



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

BZA APPLICATION FORM

Plan No: BZA-012246-2016

GENERAL INFORMATION

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

Special Permit : √ Variance : √ Appeal :

PETITIONER : Foley Fiore Architecture - C/O Andrew Steingiser

PETITIONER'S ADDRESS : 316 Cambridge Street Cambridge, MA 02141

LOCATION OF PROPERTY : 16 Kennedy Rd Cambridge, MA

TYPE OF OCCUPANCY : 1-Family ZONING DISTRICT : Residence A-1 Zone

REASON FOR PETITION :
New Structure

DESCRIPTION OF PETITIONER'S PROPOSAL :

Seeking Variance for 4'-0" relief from front setback and 7'-8" relief from 35' total side setback shared between south and north sides.
Also seeking Special Permit to add an accessory apartment to the basement.

SECTIONS OF ZONING ORDINANCE CITED :

Article <u>5.000</u>	Section <u>5.31</u> (Table of Dimensional Requirements).
Article <u>4.000</u>	Section <u>4.22</u> (Accessory Apartments).
Article <u>10.000</u>	Section <u>10.30</u> (Variance).
Article <u>10.000</u>	Section <u>10.40</u> (Special Permit).

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

Andrew Steingiser, Foley Fiore Architecture
(Print Name)

Address : 316 Cambridge St
Cambridge MA 02141

Tel. No. : 617-547-8002

E-Mail Address : asteingiser@foleyfiore.com

Date : _____

BZA APPLICATION FORM

DIMENSIONAL INFORMATION

APPLICANT: Foley Fiore PRESENT USE/OCCUPANCY: 2-Family

LOCATION: 16 Kennedy Rd Cambridge, MA ZONE: Residence A-1 Zone

PHONE: _____ REQUESTED USE/OCCUPANCY: 1-Family w/ Accessory Unit

	<u>EXISTING CONDITIONS</u>	<u>REQUESTED CONDITIONS</u>	<u>ORDINANCE REQUIREMENTS</u> ¹	
<u>TOTAL GROSS FLOOR AREA:</u>	<u>2,820</u>	<u>4,964</u>	<u>5,229.5</u>	(max.)
<u>LOT AREA:</u>	<u>10,459</u>	<u>10,459</u>	<u>8000</u>	(min.)
<u>RATIO OF GROSS FLOOR AREA TO LOT AREA:</u> ²	<u>.27</u>	<u>.47</u>	<u>.5</u>	(max.)
<u>LOT AREA FOR EACH DWELLING UNIT:</u>	<u>5229.5</u>	<u>10,459</u>	<u>6000</u>	(min.)
<u>SIZE OF LOT:</u> WIDTH	<u>56'-96'</u>	<u>56'-95'</u>	<u>80'</u>	(min.)
	<u>152'</u>	<u>152'</u>	<u>na</u>	
<u>SETBACKS IN FEET:</u> FRONT	<u>58'</u>	<u>21'</u>	<u>25'</u>	(min.)
	<u>7'-6"</u>	<u>23'-5" - 39'-9"</u>	<u>31</u>	(min.)
	<u>17'-4"</u>	<u>12'-33'</u>	<u>5' (sum of 35'</u>	(min.)
	<u>21'5"</u>	<u>15'</u>	<u>5' (sum of 35'</u>	(min.)
<u>SIZE OF BLDG.:</u> HEIGHT	<u>30'-2"</u>	<u>34'</u>	<u>35'</u>	(max.)
	<u>n/a</u>	<u>n/a</u>	<u>n/a</u>	
	<u>n/a</u>	<u>n/a</u>	<u>n/a</u>	
<u>RATIO OF USABLE OPEN SPACE TO LOT AREA:</u>	<u>86%</u>	<u>80%</u>	<u>50%</u>	(min.)
<u>NO. OF DWELLING UNITS:</u>	<u>2</u>	<u>1</u>	<u>1</u>	(max.)
<u>NO. OF PARKING SPACES:</u>	<u>2</u>	<u>2</u>	<u>1</u>	(min./max)
<u>NO. OF LOADING AREAS:</u>	<u>n/a</u>	<u>n/a</u>	<u>n/a</u>	(min.)
<u>DISTANCE TO NEAREST BLDG. 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 - OWNERSHIP INFORMATION

To be completed by OWNER, signed before a notary and returned to The Secretary of the Board of Zoning Appeals.

I/We Jenna R. Moskowitz (OWNER)

Address: 1 Foster Street, Cambridge, MA 02138

State that I/We own the property located at 16 Kennedy Rd, Cambridge, MA, which is the subject of this zoning application.

The record title of this property is in the name of Jacob A. Farmer and Jenna R. Moskowitz


*Pursuant to a deed of duly recorded in the date 12/29/2015, Middlesex South County Registry of Deeds at Book 66598, Page 582; or Middlesex Registry District of Land Court, Certificate No. _____ Book _____ Page _____.

Jenna Moskowitz
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 Norfolk

The above-name Jenna R. Moskowitz personally appeared before me, this 10th of November, 2016, and made oath that the above statement is true.

Joseph M. Hickson Notary


My commission expires December 9, 2022

- If ownership is not shown in recorded deed, deed, or inheritance, please include documentation in order, recent

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:

Due to the odd shape of the lot, the "As of Right" buildable footprint creates a very narrow width for a portion of the building. This narrow width makes it difficult to develop a workable floor plan layout.

- 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:

Due to the shape of this site and its landlocked location in the neighborhood, a hardship is created making it difficult to adhere to setback requirements. All other dimensions/ requirements set forth in table 5.1 Section 5 have been adhered to.

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

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

The proposed home is in keeping with the scale and proportions of the neighboring structures and creates thoughtful open spaces creating buffers with neighboring structures.

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

The proposed structure fits respectfully in the existing neighborhood fabric.

*** 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 16 Kennedy Rd 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:
- We request a special permit for the accessory apartment and are adhering to the spirit of section 4.22 for the following reasons:
- The dwelling is new construction
 - The dwelling contains 4,964 sf (min 1,800 s.f. required)
 - The lot on which the accessory apartment will be located contains 10,459 s.f. (min 5,000 s.f. required)
 - The accessory apartment is 750 s.f. (max allowed 900 s.f.) and does not exceed 35% of gross floor area of principle dwelling, and is not located in a garage.
 - The owners of the residence in which the accessory dwelling is located will occupy the residence as their primary residence
- 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 same point of access to the site remains unchanged
- 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:
- There is no change in use proposed.
- 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:
- There is no change in use proposed.
- 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:
- There is no change in use proposed.



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

2016 DEC 19 PM 2: 35

BZA APPLICATION FORM

OFFICE OF THE CITY CLERK
 CAMBRIDGE, MASSACHUSETTS
 Plan No: BZA-012246-2016

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- Article 10.000 Section 10.30 (Variance).
- Article 10.000 Section 10.40 (Special Permit).

