



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

BZA APPLICATION FORM

Plan No: BZA-017302-2020

GENERAL INFORMATION

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

Special Permit : ✓ Variance : _____ Appeal : _____

PETITIONER : Abram Ojure and Misty Koger-Ojure -C/O Sarah Like Rhatigan Esq/ Trilogy Law LLC

PETITIONER'S ADDRESS : 12 Marshall Street Boston, MA 02108

LOCATION OF PROPERTY : 26 Coolidge Hill Road, Cambridge, MA

TYPE OF OCCUPANCY : single-family dwelling ZONING DISTRICT : Residence A-2 Zone

REASON FOR PETITION :

Conversion to Additional Dwelling Units

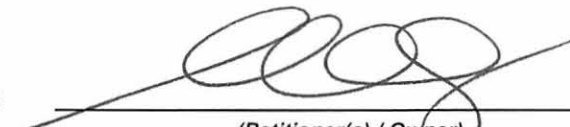
DESCRIPTION OF PETITIONER'S PROPOSAL :

Petition for special permit to allow for the alteration of an existing single-family detached dwelling creation to provide one accessory apartment in the garden level of the existing single-family dwelling, pursuant to Article 4, Section 4.22.1 and 4.23.1.

SECTIONS OF ZONING ORDINANCE CITED :

Article 4.000 Section 4.22 & 4.22.1 (Accessory Apartment).
Article 10.000 Section 10.40 (Special Permit).

Original Signature(s) :


(Petitioner(s) / Owner)
Sarah Like Rhatigan, Esq., on behalf of Petitioners,
Abram Ojure and Misty Koger-Ojure

(Print Name)

Address : Trilogy Law LLC
12 Marshall Street, Boston, MA 02108
Tel. No. : 617-543-7009
E-Mail Address : Sarah@TrilogyLaw.Com

Date : July 13, 2020

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 26 Coolidge Hill 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:

This petition meets the specific requirements for a special permit outlined under Section 4.22.1, as follows:

1) The building containing the accessory apartment has been in existence since on or before February 1, 2019;

2) Prior to alteration, the existing single-family dwelling contains 2,718 square feet of Gross Floor Area (which is greater than the minimum 1,800 square feet required under the Ordinance);

3) The proposed Accessory Apartment shall occupy 580 square feet, representing 21 percent of the total Gross Floor Area of the principal dwelling unit (which is less than the maximum 900 square feet/or thirty-five (35) percent of the GFA required under the Ordinance); and

4) There will be no more than one Accessory Apartment on the lot.

Additionally, the petition meets parking requirements where there will be one (1) garage parking space (which is the minimum required for a single-family dwelling) and no additional parking for the Accessory Apartment, as is permissible pursuant to Section 4.23 of the Ordinance.

Alterations that are necessary to create the new Accessory Apartment include: removing a garage bay in order to construct a second means of egress (hallway and exterior door) for the basement level apartment, and are otherwise permissible as of right.

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 alteration of the existing structure and creation of an Accessory Apartment will result in no additional traffic, change in patterns of access or egress, or change in the established neighborhood character. The basement level of the existing dwelling unit is currently used as a bedroom and sitting room for the Petitioner's au pair (whose contract is anticipated to expire shortly). Future use of the basement space as one-bedroom Accessory Apartment will not materially affect traffic, patterns of access or egress, or result in congestion. It should be noted that there are many two-family uses and accessory apartments in the vicinity, and thus the alterations to this property will not result in a substantial change in neighborhood character.

- 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:

The alterations necessary to convert the basement level space to an Accessory Apartment will not negatively affect adjacent uses. Removal of a garage bay will decrease vehicular access and egress from the property. Use of the basement space for a one-bedroom Accessory Apartment will not be materially different in terms of impact on neighboring uses than the current use of this space.

- 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:

No nuisance or hazard will be created as a result of the proposed special permit relief because the alterations to the structure are minimal and the proposed use will not be substantially different from the current use, and Accessory Apartment use is generally consistent with uses in the neighborhood.

