



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

BZA APPLICATION FORM

Plan No: BZA-017152-2019

GENERAL INFORMATION

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

Special Permit: _____ Variance: ✓ Appeal: _____

PETITIONER: Iain Johnston & Felicity Lufkin - C/O Sara Gardner, Architect

PETITIONER'S ADDRESS: 56 Highland Avenue Cambridge, Ma 02139

LOCATION OF PROPERTY: 1 Highland Pk Cambridge, MA

TYPE OF OCCUPANCY: _____ ZONING DISTRICT: Residence C-1 Zone

REASON FOR PETITION :

Additions

DESCRIPTION OF PETITIONER'S PROPOSAL :

Proposed new construction is a new 3.5'x 11' bay as an addition to the existing kitchen on the 2nd floor of the house. The extent of work scope is renovation of that kitchen and the new bay. The house is a 2-family owned by the Lufkin-Johnston family. They live on the 2nd and 3rd floor (Upper unit) and they rent out the 1st floor to a tenant family.

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).

Original Signature(s) :

[Signature]
(Petitioner(s) / Owner)

FELICITY LUFKIN / IAIN JOHNSTON / SARA GARDNER
(Print Name)

Address: 1 HIGHLAND PARK
CAMBRIDGE, MA. 02139

Tel. No.: 617.388.4833

E-Mail Address: felicity.lufkin@gmail.com

Date: JULY 15, 2019

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 Alastair Iain Johnston and Felicity Anne Lufkin

(OWNER)

Address: 1 Highland Park #2, Cambridge MA 02139

State that I/We own the property located at 1 Highland Park #2, Cambridge MA,
which is the subject of this zoning application.

The record title of this property is in the name of _____
Alastair Iain Johnston and Felicity Anne Lufkin

*Pursuant to a deed of duly recorded in the date Mar. 15, 2000, Middlesex South
County Registry of Deeds at Book 31216, Page 058; 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.

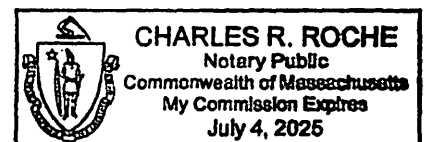
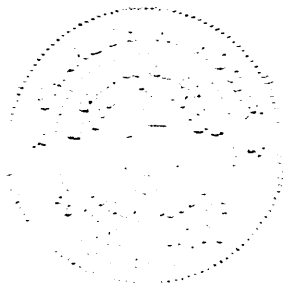
Commonwealth of Massachusetts, County of Suffolk

The above-name Alastair Iain Johnston & Felicity Anne Lufkin personally appeared before me,
this 21 of May, 2019, and made oath that the above statement is true.

 Notary

My commission expires July 4th, 2025 (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:

The existing kitchen is a challenge for accommodating a sit-down, eat-in table (30"ht) in the center of it. While we know this is not considered a true hardship, it does seem more practical to locate a 36" high food prep table in the center of the kitchen and an eat in table in south facing bay. NOTE also: The existing dining room bay faces the bay window of neighbor: affording No privacy, No view, Little light!

- 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 not owing to circumstances relating to the soil or topography of such land or structures and especially affecting such land or structures. However, it does not affect the zoning district it is in as it is only a 3.5'x 11' bay, is cantilevered of of a second floor on the back of the hosue where it cannot be seen from the street. It will in no way hinder view or sunlight for neighbors.

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

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

The proposed bay (3.'5 x11') is cantilevered off of the second floor and is on the back of the house where it cannot be seen from the street. It will in no way hinder view or sunlight for the neighbors -- and therefore will not be of any detriment to the public good.

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

The increase in density that this cantilevered bay is producing is not enough to nullify or substntially derogate from the intent or purpose of this ordinance.

*** 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: Ms. **PRESENT USE/OCCUPANCY:** 2-family
LOCATION: 1 Highland Pk Cambridge, MA **ZONE:** Residence C-1 Zone
PHONE: _____ **REQUESTED USE/OCCUPANCY:** 2-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>		3393	3431.5	2550	(max.)
<u>LOT AREA:</u>		3400	3400	5000	(min.)
<u>RATIO OF GROSS FLOOR AREA</u> <u>TO LOT AREA:</u> ²		99%	100.9%	75%	(max.)
<u>LOT AREA FOR EACH DWELLING UNIT:</u>		1700	1700	1500	(min.)
<u>SIZE OF LOT:</u>	WIDTH	40'	40'	50'	(min.)
	DEPTH	85'	85'	100'	
<u>SETBACKS IN FEET:</u>	FRONT	6.9'	6.9'	15.6'	(min.)
	REAR	32.5'	29'	15.6'	(min.)
	LEFT SIDE	3.0	3.0	14.6'	(min.)
	RIGHT SIDE	1.9'	1.9'	14.6	(min.)
<u>SIZE OF BLDG.:</u>	HEIGHT	27.4'	27.4'	35'	(max.)
	LENGTH	45.5'	49'	NA	
	WIDTH	35'	35'	NA	
<u>RATIO OF USABLE OPEN SPACE</u> <u>TO LOT AREA:</u>		61%	59%	<30%	(min.)
<u>NO. OF DWELLING UNITS:</u>		2	2	2	(max.)
<u>NO. OF PARKING SPACES:</u>		none	none	none	(min./max)
<u>NO. OF LOADING AREAS:</u>		none	none	none	(min.)
<u>DISTANCE TO NEAREST BLDG.</u> <u>ON SAME LOT:</u>		NA	NA	NA	(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 no other occupancies on the same lot. The proposed 38.5' cantilevered bay off 2nd fl. will be wood frame (2x6) with vinyl siding exterior to match color /material of the existing.