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

Andrew Steingiser, Foley Fiore
 (Print Name) Architecture

Address : 316 Cambridge St.
Cambridge, MA 02141

Tel. No. : 617-547-8002

E-Mail Address : a.steingiser@foleyfiore.com

Date : _____

BZA APPLICATION FORM

DIMENSIONAL INFORMATION

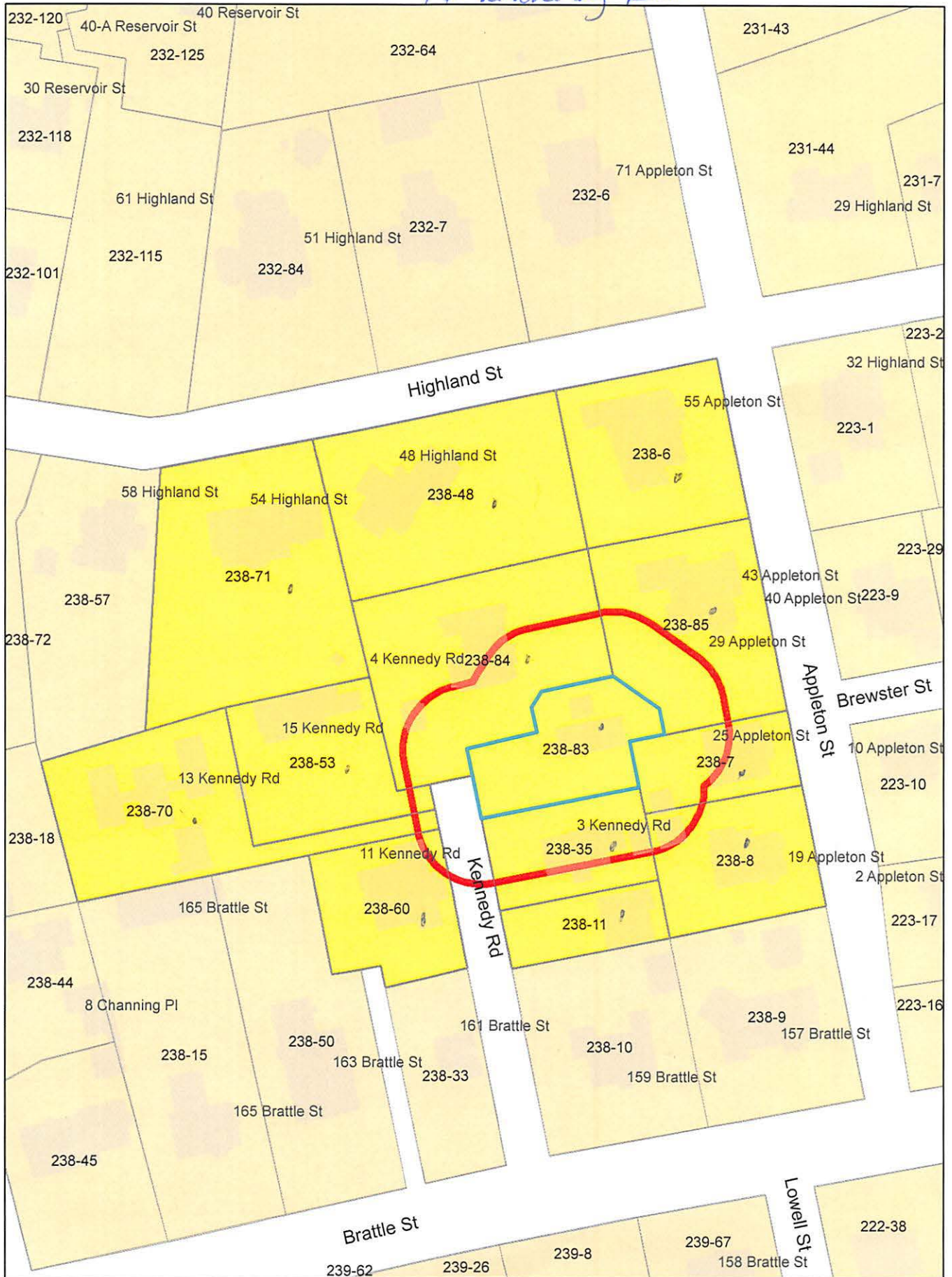
APPLICANT: Foley Fiore **PRESENT USE/OCCUPANCY:** 2-Family
LOCATION: 16 Kennedy Rd Cambridge, MA **ZONE:** Residence A-1 Zone
PHONE: _____ **REQUESTED USE/OCCUPANCY:** 1-Family w/ Accessory Unit

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16 Kennedy Rd.



16 Kennedy Rd.

238-6
WILKINS, ANN MARIE & DAVID B. WILKINS
55 APPLETON ST
CAMBRIDGE, MA 02138

238-7
ZANDER, ROSAMUND S.
25 APPLETON ST
CAMBRIDGE, MA 02138

Petitioners
FOLEY FIORE ARCHITECTURE
C/O ANDREW STEINGISER
316 CAMBRIDGE STREET
CAMBRIDGE, MA 02141

238-11
BELL, PETER,
TR. RESIDENT KENNEDY ONE REALTY TRUST
8 KENNEDY RD
CAMBRIDGE, MA 02138

238-35
ATLAMAZOGLU, STYLIANOS.
TRUSTEE OF ANA NOMINEE TRUST
3 KENNEDY RD
CAMBRIDGE, MA 02138

238-48
EDMONDS, HELEN M. & ANDREW F. PESEK
48 HIGHLAND STREET
CAMBRIDGE, MA 02138

238-53
TODD, EVA ANDENAE
15 KENNEDY RD.
CAMBRIDGE, MA 02138

238-60
JACOBSEN, VIRGINIA
11 KENNEDY RD
CAMBRIDGE, MA 02138

238-70
MANUS, DEBORAH J.,
TR. THE 13 KENNEDY RD NOMINEE TRUST
163 BRATTLE ST
CAMBRIDGE, MA 02138

238-71
HORNOR, JILL ALISON TR. JENY REALTY TRUST
54 HIGHLAND ST.
CAMBRIDGE, MA 02138

238-85
BIOTTI, JON M. & LESLIE JENG
43 APPLETON ST
CAMBRIDGE, MA 02138

238-84
PERLS, KATHERINE M. & LENNART C. BRABERG
4 KENNEDY RD
CAMBRIDGE, MA 02138

238-83
FARMER, JACOB A. & JENNA R. MOSKOWITZ
16 KENNEDY RD
CAMBRIDGE, MA 02139

238-8
SIMONS, HUGH
19 APPLETON ST
CAMBRIDGE, MA 02138



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 Barry, Shary Page Berg, Robert G. Crocker, Chandra Harrington, Jo M. Solet, *Members*
Joseph V. Ferrara, Kyle Sheffield, Susannah Barton Tobin, *Alternates*

December 7, 2016

Mr. Constantine Alexander, Chair
Board of Zoning Appeal
831 Massachusetts Avenue
Cambridge, Mass. 02139

Re: BZA Case No. 011949-2016
16 Kennedy Road

Dear Mr. Alexander:

I am writing with regard to the variance request for the above referenced project.