- 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:
Section 4.22 states as follows:

"Alteration of these buildings [single and two-family dwellings] to provide one additional dwelling unit on the lot would be prohibited in most cases due to the existing floor area ratio and/or lot area per dwelling unit requirements of Subsection 5.31, among other zoning limitations. Given contemporary lifestyles, housing needs, and energy and maintenance costs, it is beneficial to the City to allow greater flexibility in the use of such buildings to add new dwelling units without substantially altering the environmental quality of their surrounding neighborhoods. This Subsection 4.22 gives the Board of Zoning Appeal the authority to relax such requirements in certain instances as enumerated below."

Where the petition proposes a modest alteration to an existing single-family dwelling that meets the requirements for a Special Permit as set forth in Section 4.22.1 and does not otherwise impair or adversely impact neighboring uses or the District, this Board is urged to approve the requested petition and grant the necessary relief in furtherance of the City's stated objectives.

BZA APPLICATION FORM**DIMENSIONAL INFORMATION**

APPLICANT: Trilogy Law LLC **PRESENT USE/OCCUPANCY:** Single-family
LOCATION: 26 Coolidge Hill Rd Cambridge, MA **ZONE:** Residence A-2 Zone
PHONE: _____ **REQUESTED USE/OCCUPANCY:** Single-family w accessory apt.

		<u>EXISTING CONDITIONS</u>	<u>REQUESTED CONDITIONS</u>	<u>ORDINANCE REQUIREMENTS</u> ¹	
<u>TOTAL GROSS FLOOR AREA:</u>		2,718	2,718	4,671	(max.)
<u>LOT AREA:</u>		4,615	4,615	6,000	(min.)
<u>RATIO OF GROSS FLOOR AREA TO LOT AREA:</u> ²		.59	.59	.50	(max.)
<u>LOT AREA FOR EACH DWELLING UNIT:</u>		2,307.50	2,307.50*	4,500	(min.)
<u>SIZE OF LOT:</u>	WIDTH	51	51	65	(min.)
	DEPTH	78 (avg)	78 (avg)	--	
<u>SETBACKS IN FEET:</u>	FRONT	16/10	16/10	20	(min.)
	REAR	n/a	n/a	n/a	(min.)
	LEFT SIDE	10	10	10/sum25	(min.)
	RIGHT SIDE	10	10	10/sum25	(min.)
<u>SIZE OF BLDG.:</u>	HEIGHT	32	32	35	(max.)
	LENGTH	--	--	--	
	WIDTH	--	--	--	
<u>RATIO OF USABLE OPEN SPACE TO LOT AREA:</u>		60%	60%	50%	(min.)
<u>NO. OF DWELLING UNITS:</u>		1	1+Acc*	1	(max.)
<u>NO. OF PARKING SPACES:</u>		2	1**	1	(min./max)
<u>NO. OF LOADING AREAS:</u>		0	0	0	(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.

There is one building on the lot, currently a single-family dwelling unit. *Special permit to allow for an accessory apartment will result in a primary dwelling unit with 2,640 GFA, and an accessory apartment in the basement with 580 GFA (22% of the size of main dwelling unit). **Alteration to provide second means of egress will result in loss of one garage parking space; one garage parking space will remain. Proposed construction type is conventional and engineered wood from construction, consistent with existing construction.

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'.