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 JUL 16 AM 11:32
OFFICE OF THE CITY CLERK
CAMBRIDGE, MASSACHUSETTS

BZA APPLICATION FORM

Plan No: BZA-017152-2019

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[Signature]
(Petitioner(s) / Owner)

FELICITY LUFKIN / IAIN JOHNSTON / SARA GARDNER
(Print Name)

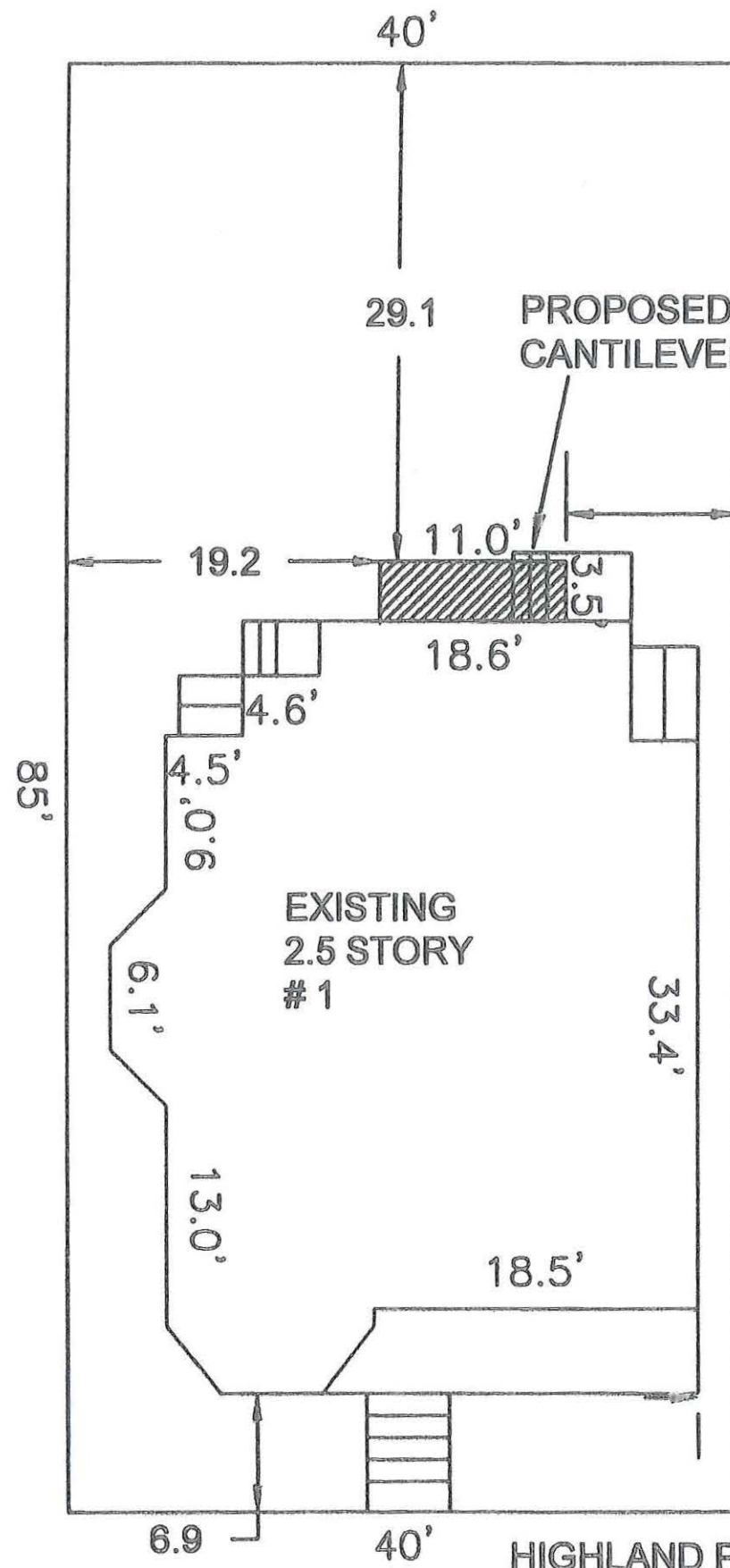
Address : 1 HIGHLAND PARK
CAMBRIDGE, MA. 02139