The Historical Commission reviewed the proponent's project when they approved his application for a demolition permit on December 1. They were impressed with the design, and requested me to notify you of their support.

Thank you for your consideration.

Sincerely,

A handwritten signature in black ink, appearing to read 'Charles M. Sullivan'.

Charles M. Sullivan
Executive Director

cc: Jacob Farmer



CAMBRIDGE HISTORICAL COMMISSION

831 Massachusetts Avenue, 2nd Floor, Cambridge, Massachusetts 02139

Telephone: 617 349 4683 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., Shary Page Berg, Robert G. Crocker, Chandra Harrington,

Jo M. Solet, *Members*; Joseph V. Ferrara, Kyle Sheffield, Susannah Barton Tobin, *Alternates*

Jurisdiction Advice

To the Owner of Property at 16 Kennedy Road

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.**
CHC completed demolition review hearing on 12/1/16. Building found significant but not preferably preserved. CHC supports relief for project.
 - 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 December 28, 2016

Received by Uploaded to Energov

Date December 28, 2016

Relationship to project BZA 12246-2016

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.

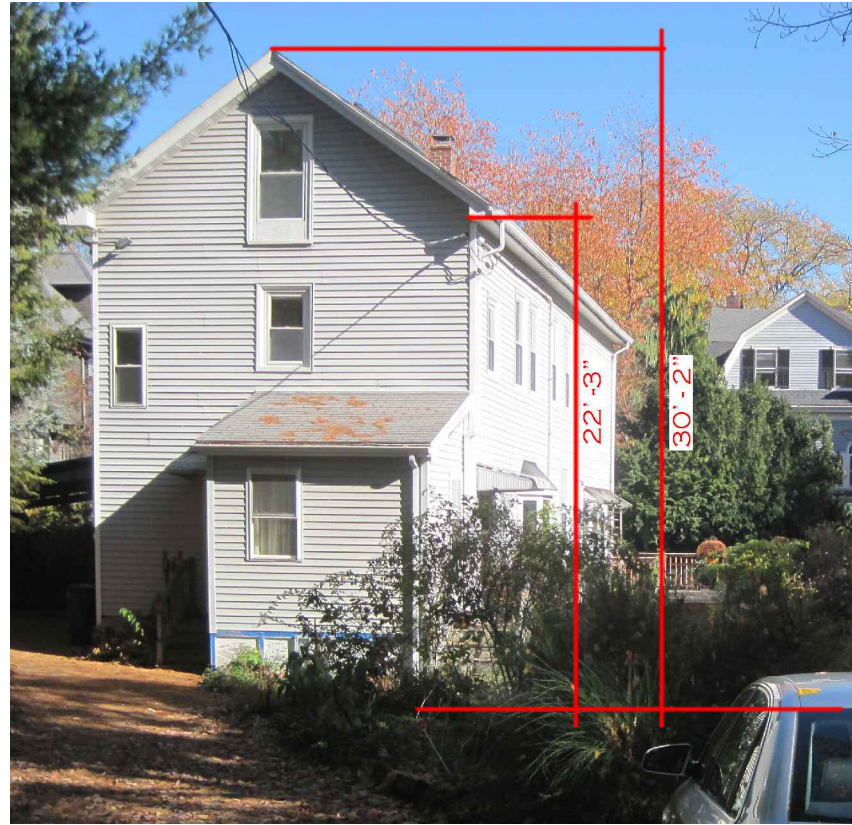
More information about the demolition permit application procedures is available on the Historical Commission's web site or by calling or dropping by the Historical Commission office.

July 2003

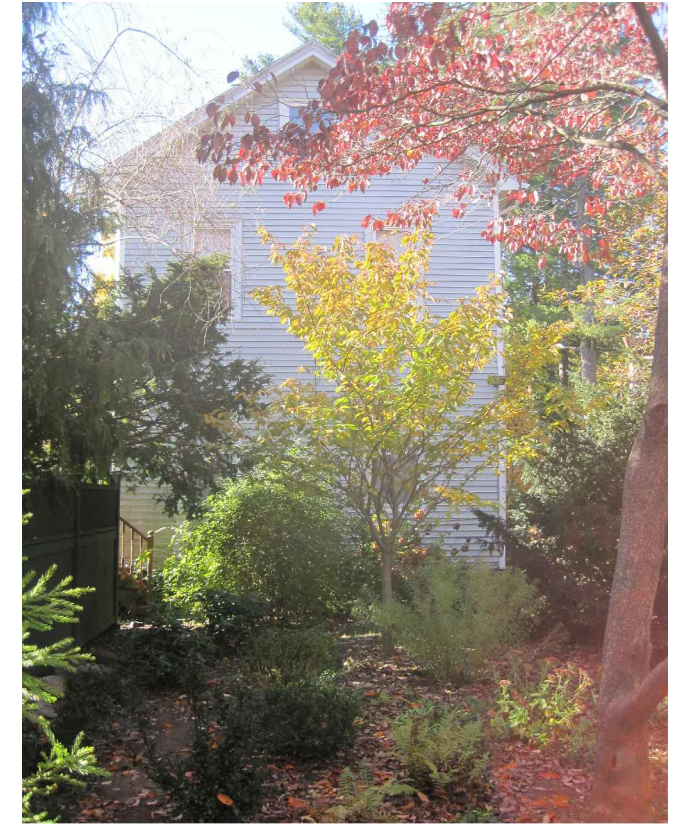
Cambridge Historical Commission
831 Massachusetts Ave., 2nd Fl.
Cambridge, MA 02139
Ph: 617/349-4683 or TTY: 617/349-6112
<http://www.cambridgema.gov/Historic>



SOUTH & WEST ELEVATIONS



WEST (FRONT) ELEVATION



EAST ELEVATION



NORTH



NORTH & EAST ELEVATIONS



NEIGHBOR ACROSS STREET



NEIGHBOR TO EAST



NEIGHBOR TO NORTH



NEIGHBOR TO SOUTH



VIEW OF PROPERTY WITH SOUTH NEIGHBOR

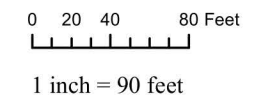


City of Cambridge
Assessing Department
795 Massachusetts Ave.
Cambridge, MA 02139