Mt. Auburn Cemetery

Coolidge Hill Rd

242A-155

2 Coolidge Ave

4 Coolidge Ave
242A-156

36 Coolidge Hill Rd

6 Coolidge Ave
242A-147

32 Coolidge Hill Rd

242A-146

10 Coolidge Ave

242A-87 28 Coolidge Hall Rd

ROAD

14 Coolidge Ave

242A-23

24 Coolidge Hill Rd

20 Coolidge Hill Rd

242A-120

16 Coolidge Ave

242A-157

242A-119

45 Coolidge Hill Rd

47 Coolidge Hill Rd

242A-99

242A-123

Coolidge Hill Rd
Rd

414 Mt Auburn St

29 Coolidge Hill Rd

242A-144

242A-44

242A-143
27 Coolidge Hill Rd

25 Coolidge Hill Rd

242A-154

23 Coolidge Hill Rd

242A-153

242A-150

242A-124

Solidge Hill Rd

26 Coolidge Hill Rd.

Petitioner

245-1

MT AUBURN CEMETERY CORPORATION
C/O JOHN P. KROBLOCK
580 MT. AUBURN STREET
CAMBRIDGE, MA 02138

242A-23

MCDONALD, ALEX H. &
MAUREEN ANN STANFORD
24 COOLIDGE HILL RD
CAMBRIDGE, MA 02138

TRILOGY LAW LLC
C/O SARAH L. RHATIGAN, ESQ.
12 MARSHALL STREET
BOSTON, MA 02108

242A-150

CARROLL, MARGARET D.
21 COOLIDGE HILL ROAD
CAMBRIDGE, MA 02138-5509

242A-153

REID, ELIZABETH A. & WILLIAM WOOD,
TRS THE WILLIAM T. WOOD 2016 REV TRUST
23 COOLIDGE HILL RD
CAMBRIDGE, MA 02138

242A-87

KOGER-OJURE, MISTY & ABRAM OJURE
26 COOLIDGE HILL RD
CAMBRIDGE, MA 02138

242A-146

DYER, ALEXANDER C. & SIBYLLE GESSWEIN DYER
32 COOLIDGE HILL RD
CAMBRIDGE, MA 02138

242A-147

DYER, ALEXANDER C. & SIBYLLE G. DYER
34 COOLIDGE HILL RD
CAMBRIDGE, MA 02138

242A-157

BEAL, STEPHANIE TRUSTEE OF THE BEAL TRUST
16 COOLIDGE AVE
CAMBRIDGE, MA 02138

242A-120

BAUER, JOANNE
20 COOLIDGE HILL RD
CAMBRIDGE, MA 02138



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2020 JUL 16 PM 2:50

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Plan No: BZA-017302-2020

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(Print Name)

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12 Marshall Street, Boston, MA 02108

Tel. No. : 617-543-7009

E-Mail Address : Sarah@TrilogyLaw.Com

Date : July 13, 2020

16MIP12836

NEW ENGLAND LAND SURVEY

Professional Land Surveyors



710 MAIN STREET

N.Oxford, MA 01537

PHONE: (508) 987-0025

FAX: (508) 234-7723

REGISTRY SOUTHERN MIDDLESEX

MORTGAGE INSPECTION PLAN

NAME ABRAM OJURE AND MISTY KOGER-OJURE

LOCATION 28 COOLIDGE HILL ROAD

CAMBRIDGE, MA

SCALE 1"=30'

DATE 10/20/2016

BASED UPON DOCUMENTATION PROVIDED, REQUIRED MEASUREMENTS WERE MADE OF THE FRONTAGE AND BUILDING(S) SHOWN ON THIS MORTGAGE INSPECTION PLAN. IN OUR JUDGEMENT ALL VISIBLE EASEMENTS ARE SHOWN AND THERE ARE NO VIOLATIONS OF ZONING REQUIREMENTS REGARDING DWELLING STRUCTURES TO PROPERTY LINE OFFSETS (UNLESS OTHERWISE NOTED IN DRAWING BELOW). NOTE: NOT DEFINED ARE ABOVE GROUND POOLS, DRIVEWAYS, OR SHEDS WITH NO FOUNDATIONS, ETC. THIS IS A MORTGAGE INSPECTION PLAN; NOT AN INSTRUMENT SURVEY. DO NOT USE TO ERECT FENCES, OTHER BOUNDARY STRUCTURES, OR TO PLANT SHRUBS. LOCATION OF THE STRUCTURE(S) SHOWN HEREON IS EITHER IN COMPLIANCE WITH LOCAL ZONING FOR PROPERTY LINE OFFSET REQUIREMENTS, OR IS EXEMPT FROM VIOLATION ENFORCEMENT ACTION UNDER MASS. G.L. TITLE VII, CHAP. 40A, SEC. 7, UNLESS OTHERWISE NOTED. THIS CERTIFICATION IS NON-TRANSFERABLE. THE ABOVE CERTIFICATIONS ARE MADE WITH THE PROVISION THAT THE INFORMATION PROVIDED IS ACCURATE AND THAT THE MEASUREMENTS USED ARE ACCURATELY LOCATED IN RELATION TO THE PROPERTY LINES.