Tel. No. : 617.388.4833

E-Mail Address : felicity.lufkin@gmail.com

Date : JULY 15, 2019

PROPOSED ADDITION
1 HIGHLAND PARK
CAMBRIDGE, MA
SCALE: 1 IN = 10 FT
MAY 5, 2019

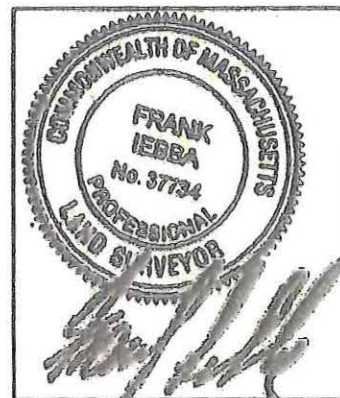


PROPOSED SECOND FLOOR
CANTILEVERED ADDITION

LOT AREA: 3400 SF
LOT COVER 41 %

BUILDING HEIGHT
27.4 FT FOM GROUND
TO ROOF RIDGE

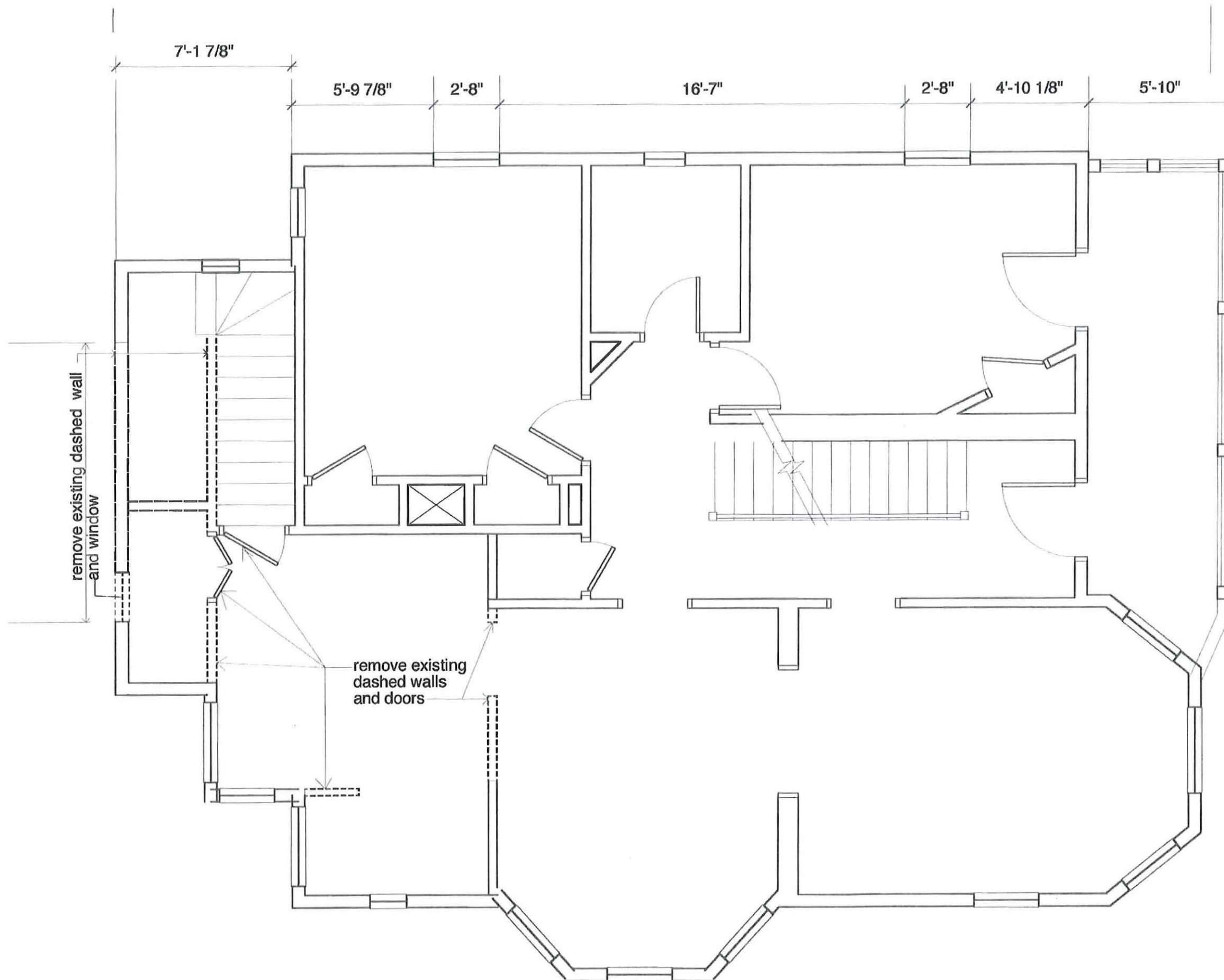
EXISTING
2.5 STORY
#1



HIGHLAND PARK

ESSEX ENG. & SURVEY
PO BOX 650217
WEST NEWTON, MA. 02465
617-797-7342
FRANK.IEBBA@GMAIL.COM

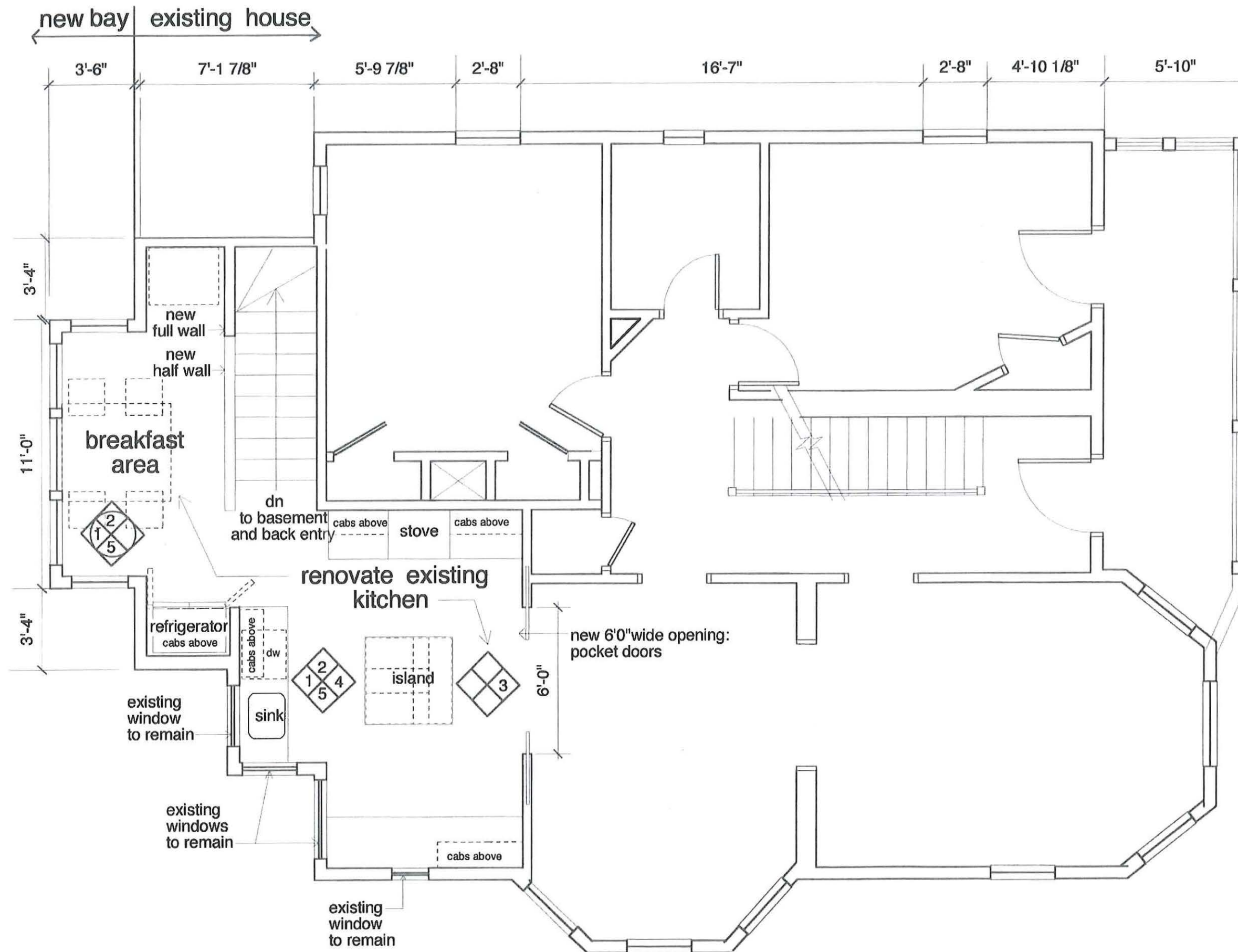




Existing / Demolition plan
Kitchen renovation + new bay
Johnston/Lufkin residence
1/4" = 1'-0"

