



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

BZA APPLICATION FORM

Plan No: BZA-017189-2019

GENERAL INFORMATION

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

Special Permit : _____ Variance : ✓ Appeal : _____

PETITIONER : Lincoln Institute of Land Policy, Inc. - C/O James J. Rafferty, Esq.

PETITIONER'S ADDRESS : 907 Massachusetts Avenue Cambridge, MA 02139

LOCATION OF PROPERTY : 113 Brattle St Cambridge, MA

TYPE OF OCCUPANCY : _____ ZONING DISTRICT : Residence A-1 & A-2 Zone

REASON FOR PETITION :

Additions

DESCRIPTION OF PETITIONER'S PROPOSAL :

Applicant seeks to rebuild and expand rear addition to pre-existing structure containing an educational use authorized by Special Permit (BZA Case no. 5898). New addition will increase area of structure by more than 25% since it first began to be non-conforming.

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) :


(Petitioner(s) / Owner)
James J. Rafferty, Esq.

(Print Name)

Address : 907 Massachusetts Avenue, Suite 300
Cambridge, MA 02139

Tel. No. : (617) 492-4100

E-Mail Address : jrafferty@adamsrafferty.com

Date : October 7, 2019

OWNERSHIP INFORMATION FOR BOARD OF ZONING APPEAL RECORD

To be completed by OWNER, signed and returned to Secretary of Board of Appeal

Lincoln Institute of Land Policy, Inc.

(Owner or Petitioner)

Address: c/o James J. Rafferty 907 Massachusetts Avenue, Cambridge MA 02139

Location of Premises: 113 Brattle Street

the record title standing in the name of Lincoln Institute of Land Policy, Inc.

whose address is 113 Brattle Street, 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 20017 Page 469 or _____ Registry

District of Land Court Certificate No. _____ Book _____ Page _____

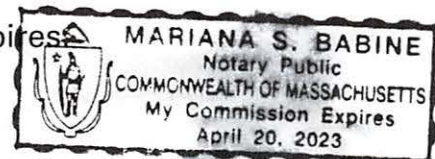

(Owner)

=====

On this 19th day of August, 2019, before me, the undersigned notary public, personally appeared _____ proved to me through satisfactory evidence of identification, which were DRIVERS LICENSE, 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.

MARIANA BABINE
Notary Public

My commission expires



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 Ordinance would prevent the petitioners from constructing a conforming addition to this nonconforming structure.

- 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 related to the existing roofline of a historically significant structure which exceeds the allowed height by 10 inches and thus, renders the building nonconforming.

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

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

There will be no detriment to the public good as a result of this expanded addition. Moreover, the Cambridge Historical Commission has issued a Certificate of Appropriateness for the proposed work.

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

Even with the construction of the proposed addition, the building and lot conform to the FAR, Open Space and Setback requirements of the Residence A-1 and Residence A-2 Zoning Districts.

- * 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**DIMENSIONAL INFORMATION**

APPLICANT: James Rafferty, Esq. **PRESENT USE/OCCUPANCY:** institutional

LOCATION: 113 Brattle St Cambridge, MA **ZONE:** Residence A-1 & A-2 Zone

PHONE: _____ **REQUESTED USE/OCCUPANCY:** institutional

		<u>EXISTING CONDITIONS</u>	<u>REQUESTED CONDITIONS</u>	<u>ORDINANCE REQUIREMENTS</u> ¹	
<u>TOTAL GROSS FLOOR AREA:</u>		13,947	16,323	16,760	(max.)
<u>LOT AREA:</u>		33,520	no change	6,000/8,000	(min.)
<u>RATIO OF GROSS FLOOR AREA TO LOT AREA: ²</u>		.42	.49	.5	(max.)
<u>LOT AREA FOR EACH DWELLING UNIT:</u>		N/A	N/A	N/A	(min.)
<u>SIZE OF LOT:</u>	WIDTH	varies	no change	65' /80'	(min.)
	DEPTH	N/A	N/A	N/A	
<u>SETBACKS IN FEET:</u>	FRONT	107'10"	no change	25'	(min.)
	REAR	113'	no change	25'	(min.)
	LEFT SIDE	21'10"	no change	15' (sum 35')	(min.)
	RIGHT SIDE	16'11"	no change	15' (sum 35')	(min.)
<u>SIZE OF BLDG.:</u>	HEIGHT	35'10"	no change	35'	(max.)
	LENGTH	N/A	N/A	N/A	
	WIDTH	N/A	N/A	N/A	
<u>RATIO OF USABLE OPEN SPACE TO LOT AREA:</u>		57%	54%	50%	(min.)
<u>NO. OF DWELLING UNITS:</u>		N/A	N/A	N/A	(max.)
<u>NO. OF PARKING SPACES:</u>		16	no change	18	(min./max)
<u>NO. OF LOADING AREAS:</u>		N/A	N/A	N/A	(min.)
<u>DISTANCE TO NEAREST BLDG. ON SAME LOT:</u>		N/A	N/A	N/A	(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'.