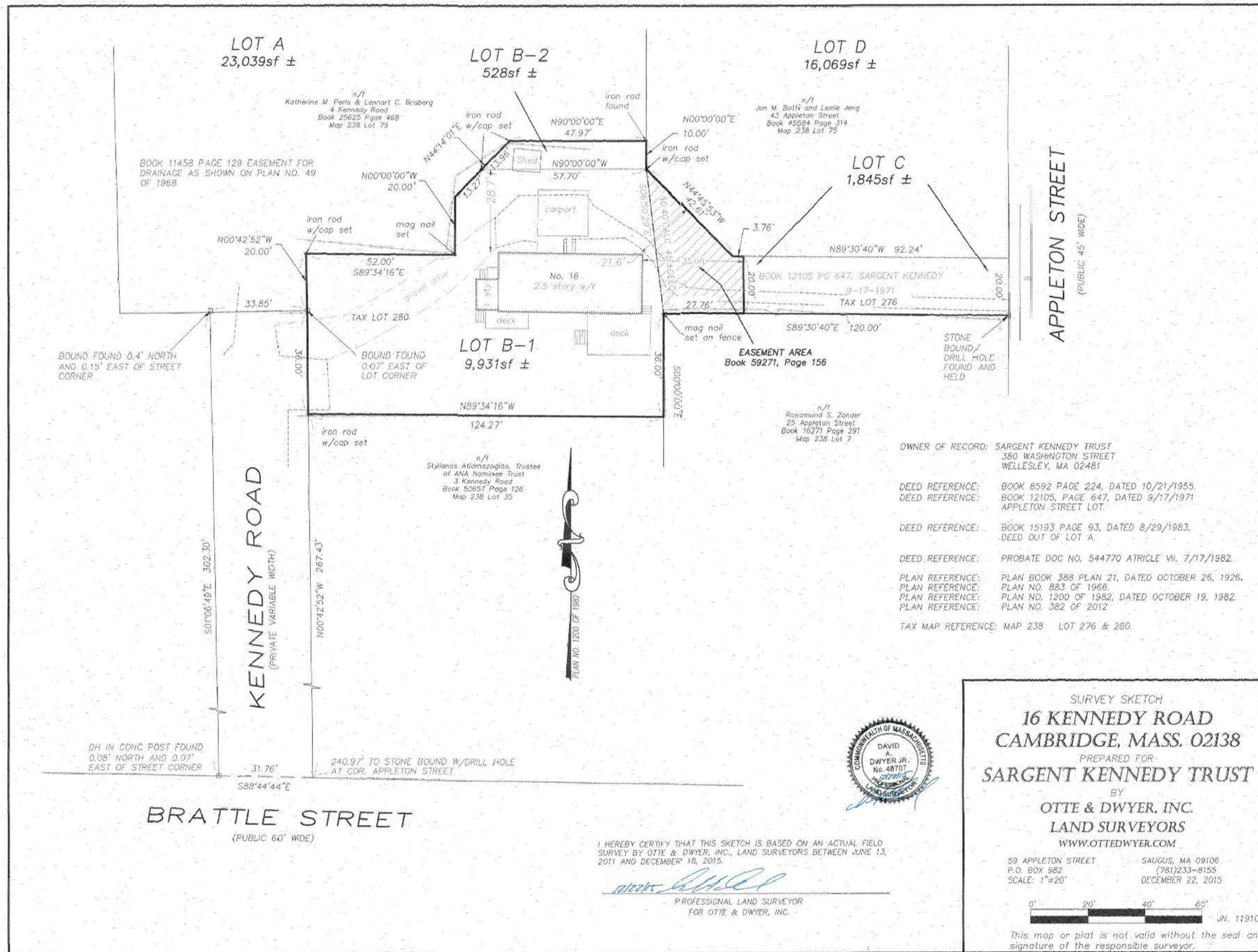
- Buildings
- Water
- Lot Line
- Sub-Parcel Line
- Block Line
- Easement
- City Boundary
- Railway

10 Lot Number 100 Parcel size in Sq. Ft.
 238 Block Number 44.0LC Land Court Dimension
 10 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 2016 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 surveys, and maps is suitable for assessing purposes only.
 The City of Cambridge assumes no legal responsibility for information shown on this map.



Parcel Block Map
238



OWNER OF RECORD: SARGENT KENNEDY TRUST
 380 WASHINGTON STREET
 WELLESLEY, MA 02481

DEED REFERENCE: BOOK 8592 PAGE 224, DATED 10/21/1955
 DEED REFERENCE: BOOK 12105, PAGE 647, DATED 9/17/1971
 APPLETON STREET LOT.

DEED REFERENCE: BOOK 15193 PAGE 93, DATED 8/29/1983.
 DEED OUT OF LOT A.

DEED REFERENCE: PROBATE DOC NO. 544770 ATRICLE VII, 7/17/1982.

PLAN REFERENCE: PLAN BOOK 388 PLAN 21, DATED OCTOBER 26, 1926.
 PLAN REFERENCE: PLAN NO. 883 OF 1966.
 PLAN REFERENCE: PLAN NO. 1200 OF 1982, DATED OCTOBER 19, 1982.
 PLAN REFERENCE: PLAN NO. 382 OF 2012

TAX MAP REFERENCE: MAP 238 LOT 276 & 280.