May 20, 2019
Sara Gardner, Architect

A-1

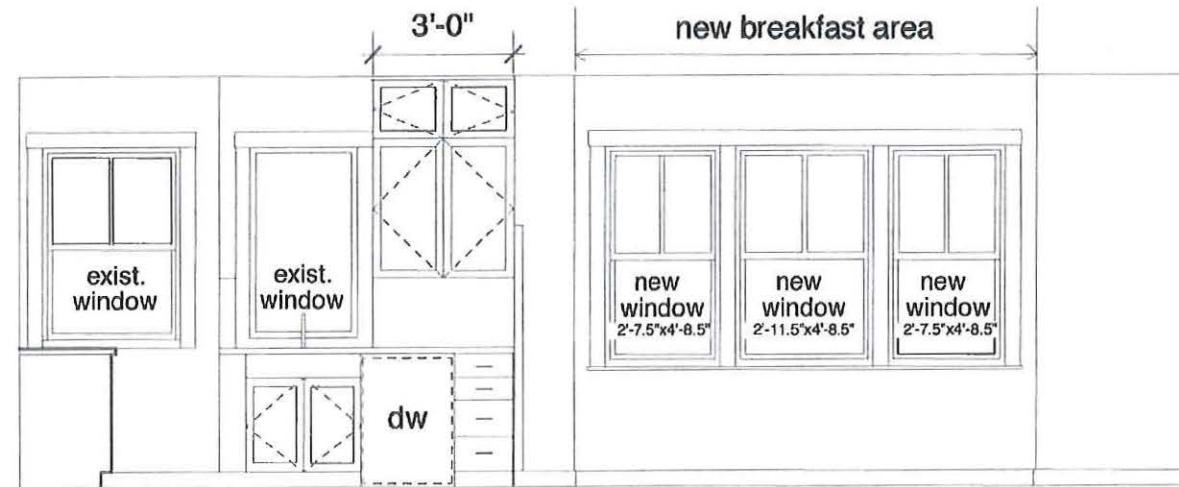


Proposed plan
Kitchen renovation + new bay
Johnston/Lufkin residence
1/4" = 1'-0"