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2019 OCT 10 PM 3:26

BZA APPLICATION FORM

OFFICE OF THE CITY CLERK
CAMBRIDGE, MASSACHUSETTS
Plan No: BZA-017189-2019

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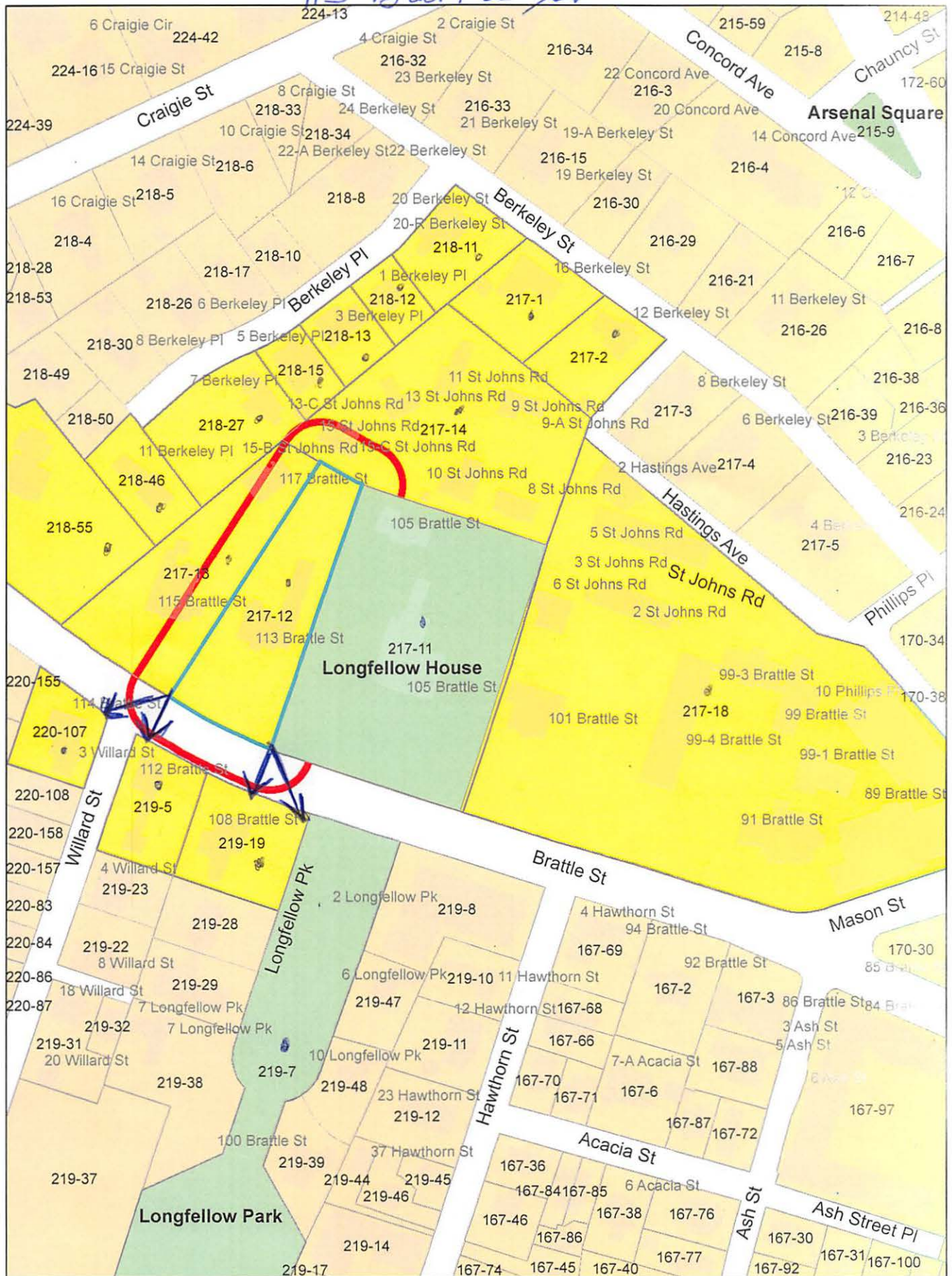
Address : 907 Massachusetts Avenue, Suite 300
Cambridge, MA 02139