CERTIFY TO: LEADER BANK

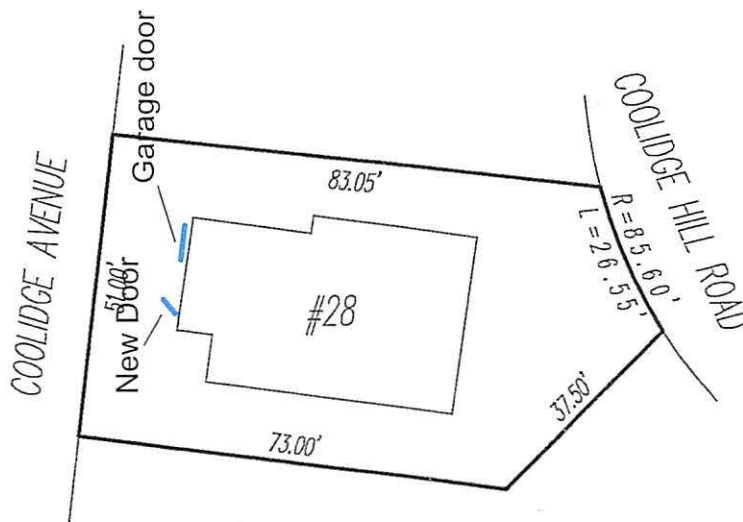
DEED REFERENCE: 12010/425

PLAN REFERENCE: NO. 1196 OF 1949

WE CERTIFY THAT THE BUILDING(S) ARE NOT WITHIN THE SPECIAL FLOOD HAZARD AREA. SEE FIRM:

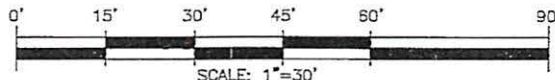
25017C0557E DTD: 06/04/2010

FLOOD HAZARD ZONE HAS BEEN DETERMINED BY SCALE AND IS NOT NECESSARILY ACCURATE. UNTIL DEFINITIVE PLANS ARE ISSUED BY HUD AND/OR A VERTICAL CONTROL SURVEY IS PERFORMED, PRECISE ELEVATIONS CANNOT BE DETERMINED.