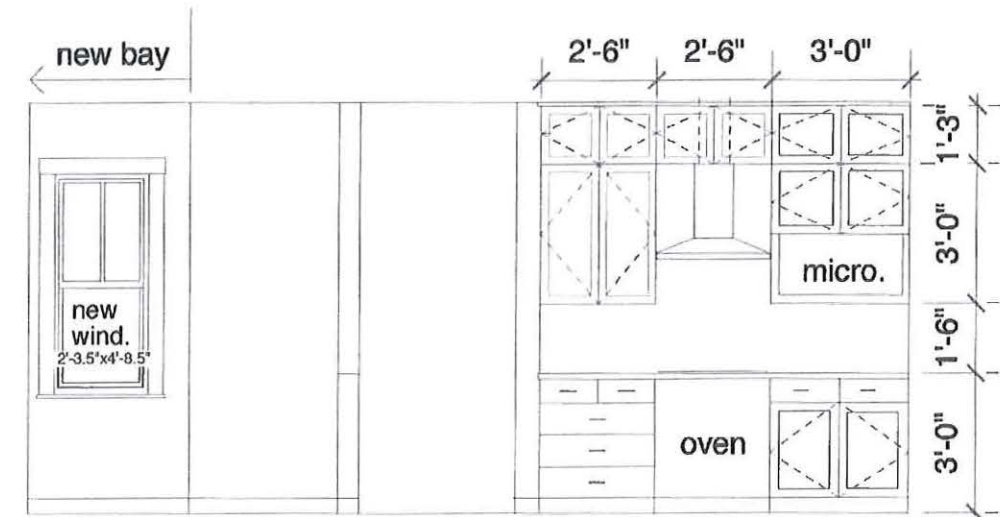
May 20, 2019

Sara Gardner, Architect

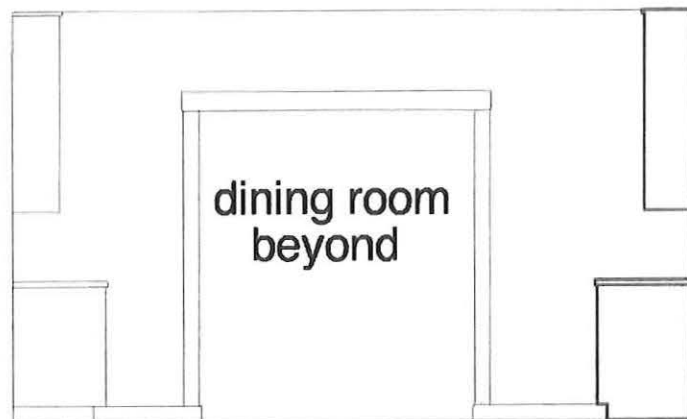
A-2



1. south elevation



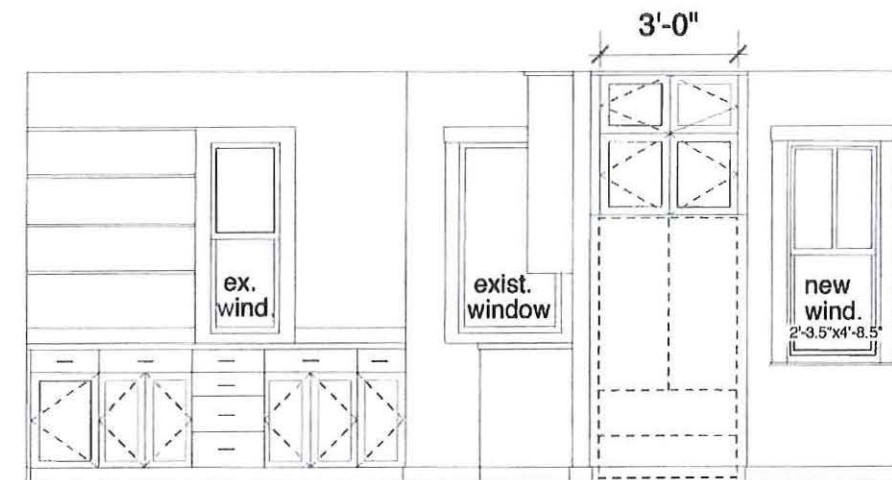
2. west elevation



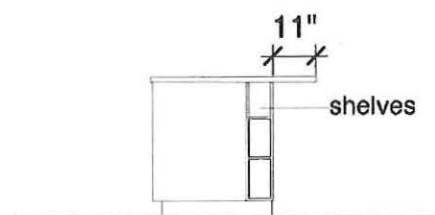
3. north elevation w/out kitchen island



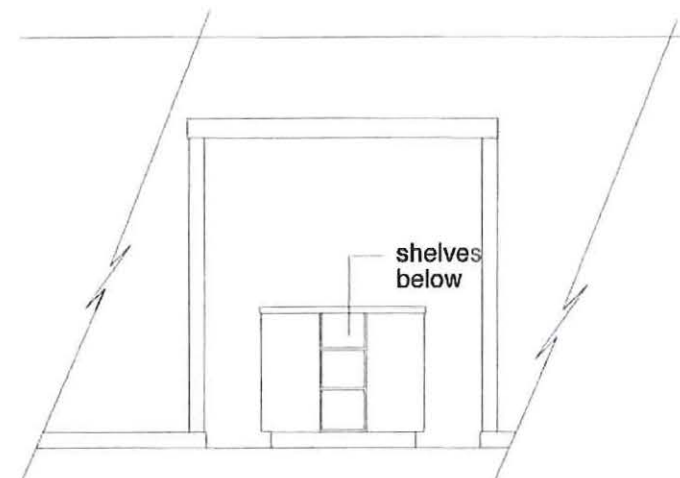
4. north elevation w kitchen island



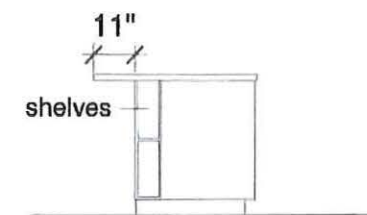
5. east elevation



kitchen island
east elevation



view of kitchen island
from dining room



kitchen island
west elevation

Proposed interior elevations
Kitchen renovation + new bay
Johnston/Lufkin residence
1/4" = 1'-0"

May 20, 2019

Sara Gardner, Architect

A-3



Height from ground to roof ridge as per site survey: 27.4'

Existing South Elevation
Kitchen renovation + new bay
Johnston/Lufkin residence
1/4" = 1'-0"

May 20, 2019

A-4

Sara Gardner, Architect

new 3'- 6" x 11' bay

Height from ground to roof ridge as per site survey: 27.4'



New windows in new bay: Anderson 200 series. Double hung vinyl clad exterior and wood interior.

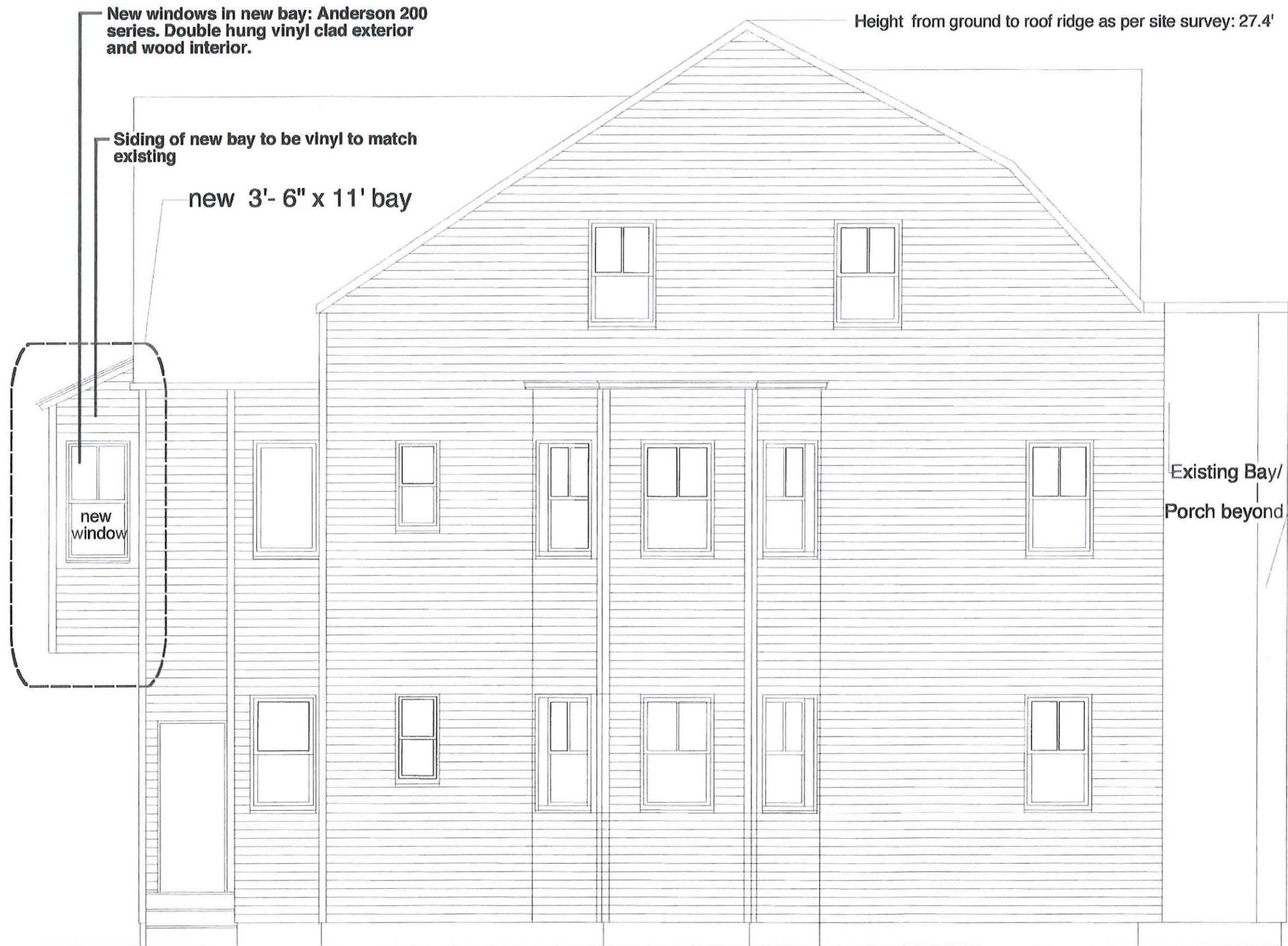
Siding of new bay to be vinyl to match existing

Proposed South Elevation
Kitchen renovation + new bay
Johnston/Lufkin residence
1/4"= 1'-0"

May 20, 2019

Sara Gardner, Architect

A-5



Proposed East Elevation
Kitchen renovation + new bay
Johnston/Lufkin residence
1/4"= 1'-0"
May 20, 2019
Sara Gardner, Architect

A-6

Height from ground to roof ridge as per site survey: 27.4'

New windows in new bay: Anderson 200 series. Double hung vinyl clad exterior and wood interior.

Siding of new bay to be vinyl to match existing

new 3'-6" x 11' bay

Existing Bay /
Porch beyond

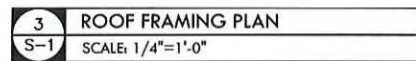
new
window

Proposed West Elevation
Kitchen renovation + new bay
Johnston/Lufkin residence
1/4" = 1'-0"

May 20, 2019

Sara Gardner, Architect

A-7



BOLTS, NUTS & WASHERS - ASTM - A307

NAILS - COMMON WIRE, EXCEPT BARBED NAILS AT PLYWOOD SHEATHING, GALVANIZED NAILS AT EXPOSED FRAMING.