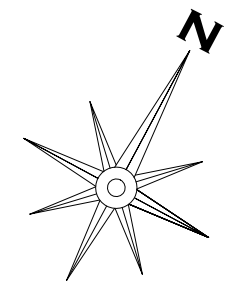
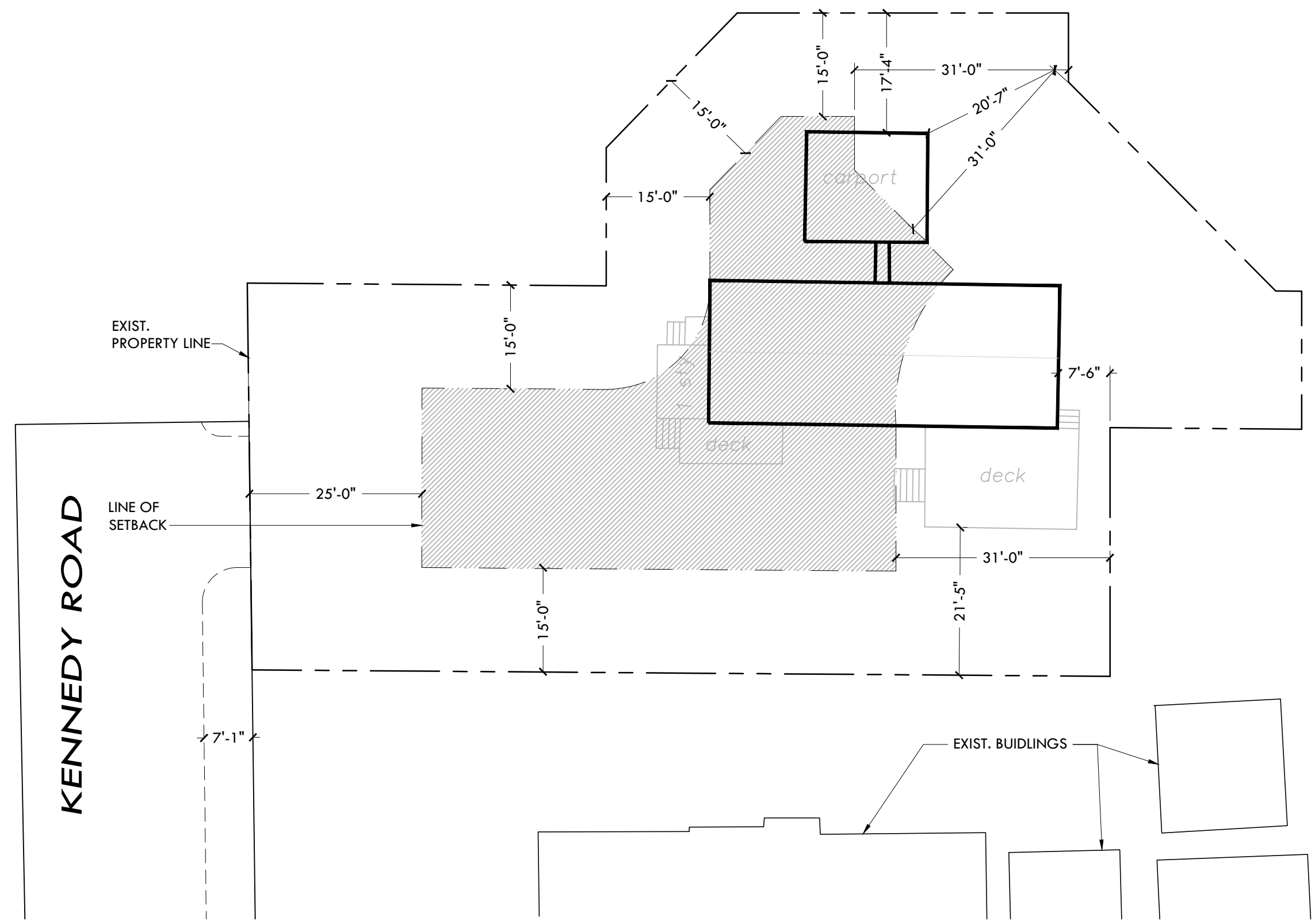
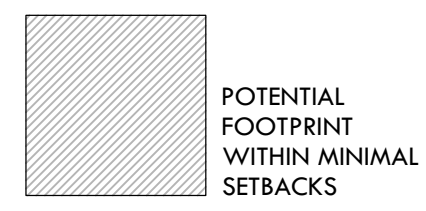
I HEREBY CERTIFY THAT THIS SKETCH IS BASED ON AN ACTUAL FIELD SURVEY BY OTTE & DWYER, INC., LAND SURVEYORS BETWEEN JUNE 13, 2011 AND DECEMBER 18, 2015.

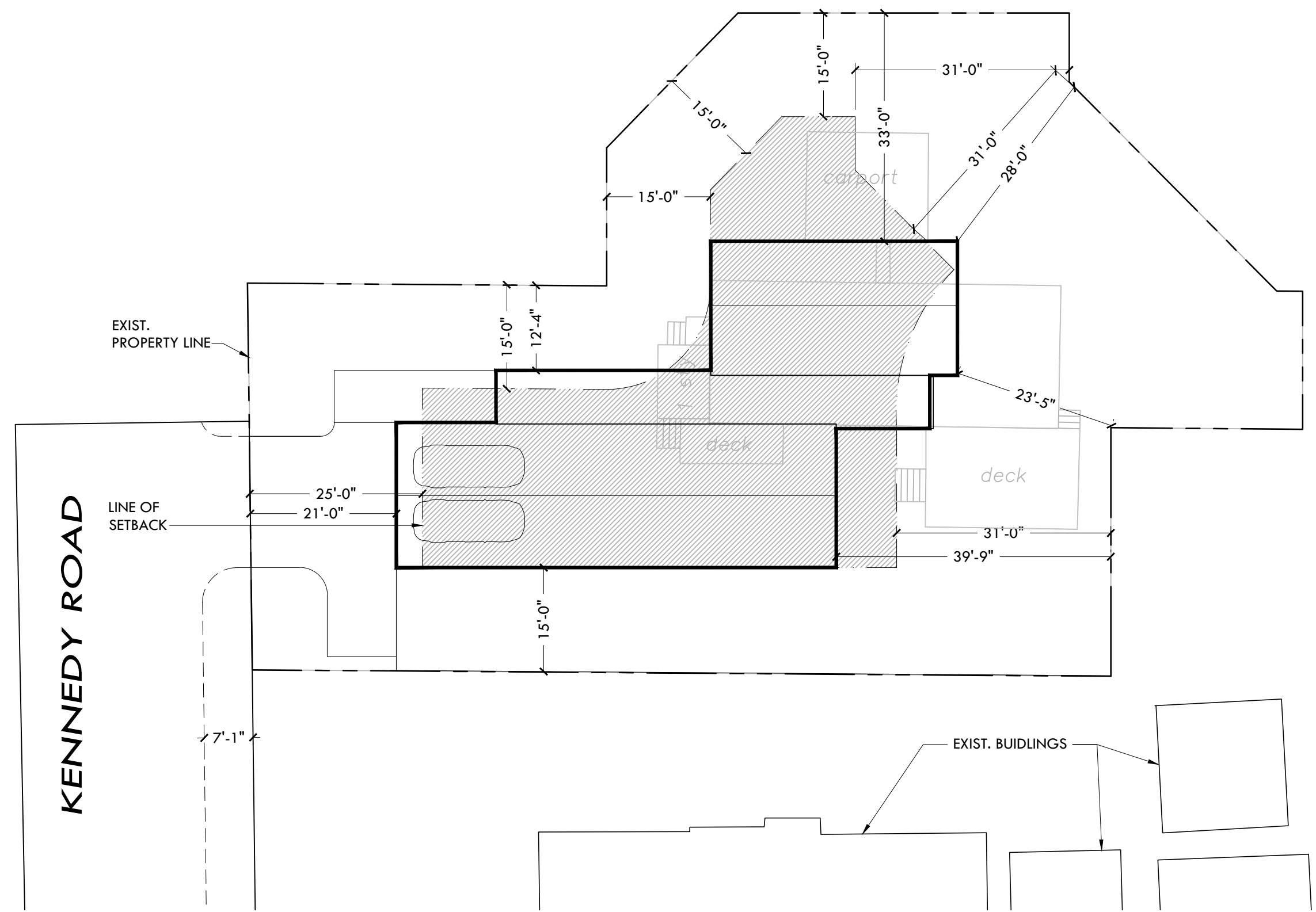
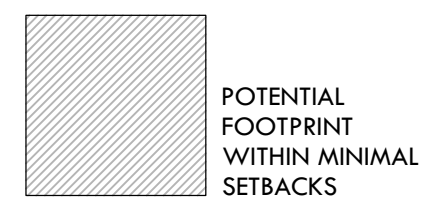
David A. Dwyer, Jr.
 PROFESSIONAL LAND SURVEYOR
 FOR OTTE & DWYER, INC.