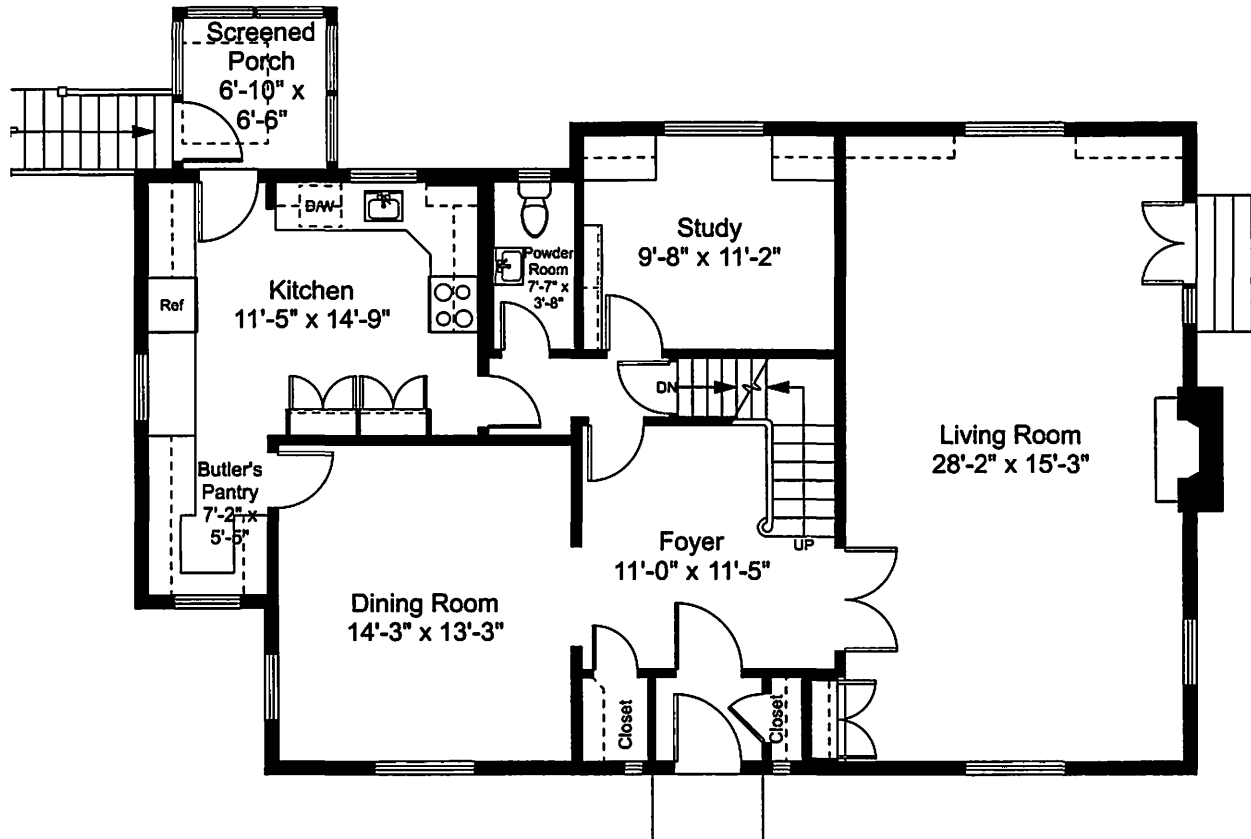


Handwritten signature and initials 'AO'.