Tel. No. : (617) 492-4100

E-Mail Address : jrafferty@adamsrafferty.com

Date : October 7, 2019

113 Brattle St.



113 Brattle St.

Petitioner

217-1
TATAR, MARIA M.,
TR. THE MARIA M. TATAR REV TRUST
16 BERKELEY ST
CAMBRIDGE, MA 02138

217-2
UNGER, ANTHONY M & CAROL M. UNGER,
TRS. THE ANTHONY M. UNGER 1992 TRUST
12 BERKELEY ST.
CAMBRIDGE, MA 02138

JAMES J. RAFFERTY, ESQ.
907 MASS AVENUE - 3RD FL.
CAMBRIDGE, MA 02139

217-12
LINCOLN INSTITUTE OF LAND POLICY, INC.
C/O DENNIS W. ROBINSON, VP FINANCE
113 BRATTLE ST
CAMBRIDGE, MA 02138

217-11
UNITED STATES OF AMERICA
575 TECHNOLOGY SQUARE
CAMBRIDGE, MA 02139

217-13
SORENSEN, CHARLOTTE R. &
RALPH Z. SORENSON TRUSTEE
603 SPRUCE STREET
BOULDER, CO 80302

217-14-18
EPISCOPAL DIVINITY SCHOOL
99 BRATTLE STREET
CAMBRIDGE, MA 02138

218-11
ROGERS, PETER PHILLIPS.
20 BERKELEY ST
CAMBRIDGE, MA 02138

218-12
WEINBERG, LOUISE
TRUSTEE OF WEINBERG BERKELEY REALTY TR.
2510 MATTHEWS DR.
AUSTIN, TX 78703

218-13
CAMPOLI, LISA M.
3 BERKELEY PL
CAMBRIDGE, MA 02138

218-15
FAIR, C. LANSING & JULIA M. FAIR,
TRS. THE FAIR FAMILY NOMINEE TRUST
5 BERKELEY PLACE
CAMBRIDGE, MA 02138

218-27
MILLMAN, JEFFREY,
TRUSTEE THE MILLMAN NOMNEE TRUST
7 BERKELEY PL
CAMBRIDGE, MA 02138

218-46
ROWLEY, GEOFFREY H.,
TR. THE GEOFFREY H. ROWLEY REVOC. TRUST
11 BERKELEY PL
CAMBRIDGE, MA 02138

218-55
KOERNER, JOSEPH L. &
MARGARET KOSTER KOERNER
121 BRATTLE ST
CAMBRIDGE, MA 02138

219-5
BARRETT, DAVID & JUDITH BARRETT
112 BRATTLE STREET
CAMBRIDGE, MA 02138

219-7
CAMBRIDGE CITY OF PWD
147 HAMPSHIRE ST
CAMBRIDGE, MA 02139

219-19
CHUTE, RICHARD S. & PATRICIA L. CHUTE
108 BRATTLE ST
CAMBRIDGE, MA 02138

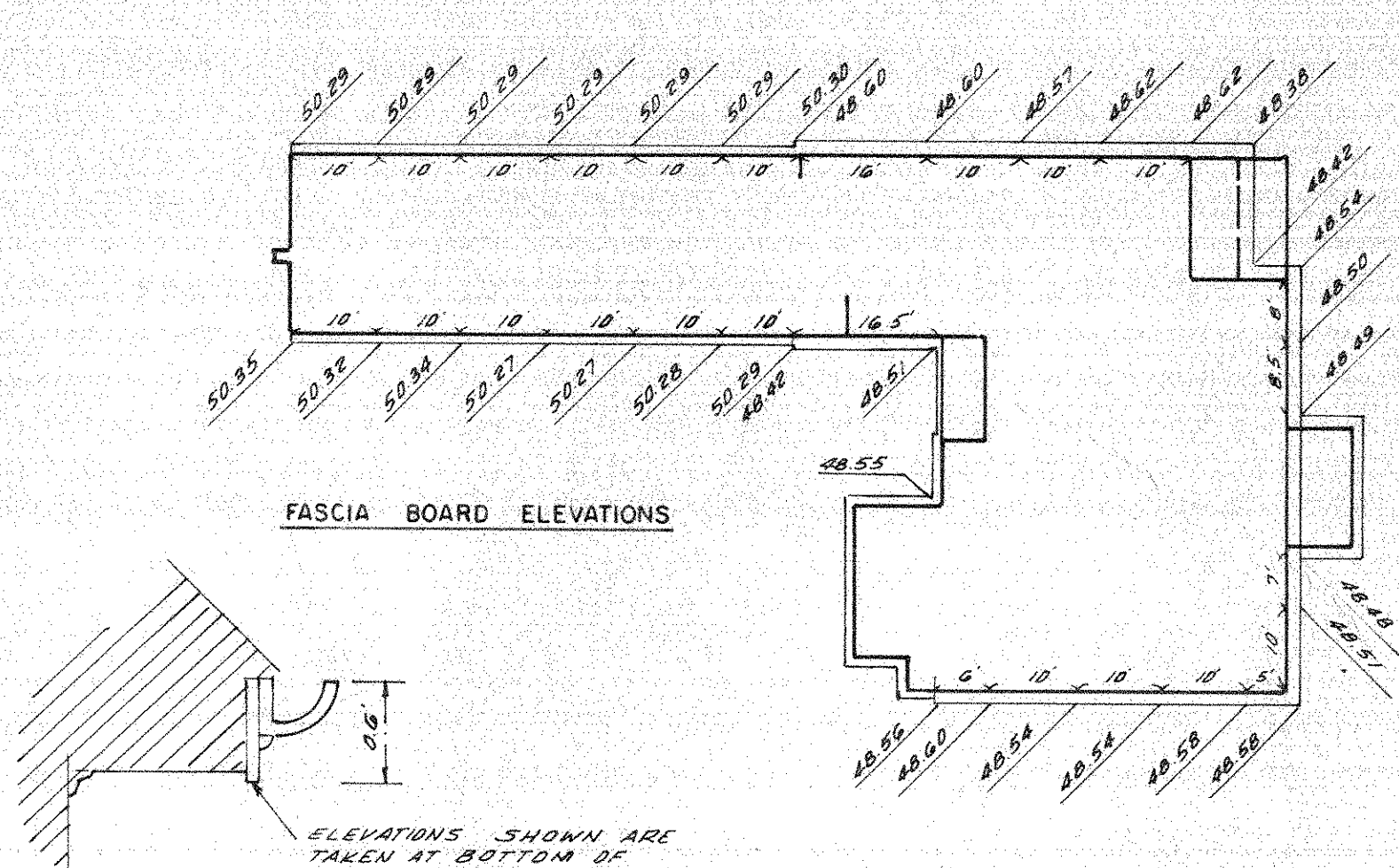
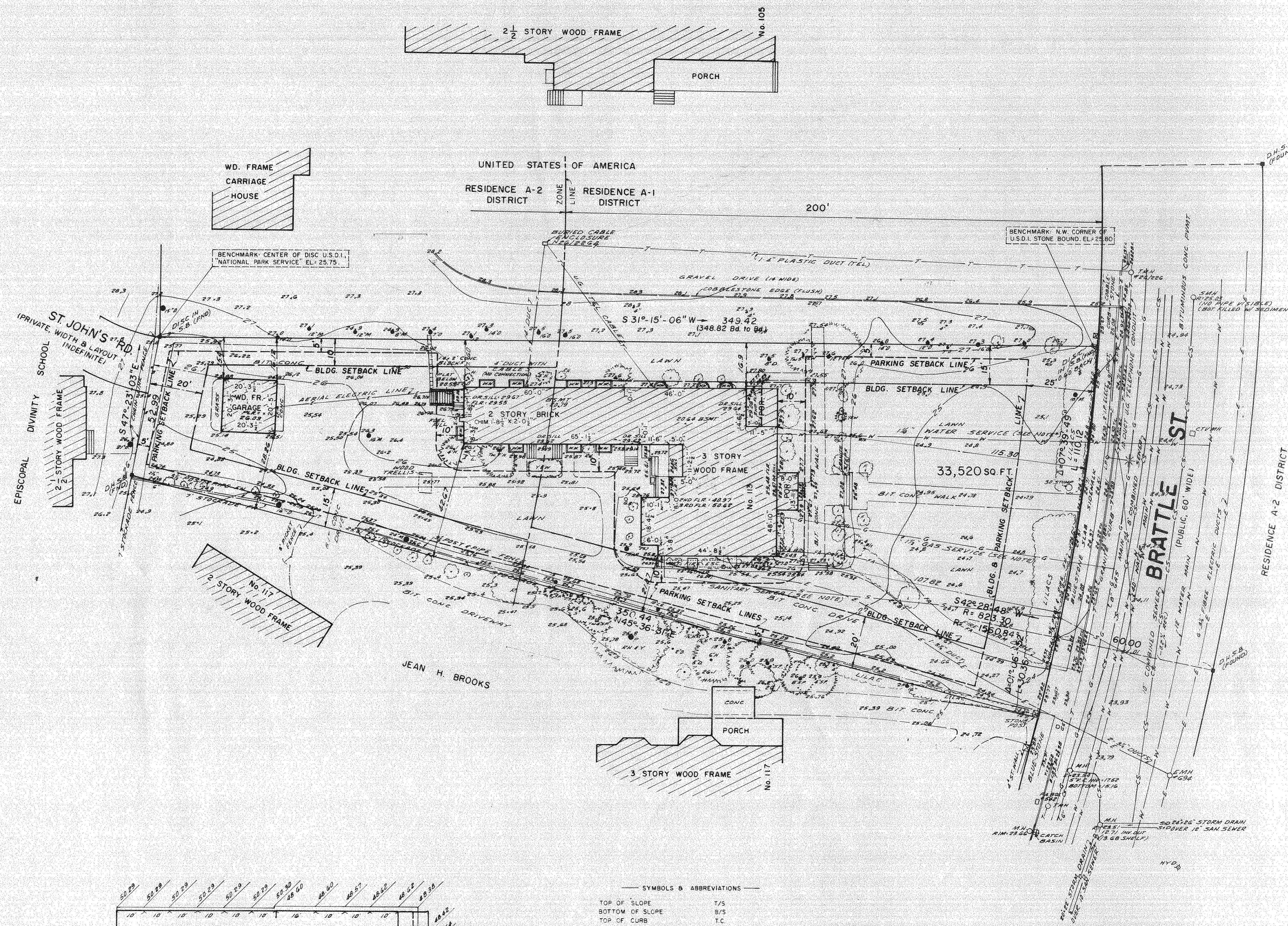
220-107
R.E. GORIN
114 BRATTLE STREET, UNIT 1
CAMBRIDGE, MA 02138

219-7
CITY OF CAMBRIDGE
C/O LOUIS DEPASQUALE
CITY MANAGER

217-18
LESLEY UNIVERSITY
29 EVERETT STREET
CAMBRIDGE, MA 02138

217-18
EPISCOPAL DIVINITY SCHOOL
C/O LESLEY UNIVERSITY
29 EVERETT ST
CAMBRIDGE, MA 02138

219-7
CITY OF CAMBRIDGE
C/O NANCY GLOWA
CITY SOLICITOR



SYMBOLS & ABBREVIATIONS	
TOP OF SLOPE	T/S
BOTTOM OF SLOPE	B/S
TOP OF CURB	T/C
GARBAGE RECEIVER	G.R.
WINDY WELL	W.W.
SIGN POST	S.P.
LIGHT POLE	L.P.
HYDRANT	H.Y.
GAS GATE	G.G.
HAND HOLE	H.H.
MANHOLES	M.H.
ELECTRIC	E.M.H.
TELEPHONE	T.M.H.
SEWER	S.M.H.
CABLE TV	C.T.V.M.H.
FENCE LINE	F.L.
COMBINED SEWER	C.S.
SANITARY SEWER	S.S.
STORM DRAIN	S.D.
ELECTRIC CONDUIT	E.C.
TELEPHONE CONDUIT	T.C.
WATER MAIN	W.M.
GAS MAIN	G.M.
CABLE TV CONDUIT	C.T.V.C.
FIRE ALARM	F.A.
TREES & SHRUBS	
APPLE	AP
CEGAR	CE
DOGWOOD	D
FORSYTHIA	F
HEMLOCK	H
LAUREL	L
OAK	O
RHODOENDRON	RH
SPRUCE	SP
TWIN	TW
YEW	Y