SURVEY SKETCH
16 KENNEDY ROAD
CAMBRIDGE, MASS. 02138
 PREPARED FOR:
SARGENT KENNEDY TRUST
 BY
OTTE & DWYER, INC.
LAND SURVEYORS
 WWW.OTTEDWYER.COM

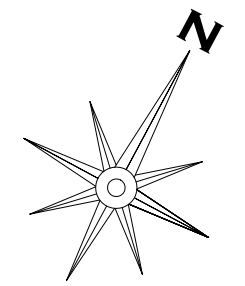
59 APPLETON STREET SAUGUS, MA 09106
 P.O. BOX 982 (781)233-8155
 SCALE: 1"=20' DECEMBER 22, 2015

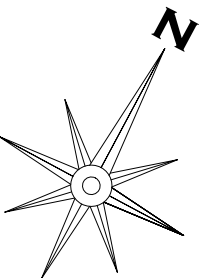
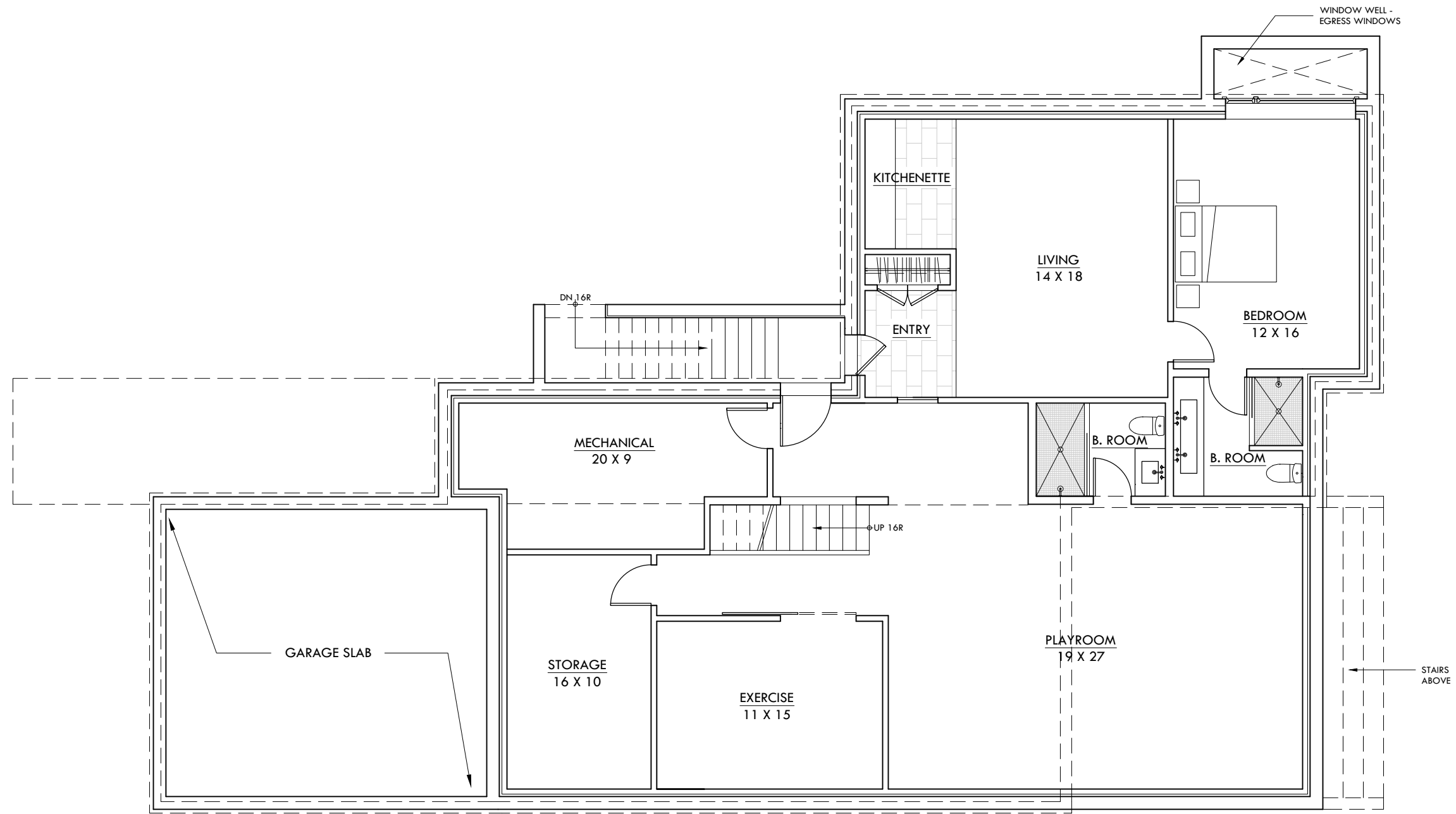
0' 20' 40' 80' JN. 11910
 This map or plat is not valid without the seal and signature of the responsible surveyor.





