BZA APPLICATION FORM

GENERAL INFORMATION

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

Special Permit: ________  Variance: √  Appeal: ________

PETITIONER:  Lotus Harvard Enterprise, LLC - C/O James J. Rafferty

PETITIONER’S ADDRESS:  675 Massachusetts Avenue Cambridge, MA 02139

LOCATION OF PROPERTY:  1699 Massachusetts Ave Cambridge, MA

TYPE OF OCCUPANCY:  ________________________  ZONING DISTRICT:  BA-2/Res B/Mass Ave Overlay

REASON FOR PETITION:

New Structure

DESCRIPTION OF PETITIONER’S PROPOSAL:

Petitioner seeks to locate portion of below grade accessory parking garage in area of lot zoned Residence B.

SECTIONS OF ZONING ORDINANCE CITED:

Article 4.000  Section 4.31.G (Multi-Family Dwelling).

Article 10.000  Section 10.30 (Variance).

Original Signature(s):

James J. Rafferty  (Print Name)

Address:  675 Massachusetts Avenue

Cambridge, MA 02139

Tel. No.:  (617) 492-4100

E-Mail Address:  jrafferty@adamsrafferty.com

Date:  7/20/15
OWNERSHIP INFORMATION FOR BOARD OF ZONING APPEAL RECORD

Lotus Harvard Enterprise, LLC
(Owner or Petitioner)

Address: c/o James J. Rafferty 675 Massachusetts Avenue, Cambridge MA 02139

Location of Premises: 1699 Massachusetts Avenue

the record title standing in the name of Lotus Harvard Enterprise, LLC

whose address is 1712 Massachusetts Avenue, Cambridge MA 02138

(Street) (City or Town) (State & Zip Code)

by a deed duly recorded in the Middlesex South County Registry of Deeds in

Book _____ 48833 Page 336 or ______________ Registry

District of Land Court Certificate No. ______________ Book ____ Page ______

On this 17th day of July, 2015, before me, the undersigned notary public, personally appeared ___ Toby Seto ____, proved to me through satisfactory evidence of identification, which were _____ MA/ID ____, to be the person whose name is signed on the preceding or attached document, and acknowledged to me that they signed it voluntarily for its stated purpose.

MARC SKORUPSKI
Notary Public

My commission expires: 10/14/15
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DIMENSIONAL INFORMATION

APPLICANT: James Rafferty, Esq.

LOCATION: 1699 Massachusetts Ave Cambridge, MA

PHONE: __________________________

PRESENT USE/OCCUPANCY: __________________________

REQUESTED USE/OCCUPANCY: multi-family

ZONE: BA-2/Res B/Mass Ave Overlay

<table>
<thead>
<tr>
<th>EXISTING CONDITIONS</th>
<th>REQUESTED CONDITIONS</th>
<th>ORDINANCE REQUIREMENTS</th>
</tr>
</thead>
<tbody>
<tr>
<td>TOTAL GROSS FLOOR AREA:</td>
<td>0</td>
<td>18,361*</td>
</tr>
<tr>
<td>LOT AREA:</td>
<td>13,044</td>
<td>no change</td>
</tr>
<tr>
<td>RATIO OF GROSS FLOOR AREA TO LOT AREA:</td>
<td>0</td>
<td>1.4*</td>
</tr>
<tr>
<td>LOT AREA FOR EACH DWELLING UNIT:</td>
<td>0</td>
<td>815**</td>
</tr>
<tr>
<td>SIZE OF LOT:</td>
<td>WIDTH 88.5'</td>
<td>no change</td>
</tr>
<tr>
<td></td>
<td>DEPTH 152'</td>
<td>no change</td>
</tr>
<tr>
<td>SETBACKS IN FEET:</td>
<td>FRONT N/A</td>
<td>0</td>
</tr>
<tr>
<td></td>
<td>REAR N/A</td>
<td>50'</td>
</tr>
<tr>
<td></td>
<td>LEFT SIDE N/A</td>
<td>10'</td>
</tr>
<tr>
<td></td>
<td>RIGHT SIDE N/A</td>
<td>10'</td>
</tr>
<tr>
<td>SIZE OF BLDG.:</td>
<td>HEIGHT N/A</td>
<td>42'</td>
</tr>
<tr>
<td></td>
<td>LENGTH N/A</td>
<td>117'</td>
</tr>
<tr>
<td></td>
<td>WIDTH N/A</td>
<td>57'</td>
</tr>
<tr>
<td>RATIO OF USABLE OPEN SPACE TO LOT AREA:</td>
<td>N/A</td>
<td>41</td>
</tr>
<tr>
<td>NO. OF DWELLING UNITS:</td>
<td>0</td>
<td>20*</td>
</tr>
<tr>
<td>NO. OF PARKING SPACES:</td>
<td>45</td>
<td>20</td>
</tr>
<tr>
<td>NO. OF LOADING AREAS:</td>
<td>N/A</td>
<td>N/A</td>
</tr>
<tr>
<td>DISTANCE TO NEAREST BLDG. ON SAME LOT:</td>
<td>N/A</td>
<td>N/A</td>
</tr>
</tbody>
</table>

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.

*After IHP bonus
**Before IHP bonus

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'.

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- **NOTE:** The form includes specific calculations and requirements for dimensional information, including floor area, lot area, setbacks, and open space. It also references the Cambridge Zoning Ordinance for additional regulations.
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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 Ordinance would require the applicant to create a second level of below grade parking in order to accommodate a single parking space.

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 directly related to the shape and size of the lot.

C) DESIRABLE RELIEF MAY BE GRANTED WITHOUT EITHER:

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

The public good will not experience any detriment since the entire parking facility is located below grade.

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

Granting this variance will allow the new multi-family dwelling to comply with the parking requirements of Article 6 and will not result in any non-compliance with any of the dimensional requirements of the 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.