- NOTES
- ELEVATIONS REFER TO CITY OF CAMBRIDGE DATUM, BENCHMARK NO. 56, X-CUT WITH PUNCH ON BOLT HEAD ON S.W. EDGE OF BASE OF HYDRANT ON S.W. CORNER OF SPARKS AND BRATTLE STS. ELEV. = 24.61
 - CONTOUR INTERVAL EQUALS ONE FOOT.
 - UNDERGROUND UTILITIES ARE SHOWN AS DERIVED FROM FIELD INVESTIGATION AND PLANS OF RECORD AND MAY NOT BE COMPLETE. PRIOR TO EXCAVATION, UTILITY COMPANIES AND MUNICIPALITIES MUST BE NOTIFIED. (G.L. CH. 82, SEC. 40 & AMENDMENTS)
 - SEWER, WATER & GAS SERVICES TO BUILDING ARE ASSUMED LOCATIONS SINCE NO DEFINITIVE RECORDS WERE FOUND AS NOTED ABOVE, "DIG-SAFE" SHOULD BE CALLED BEFORE ANY EXCAVATION IS DONE
 - MINIMUM YARD REQUIREMENTS: FRONT SIDE REAR
RESIDENCE A-1 DISTRICT 25' 15' (SUM OF 15') 25'
RESIDENCE A-2 DISTRICT 20' 10' (SUM OF 25') 20'
 - DEED REFERENCE: MIDDLESEX (50) REGISTRY OF DEEDS: BOOK 19746, PAGE 273
 - NO TEST BORINGS OBSERVED AT TIME OF SURVEY.

TOPOGRAPHIC SURVEY
BY
BARNES ENGINEERING CO., INC.
411 LEXINGTON ST. AUBURNDALE, MA.

REVISION	DATE
No. Description	Date

REVISIONS

John P. Barnes
R.L.S. 4/8/74

Lincoln Institute
of Land Policy
113 Brattle Street
Cambridge, Massachusetts
02138

TITLE:
SITE SURVEY
FOR REFERENCE ONLY

Scale 1 IN. = 20 FT. Date August 3, 1990
Drawn By J.R.H.
Checked By J.A.B.
Approved By J.A.B.
Project No. 90818

DWG. NO. C1-1

Cambridge Historical Commission
CERTIFICATE OF APPROPRIATENESS
DATE 1/7/1991
SIGNED [Signature]
CASE NO. 37