KENNEDY ROAD

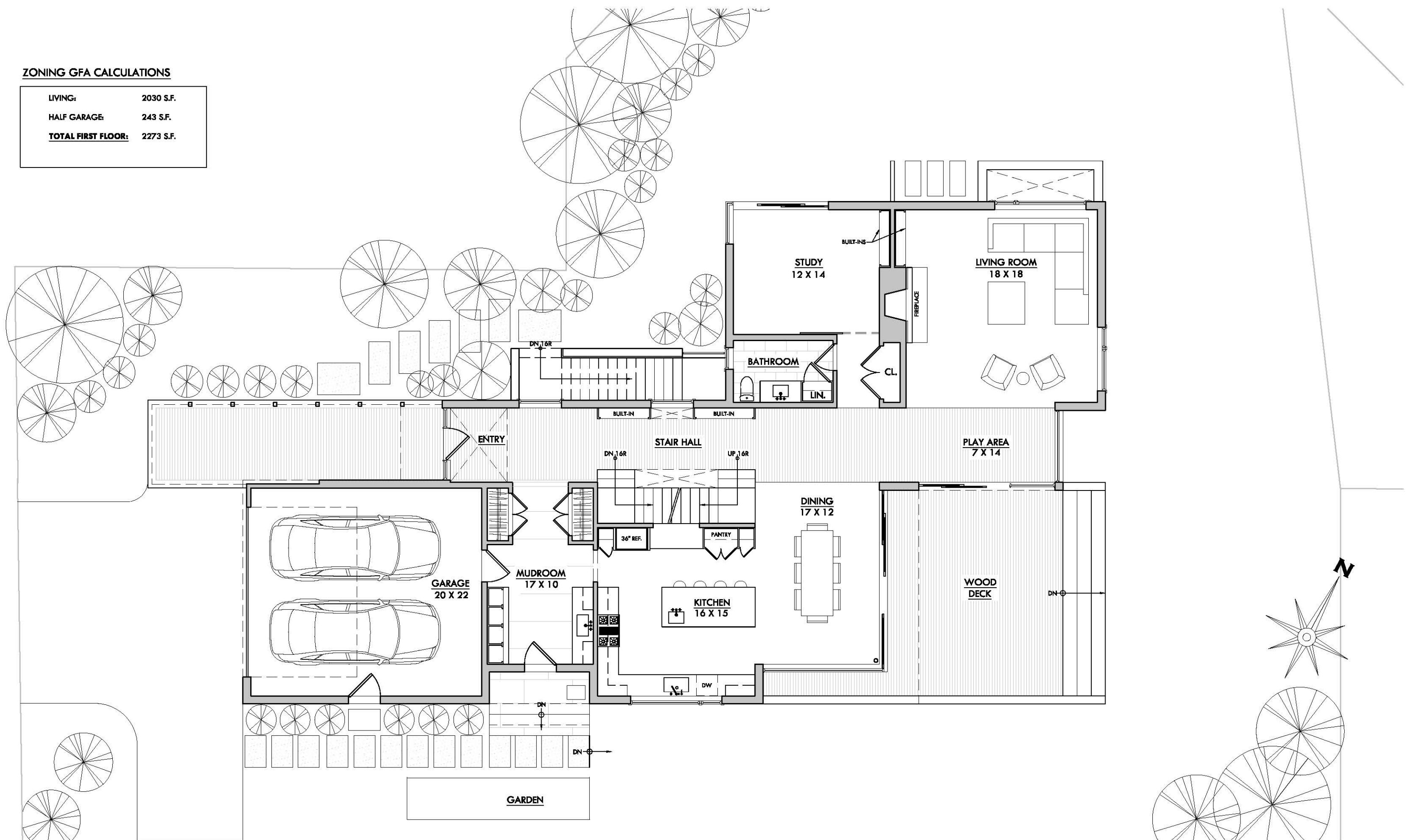




15 December 2016
 BZA Submission
 1/8" = 1'-0"

ZONING GFA CALCULATIONS

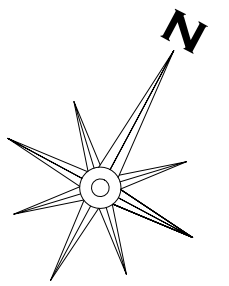
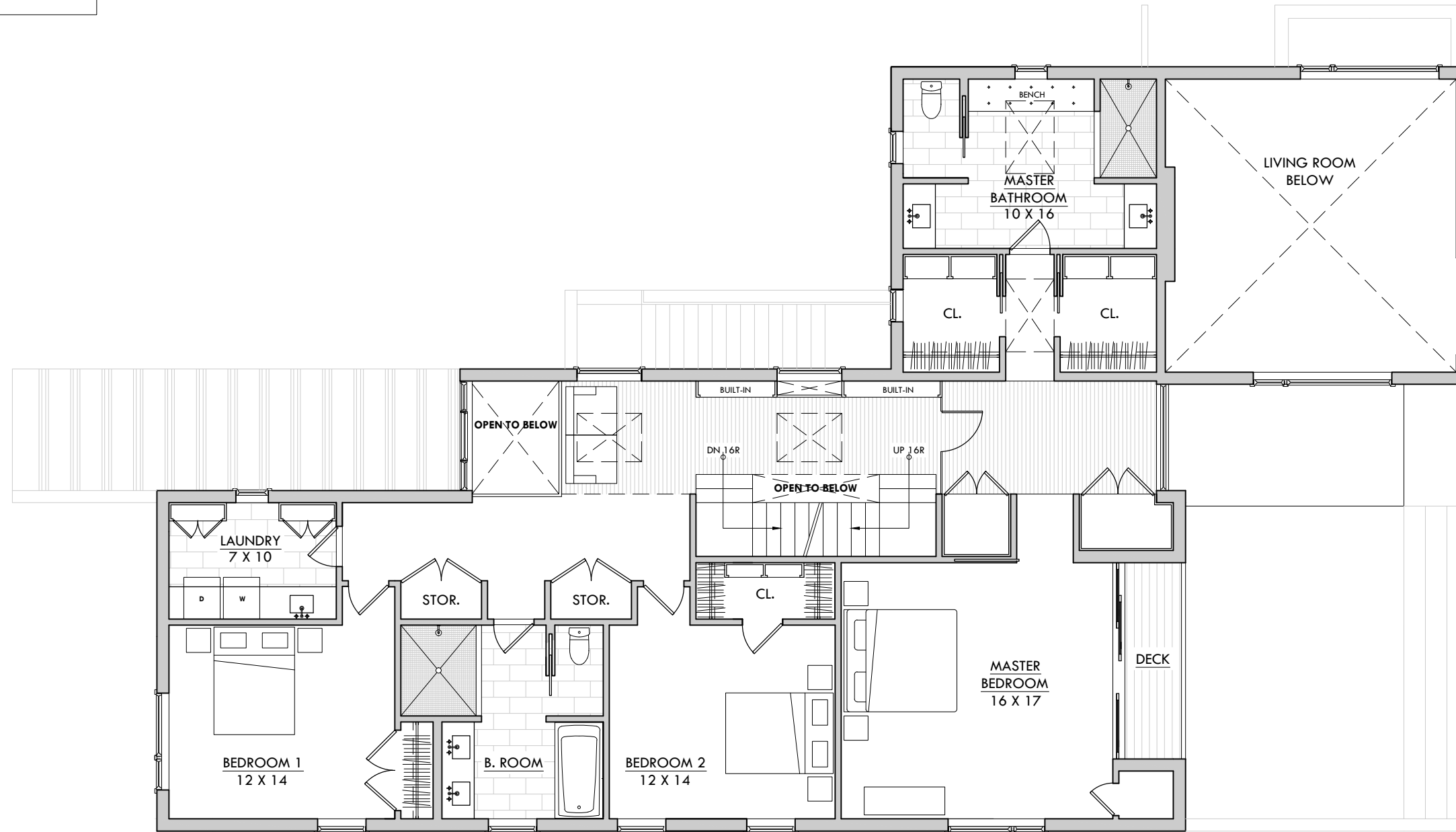
LIVING:	2030 S.F.
HALF GARAGE:	243 S.F.
TOTAL FIRST FLOOR:	2273 S.F.



ZONING GFA CALCULATIONS

LIVING: 1874 S.F.