METAL CONNECTORS - APPROVED ITEMS OF PROPER TYPE & GAUGE AS SHOWN ON DRAWINGS - GALVANIZED.

ALL CONNECTORS AND FASTENERS AT PRESSURE TREATED WOOD SHALL BE STAINLESS STEEL.

PLYWOOD - APA RATED SHEATHING WITH EXTERIOR GLUE.

ROOF - 5/8" THICK

WALLS - 1/2" THICK

SUBFLOORS - 3/4" THICK TONGUE & GROOVE

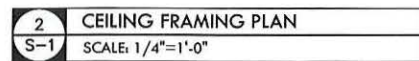
PRESSURE TREATED WOOD AT ALL EXPOSED FRAMING WITH APPROVED CLEAR WATER BORNE PRESERVATIVE. ALL MEMBERS TO BE STAMPED BY APPROPRIATE AGENCY.

C. EXECUTION

ALL WOOD MEMBERS TO BE NAILED IN ACCORDANCE WITH MASS STATE CODE APPENDIX C.

PLYWOOD SHALL BE NAILED AT 8" O.C. AT ALL JOINTS AND EDGES & 10" O.C. AT OTHER SUPPORTS. PLYWOOD SUB-FLOOR SHALL BE GLUED TO JOIST, BEFORE NAILING, WITH APPROVED ADHESIVE.

PROVIDE NAILING AT ALL CONNECTORS IN ACCORDANCE WITH MANUFACTURERS RECOMMENDATIONS.



DESIGN LOADS

THE BUILDING STRUCTURE HAS BEEN DESIGNED FOR THE FOLLOWING LOADS
ACCORDANCE WITH THE 9TH EDITION OF THE MASSACHUSETTS STATE BUILDING
CODE.

SNOW LOAD: ZONE 2 FLAT ROOF SNOW $P_f = 40$ PSF
DRIFTING AND SLIDING SNOW INCLUDED WHERE APPLICABLE

FLOOR LIVE LOAD:

RESIDENTIAL LIVING AREAS	- 40 PSF
RESIDENTIAL SLEEPING AREAS	- 30 PSF

WIND: MAIN WIND FORCE RESISTANCE SYSTEM ZONE 3 EXPOSURE BASIC WIND SPEED 127 MPH
HEIGHT 0 - 50 FEET



Zoning Board of Appeals
Cambridge Inspectional Services Department
831 Massachusetts Avenue / Cambridge, Ma. 02139
July 9th, 2019

Re: 1 Highland Park, Cambridge, Ma. (Owners: Felicity Lufkin and Iain Johnston)
Supporting Statement for Variance application
Building Permit number 49024

Dear Members of the Cambridge Zoning Board,

On behalf of the owners of 1 Highland Park, I am petitioning for a variance in order to build a 3.5' x 11.0' bay to be cantilevered off of the 2nd floor kitchen as part of its renovation. While the bay itself meets zoning code requirements, the existing house and site are in non-conformance of the Cambridge Zoning Ordinance. The building permit for doing the bay was denied for the following reason (stated in an email):

Addition/Alteration #49024:

"Article 8 does not allow additions beyond the FAR allowed under Article 5"

The owners decided to re-apply for the building permit to do the kitchen renovation **without the bay**. Having now received that permit, they are proceeding with the project without the bay. However, they have decided to simultaneously petition for a variance for adding the bay at a later date. Therefore, this letter serves as the cover letter for the variance application submitted online and in person to Cambridge Inspectional Services.

The project is in Zone: District C-1:

The proposed new construction is a cantilevered 3.5' x 11' (38.5 gsf) bay addition to the existing 2nd floor kitchen on the rear of the house. The extent of work scope is a renovation of that kitchen and the proposed new bay. The Lufkin-Johnston family lives on the 2nd+ 3rd floors (upper unit) and they rent out the 1st floor to a tenant family.

The existing house does not conform with Articles 5.31: for FAR and front + side yard setback requirements. It does conform with rear yard setback requirements. It does not conform to Article 8 which does not allow for additions to an already non-conforming building with respect to the FAR.

Existing FAR non-conformance:

Existing Gross Floor Area = 3393 GSF

Lot Area = 3400 SF

Existing FAR $3393 / 3400 = 99\%$ (The ordinance requirement in District C-1 for FAR is 75%)

Proposed Gross Floor Area = $3393 + 38.5' = 3,431.5'$

Proposed FAR $3,431.5 / 3400 = 100.92\%$ (The ordinance requirement for FAR is 75%)

Existing front yard + side yard setback non-conformance:

Existing front yard set back is 6.9'. This does not meet the ordinance.

Existing left side yard set back is 3'. This does not meet the ordinance.

Existing right side yard set back is 1.9'. This does not meet the ordinance.

Existing rear side yard set back is 32.5' and complies w the ordinance requirement of = or > 20'.

The proposed cantilevered bay is on the rear of the house:

It does conform with all of the site setback requirements:

Proposed left setback of the bay is 19.2'. This meets the ordinance requirements.

Proposed right setback of the bay is 9.8'. This meets the ordinance requirements.

Proposed rear setback of the bay is 29'. This meets the ordinance requirements.

Owner and Design team opinion:

The owners and the design team wish to accomplish two items with the added bay.

One is to create an 'eat-in' breakfast nook and the other is to open up the south wall of the kitchen to the backyard for view and natural light. While the existing kitchen has a peninsula for counter-height seating and there are two useable windows facing the backyard, the 3.5' x 11.0' bay will give added space for a breakfast table and an added 5 windows (3 towards the South and two other windows: one facing East and the other facing West in the bay) will allow for much more sunlight and a wonderful view towards the back yard.

While the existing house is not in conformance with respect to the side yards, front yard and the FAR, the 38.5 square foot bay itself complies with all yard setbacks and adds only a tiny percentage to the existing FAR nonconformance. While the design team understands the reason for these regulations and the need to not establish bad precedent for future Cambridge projects, we feel that this small cantilevered bay is on the rear of the house; it cannot be seen from the street and does not hinder any of the views, nor create difficult shadows for the neighboring houses surrounding it. It will not be to the detriment of the public good. The team also feels that the added bay with its windows relieves the solid and very closed face of the south elevation of the house.

There are no other occupancies on the same lot. The proposed 38.5' bay has been granted a Certificate of Non-applicability by the Mid Cambridge Neighborhood Conservation District Commission as the bay will not be able to be seen from the street.