DIMELLA SHAFFER

DIMELLA SHAFFER ASSOCIATES, INC.
617.426.5004 / www.dimellashaffer.com

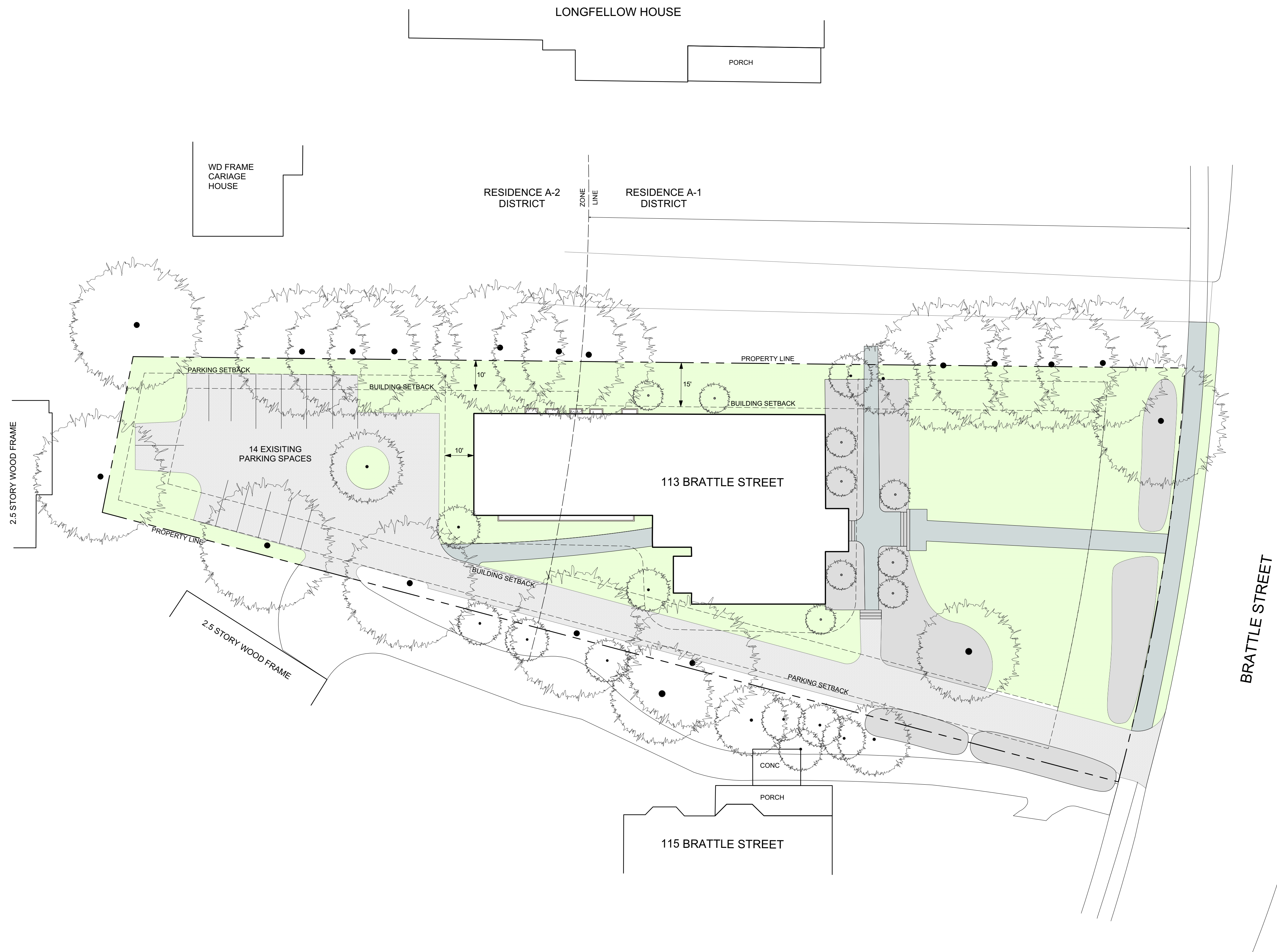
Lincoln Institute of Land Policy

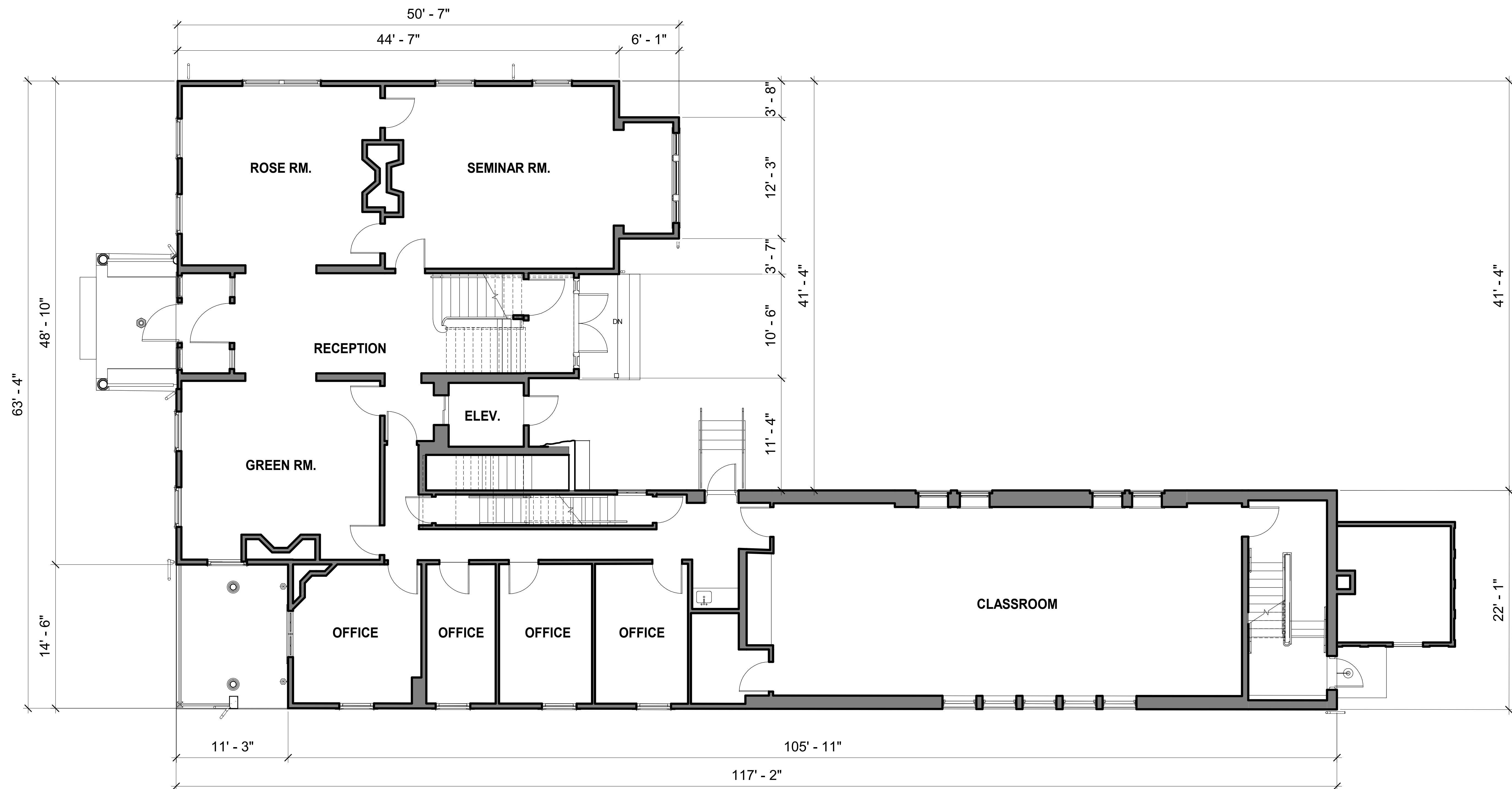
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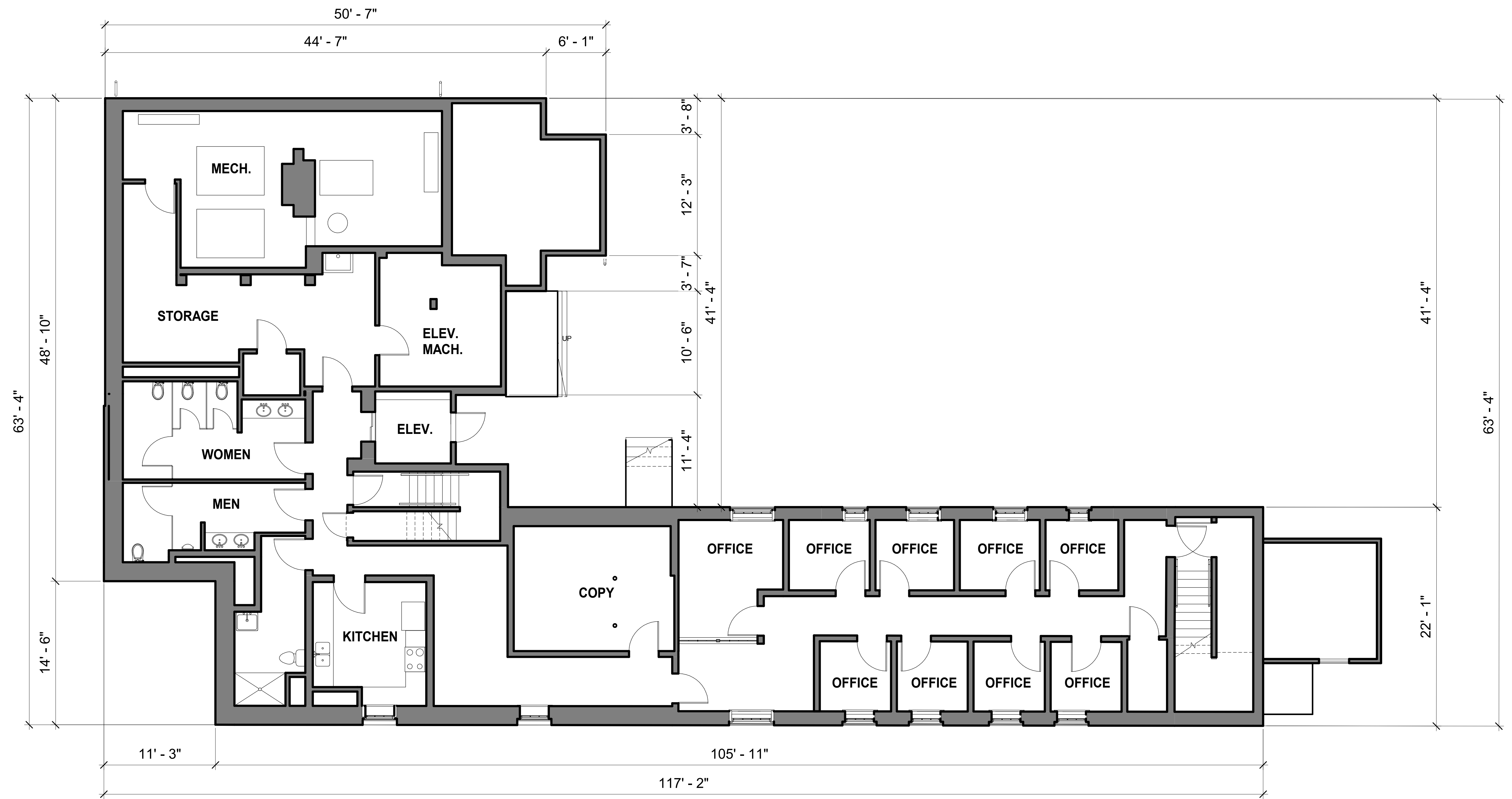
Cambridge ZBA Submission