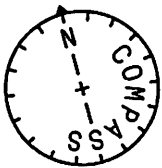
REQUESTED BY: PRESSMAN & KRUSKAL
DRAWN BY: DLM
CHECKED BY: GES
FILE: 16MIP12836



COMPASS



First Floor Plan

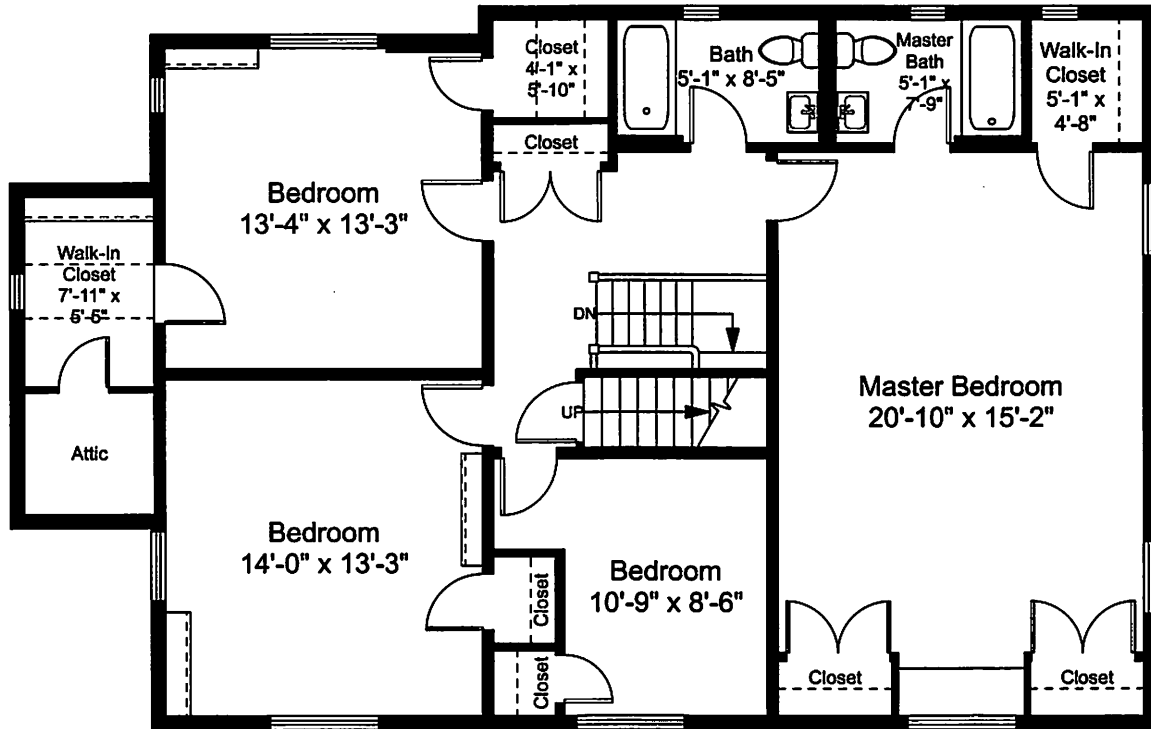


Scale 1/8" = 1'-0"

28 Coolidge Hill Ave
Cambridge
Website URL

Petrowsky Jones Group | 617.477.8409 | PJgroup@compass.com | compass.com

COMPASS



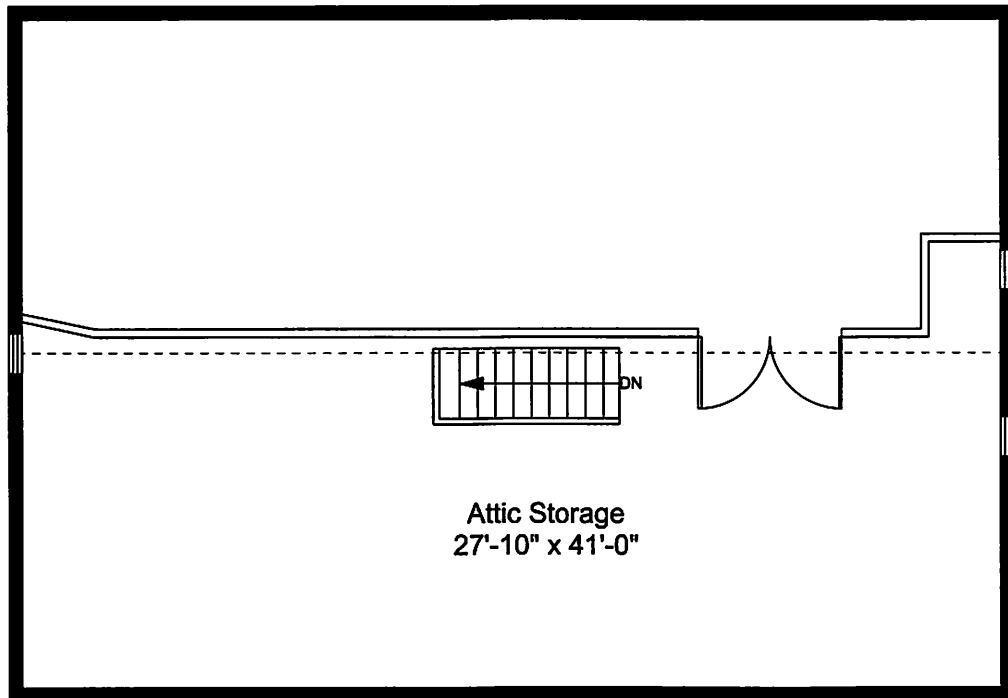
Second Floor Plan



Scale 1/8" = 1'-0"