It is our hope that we will be granted the building permit for adding this cantilevered bay to the second floor of the house.

Thank you.

Sincerely;



Sara H. Gardner

Principal

Imai Keller Moore Architects





Mid Cambridge Neighborhood Conservation District Commission

831 Massachusetts Avenue, Cambridge, Massachusetts 02139

Telephone: 617 349 4683 TTY: 617 349 6112

E-mail: histncds@cambridgema.gov

www.cambridgema.gov/historic/districtsHistoricProperties/midcambridgencd

Nancy Goodwin, *Chair*, Tony Hsiao, *Vice Chair*

Lestra Litchfield, Monika Pauli, *Members*

Margaret McMahon, Charles Redmon, *Alternates*

CERTIFICATE OF NON-APPLICABILITY

Property: 1 Highland Park

Applicant: Felicity Lufkin & Iain Johnson

The Mid Cambridge Neighborhood Conservation District Commission hereby certifies, pursuant to Chapter 2.78, Article III, Section 2.78.140-270 of the Code of the City of Cambridge and the order establishing said district that the work described below does not involve any activity requiring issuance of a Certificate of Appropriateness or Hardship:

Construct new bay in rear.

ISD Record #1bd

All improvements shall be carried out as shown on the plans and specifications submitted by the applicant, except as modified above. Approved plans and specifications are incorporated by reference into this certificate.

This certificate is granted upon the condition that the work authorized herein is commenced within six months after the date of issuance. If the work authorized by this certificate is not commenced within six months after the date of issuance or if such work is suspended in significant part for a period of one year after the time the work is commenced, such certificate shall expire and be of no further effect; provided that, for cause, one or more extensions of time for periods not exceeding six months each may be allowed in writing by the Chair.

Case Number: MC 5654

Date of Certificate: April 18, 2019

Attest: A true and correct copy of decision filed with the offices of the City Clerk and the Cambridge Historical Commission on April 18, 2019.

By Tony Hsiao/aac, Vice Chair

Twenty days have elapsed since the filing of this decision. No appeal has been filed ____.
Appeal has been filed ____ Date ____ City Clerk: ____