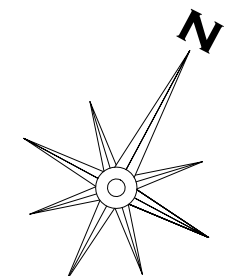
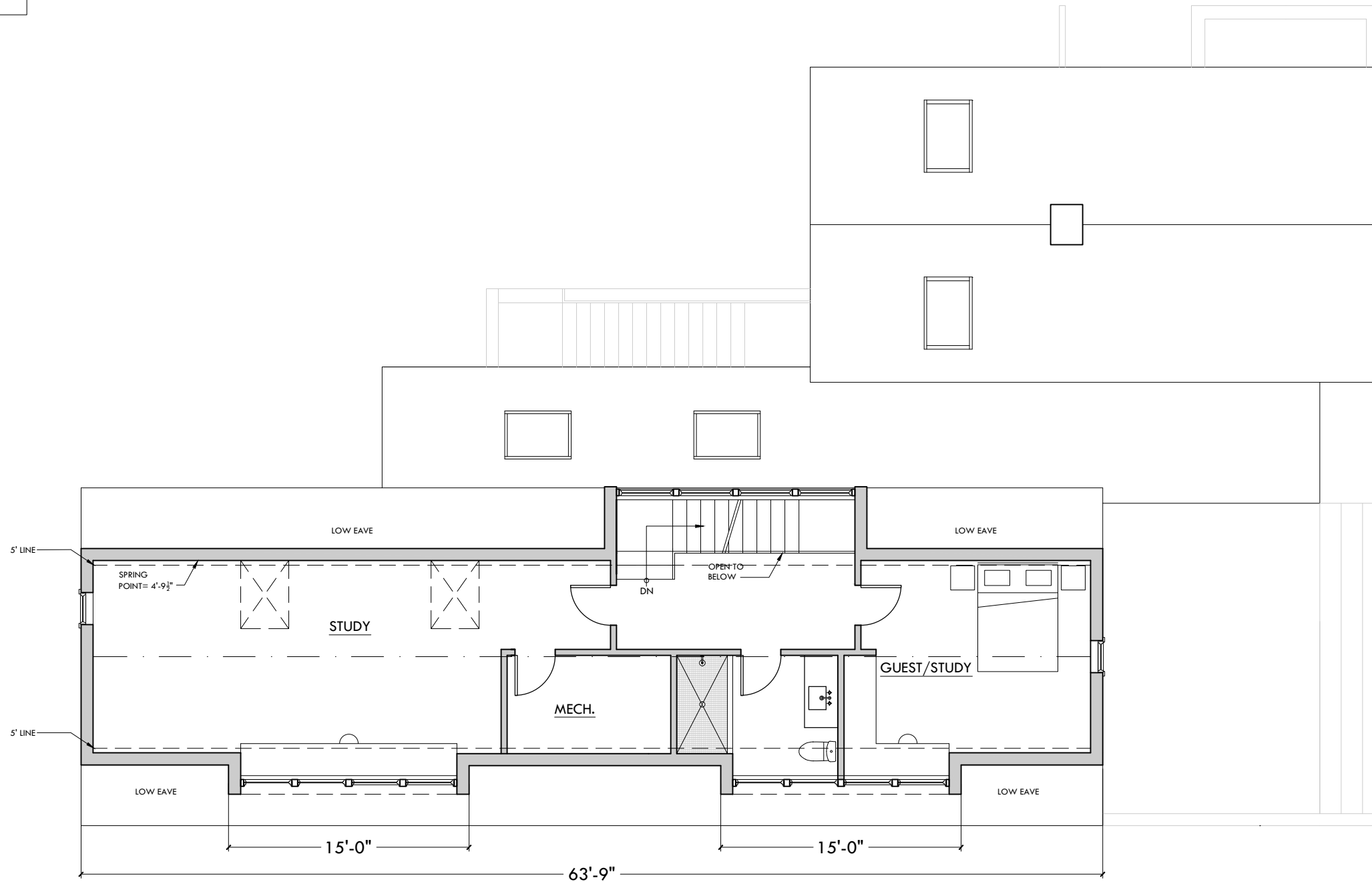
TOTAL SECOND FLOOR: 1874 S.F.



15 December 2016
BZA Submission
1/8" = 1'-0"

ZONING GFA CALCULATIONS

THIRD FLOOR :	817 S.F.
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15 December 2016
BZA Submission
1/8" = 1'-0"



STANDING SEAM METAL ROOF

CLAPBOARD SIDING

CLAD WINDOWS TYP

34' TO MEAN GRADE

15'-0"

15'-0"

3RD FLR = 20'-0"

10'-0"

2ND FLR = 10'-0"

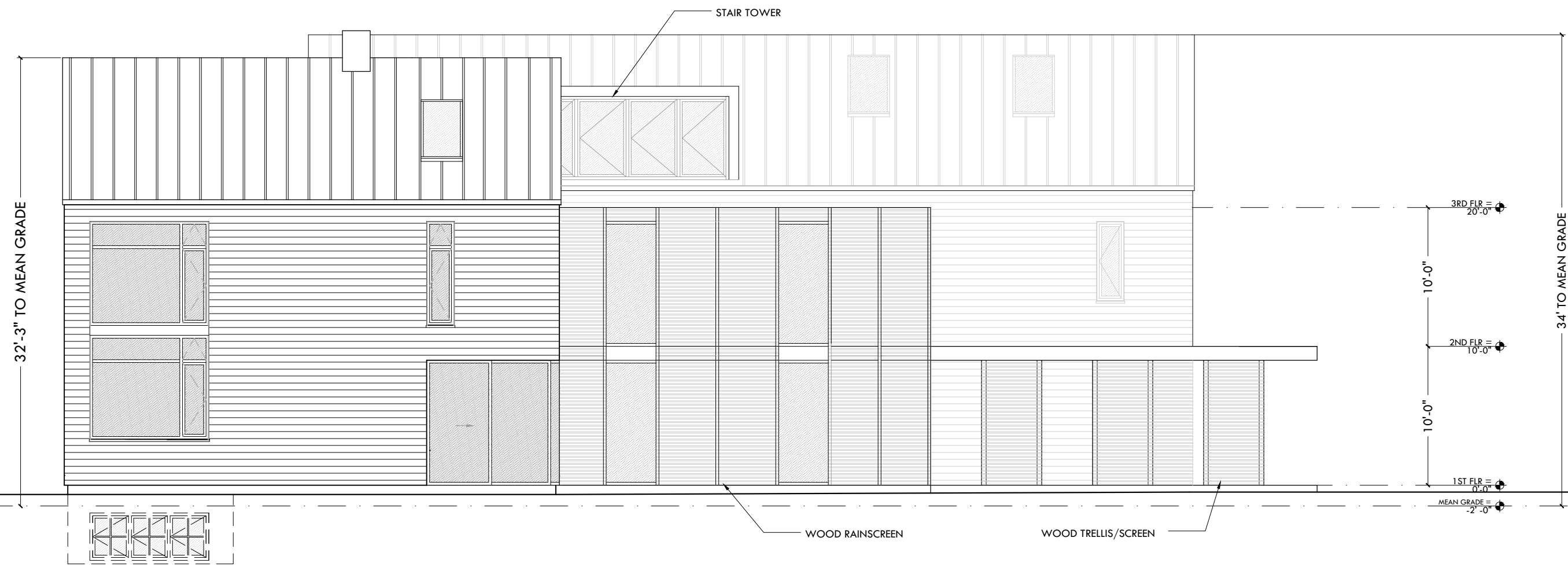
10'-0"

1ST FLR = 0'-0"

MEAN GRADE = -2'-0"

2'-6"

32'-3" TO MEAN GRADE





EAST ELEVATION



WEST (FRONT) ELEVATION