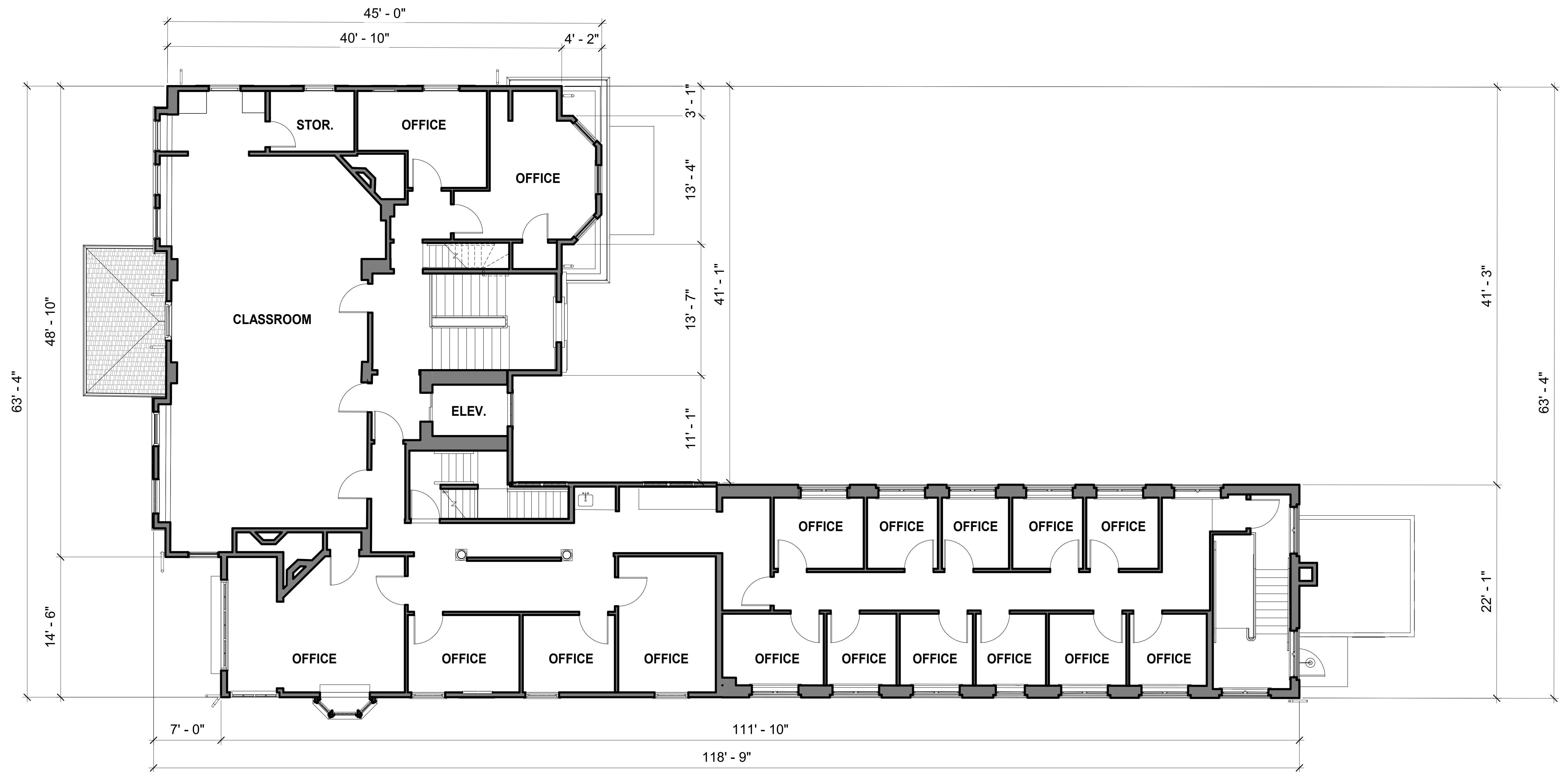
September 6, 2019

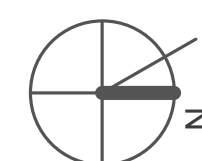
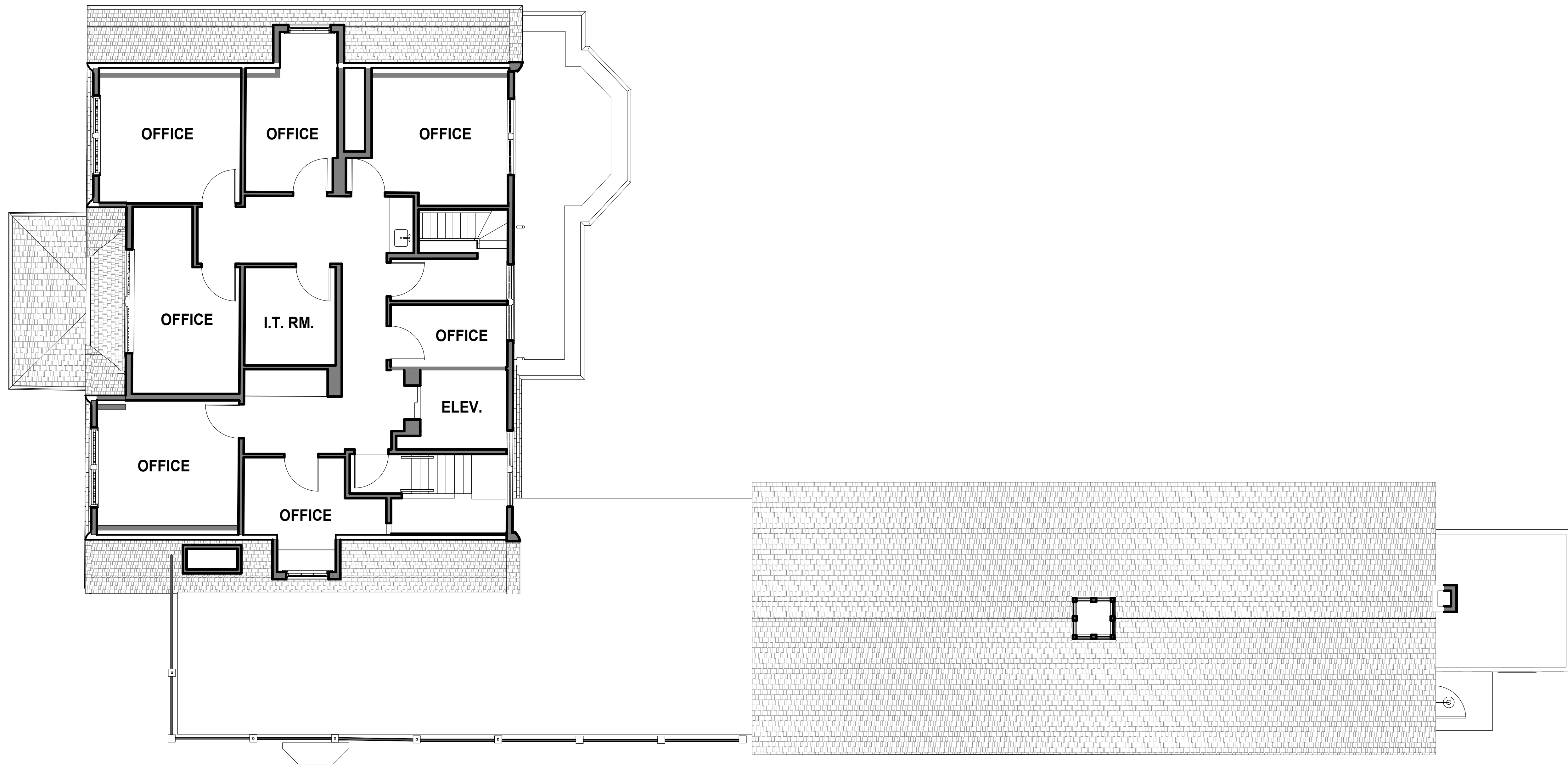
© DiMella Shaffer