Photo 7

View of house East of 1 Highland Park from backyard



Photo 1
View of North and West elevation of 1 Highland Park

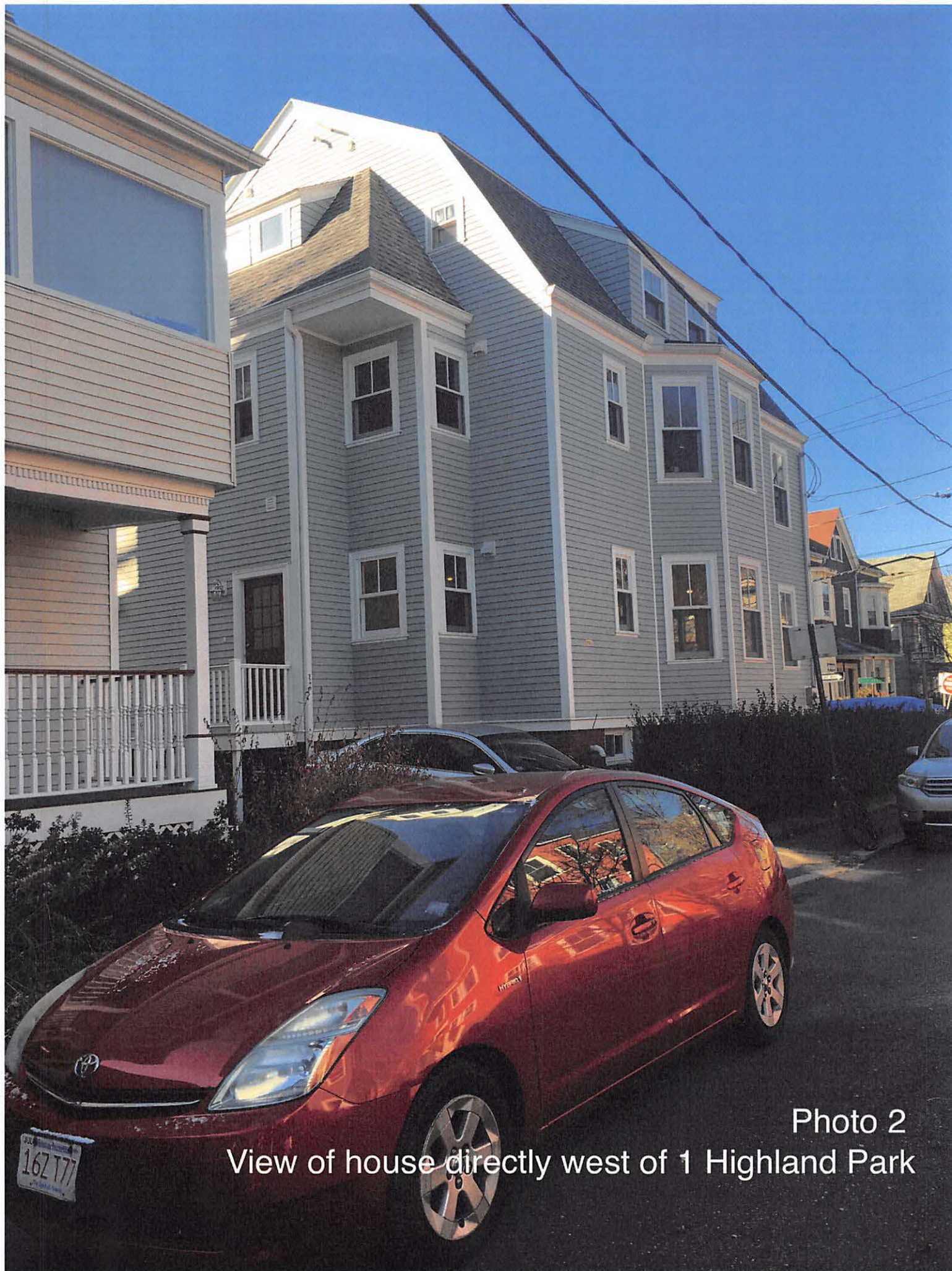


Photo 2
View of house directly west of 1 Highland Park



Photo 3
View of house directly east of Highland Park



Photo of South elevation of 1 Highland Park from back yard

Photo 4

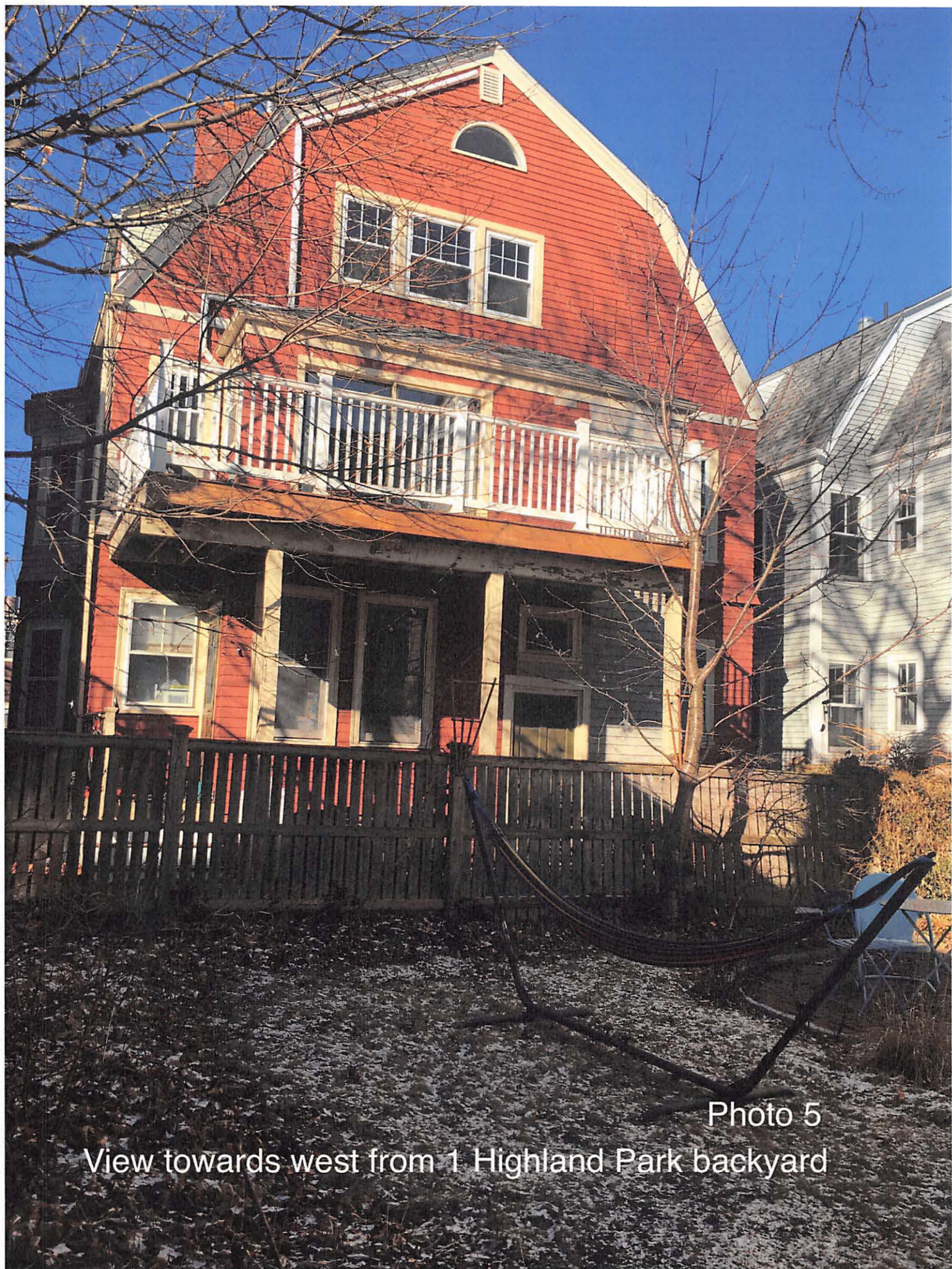


Photo 5

View towards west from 1 Highland Park backyard



Photo 6

View of backyard towards South from 1 Highland Park

1 Highland pk.

Petitioners

112-49
48 HIGHLAND AVENUE LLC
66 BEVERLY RD.
CHESTNUT HILL, MA 02467

112-49
KRAMER, MARK
48 HIGHLAND AVE, #2
CAMBRIDGE, MA 02139

112-51
JOHNSTON, ALASTAIR IAIN &
FELICITY ANNE LUFKIN
1 HIGHLAND PARK
CAMBRIDGE, MA 02139

112-54
WHITE, EDWARD T. & PATRICIA A. WHITE
2 HIGHLAND PARK
CAMBRIDGE, MA 02139

112-52
LEVIT, DMITRY, YULIA LEVIT,
MICHAEL & LIDIA NEMIROVSKY
3 HIGHLAND PK
CAMBRIDGE, MA 02139

SARA GARDNER, ARCHITECT
56 HIGHLAND AVENUE
CAMBRIDGE, MA 02139

112-55
PARLOW ROBERT A & SARA H GARDNER
56 HIGHLAND AVENUE
CAMBRIDGE, MA 02139

112-102
DEYAB, JOHN, LAWRENCE DEYAB &
GEORGE DEYAB
23 MAPLE AVE
CAMBRIDGE, MA 02139

112-103
TAYLOR, RUTH & JEFFREY TAYLOR
25 MAPLE AVE
CAMBRIDGE, MA 02139

112-141
WOLFF, SAMUEL L. & MEREDITH WOLFF
19 MAPLE AVE
CAMBRIDGE, MA 02139

112-63
PRICE, LEAH & NIR M. EYAL
27 MAPLE AVE, #1
CAMBRIDGE, MA 02139

112-63
JASANOFF, MAYA R.
27 MAPLE AVE., #2
CAMBRIDGE, MA 02139

112-95
BLACKER, DEBORAH L.
40 HIGHLAND AVE. #1
CAMBRIDGE, MA 02139

112-95
WITINSKI, MARK F. & JUNE Y. CHEN
40 HIGHLAND AVE., #3
CAMBRIDGE, MA 02139

112-95
ZACCAGNINI, DAVIDE & CRISTINA MALATESTA
40 HIGHLAND AVE., #2
CAMBRIDGE, MA 02139

112-96
SHEAHAN, DENIS &
KRISTINE M. SHEAHAN TRUSTEES
116 CAPTAIN PIERCE RD
SCITUATE, MA 02066

112-96
YANKOVA, ANA
44 HIGHLAND AVE., #44
CAMBRIDGE, MA 02139

112-96
HOOK, JAMES E. & WEN CHYI SHYU TRUSTEES
44-46 HIGHLAND AVE., #46/2
CAMBRIDGE, MA 02139

112-50
WONG, CHARLES
50 HIGHLAND AVE., #1
CAMBRIDGE, MA 02139

112-50
YOUNG, MONICA
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