>23,175 sf (max.)</td>
</tr>
</tbody>
</table>

| Lot Area: | 7,725 sf |

| Ratio of Gross Floor Area to Lot Area | 0.69 for reno no change to exterior | 2.87 for entire building exterior | 3 (max.) |

| Lot Area for Each Dwelling Unit: | no dwelling units currently | no dwelling units proposed | 300 sf/unit (not res.) (min.) |

<table>
<thead>
<tr>
<th>Size of Lot:</th>
<th>Width: 53 feet (at widest)</th>
<th>Depth: 201 feet (at deepest)</th>
</tr>
</thead>
</table>

<table>
<thead>
<tr>
<th>Set-Backs:</th>
<th>Front: 19.5 feet</th>
<th>Rear: 122 feet</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Left Side: 0 feet</td>
<td>Right Side: 0 feet</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Size of Building:</th>
<th>Height: 62 feet</th>
<th>Length: 102.9 feet</th>
<th>Width: 53 feet</th>
</tr>
</thead>
</table>

<table>
<thead>
<tr>
<th>Ratio of Usable Open Space to Lot Area</th>
<th>2.6%</th>
<th>2.6%</th>
<th>10% (min.)</th>
</tr>
</thead>
</table>

| No. of Dwelling Units: | 0 |

| No. of Parking Spaces: | 0 |

| No. of Loading Areas: | 1 |

| Distance to Nearest Bldg.: | 1 |

| Size of Bldgs. Adjacent on Same Lot: | 0 |

Describe, where applicable, other occupancies on same lot, the size of adjacent buildings on same lot, and type of construction proposed, e.g.; woodframe, concrete, brick, steel, etc. There is an existing social club and dance studio/hall that are on the floors above, in the same building. New interior wall construction will be framed with metal studs.

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1 See Cambridge Zoning Ordinance Article 5.000, Section 5.30 (District of Dimensional Regulations).

2 Total Gross Floor Area (including basement 7'3" in height and attic areas greater than 5') divided by Lot Area.

3 Open space shall not include parking areas, walkways or driveway and shall have a minimum dimension of 15'.

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Original Signature(s):

[Signature]

Petitioner(s)/Owner) [Print Name]

Address: 41A Pleasant Street Cambridge, MA 02139

Tel. No.: 617 778 3521

E-Mail Address: jbrealtyllc@gmail.com

Date: ____________________

(ATTACHMENT B - PAGE 2)
Jurisdiction Advice

To the Owner of Property at ______ 288 Green 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)

X 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 is anticipated. No CHC review of use.

__ No jurisdiction: not a designated historic property and the structure is less than fifty years old.
__ No local jurisdiction, but the property is listed on the National Register of Historic Places; CHC staff is available for consultation, upon request.

Staff comments: __________________________

The Board of Zoning Appeal advises applicants to complete Historical Commission or Neighborhood Conservation District Commission reviews before appearing before the Board.

If a line indicating possible jurisdiction is checked, the owner needs to consult with the staff of the Historical Commission to determine whether a hearing will be required.

CHC staff initials ______ SLB ______ Date ______ June 18, 2019 ______

Received by ______ Uploaded to Energov ______ Date ______ June 18, 2019 ______

Relationship to project ______ BZA 017134-2019 ______

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