EAST ELEVATION - EXISTING



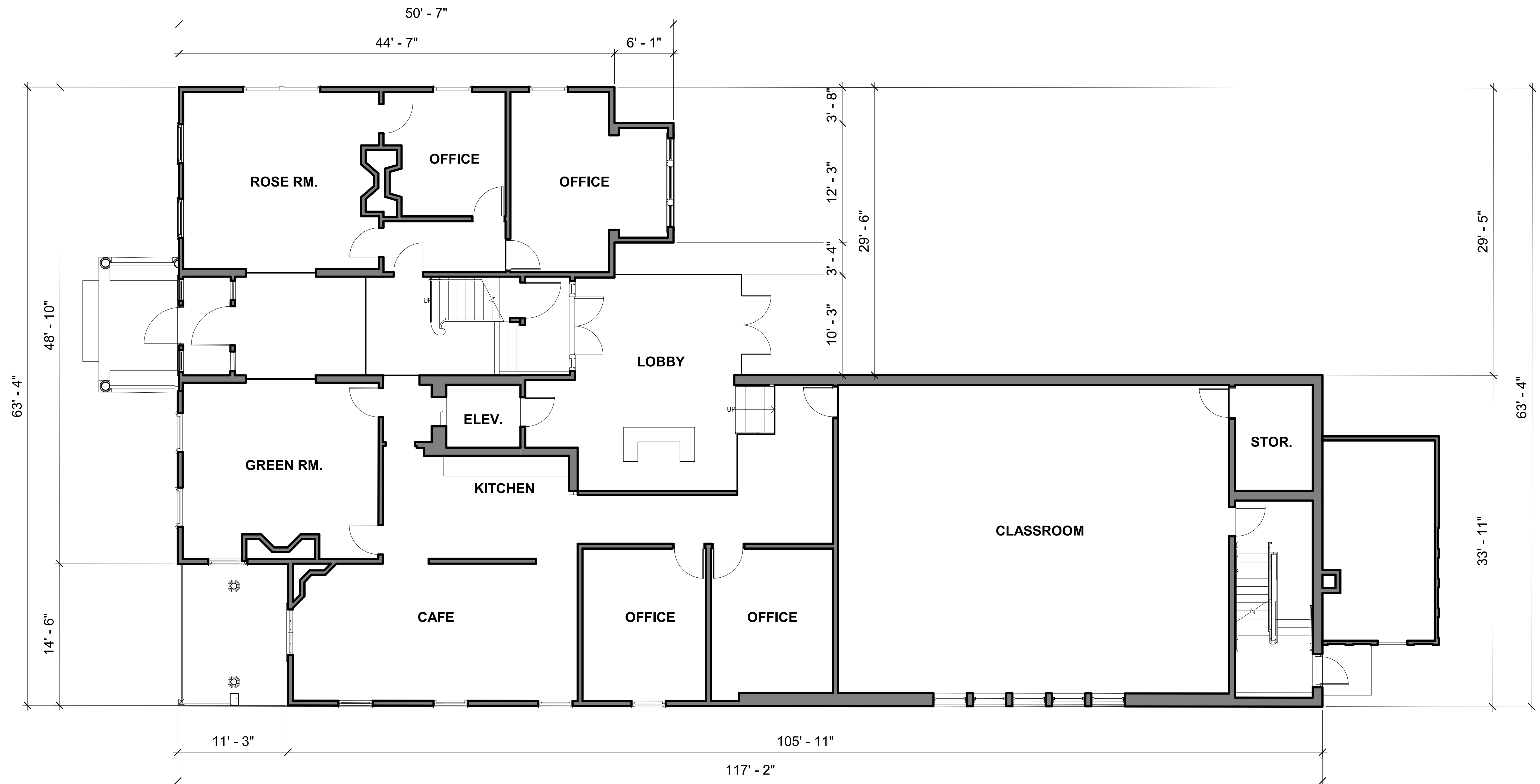
SOUTH ELEVATION - EXISTING

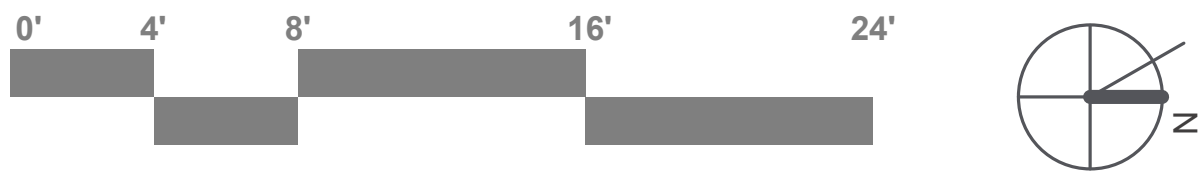
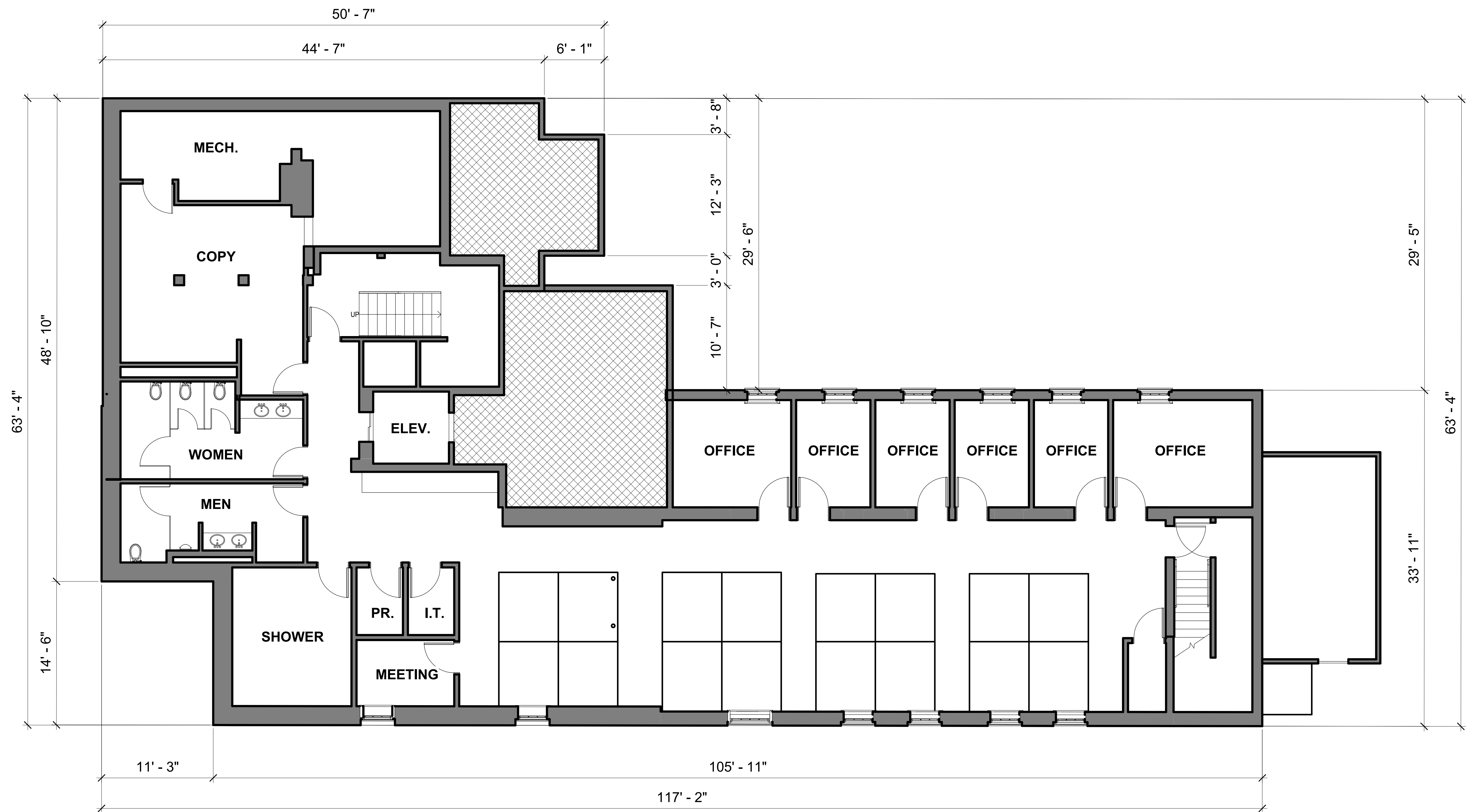


WEST ELEVATION - EXISTING

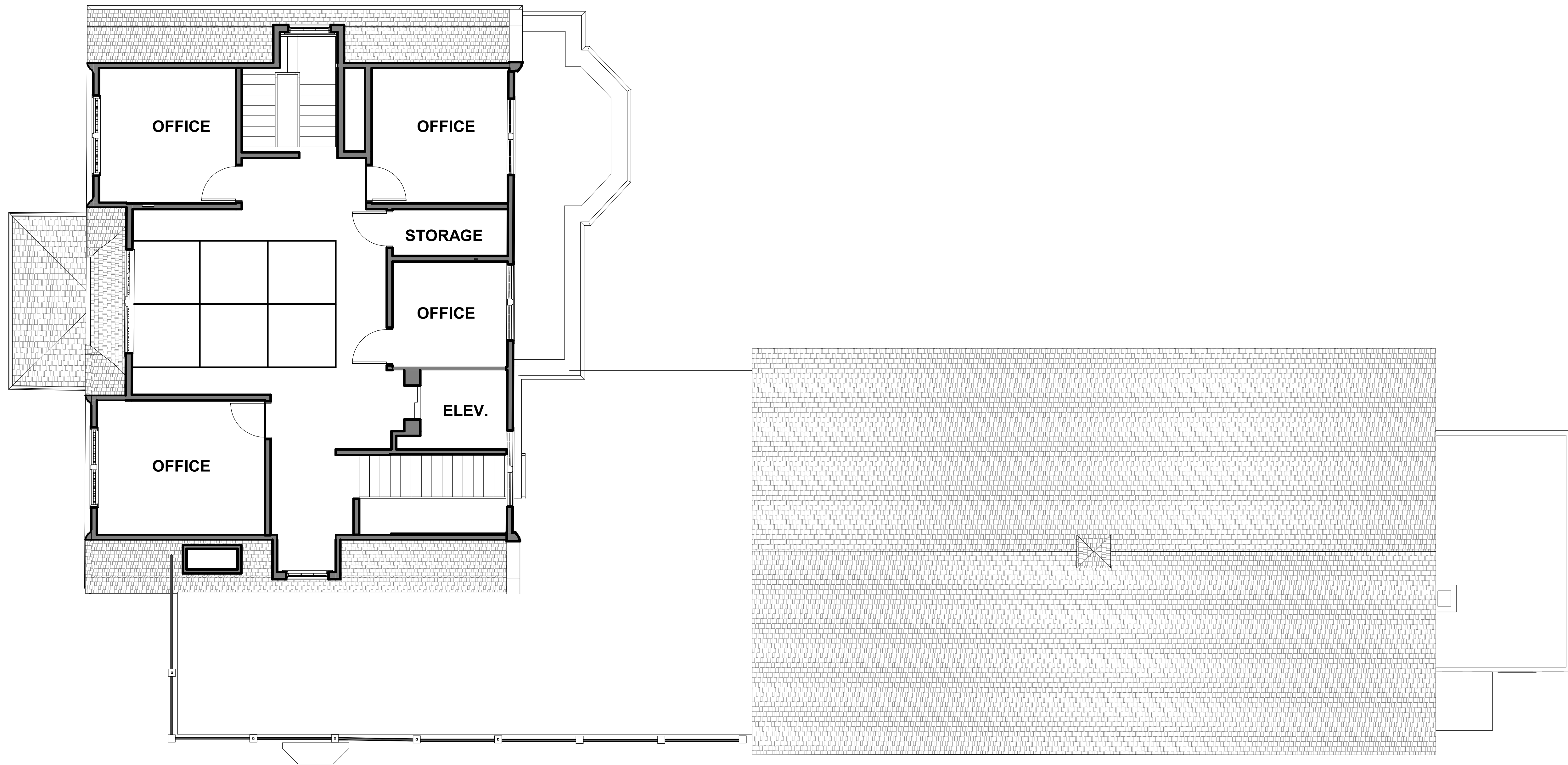


NORTH ELEVATION - EXISTING











EAST ELEVATION - PROPOSED



SOUTH ELEVATION - PROPOSED

DIMELLA
SHAFFER



EXTERIOR ELEVATIONS - PROPOSED

Lincoln Institute of Land Policy / 09/06/19



WEST ELEVATION - PROPOSED



NORTH ELEVATION - PROPOSED