Petrowsky Jones Group | 617.477.8409 | PJgroup@compass.com | compass.com

COMPASS



Attic Plan

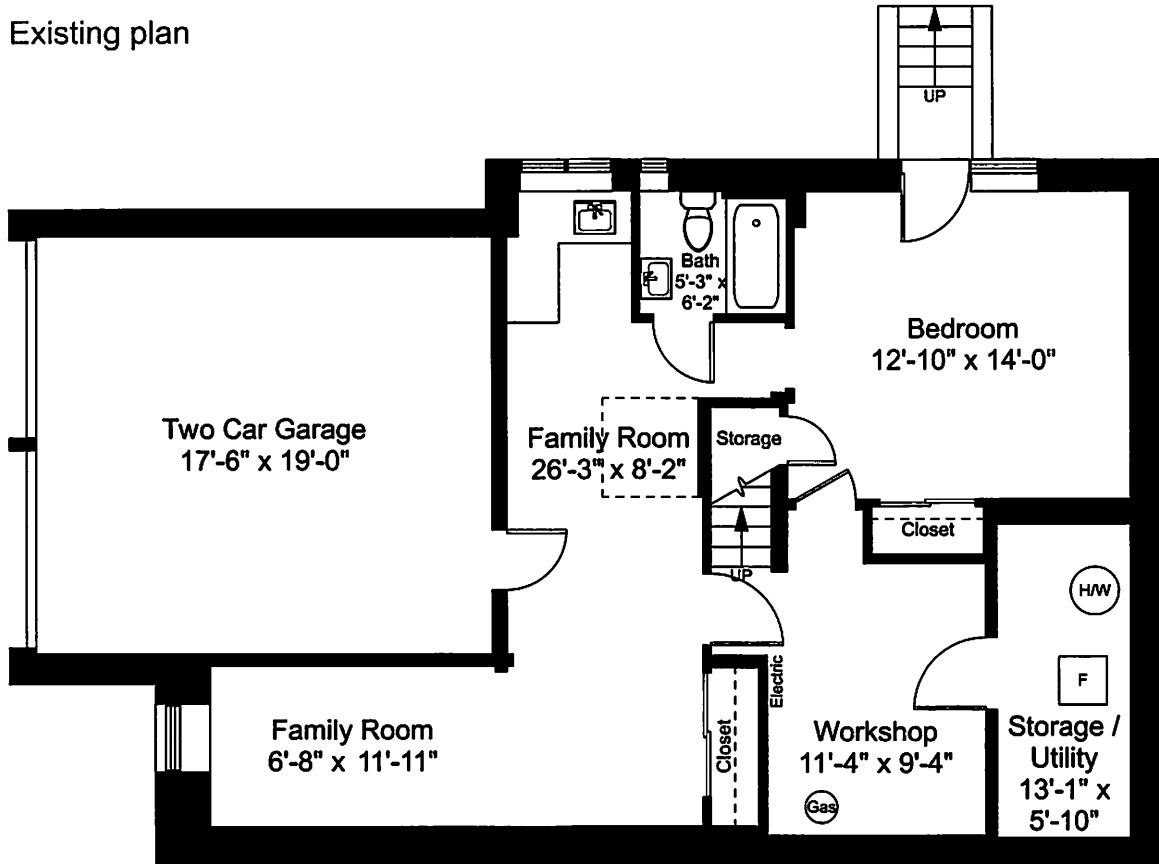


Scale 1/8" = 1'-0"

Petrowsky Jones Group | 617.477.8409 | PJgroup@compass.com | compass.com

COMPASS

Existing plan



Lower Level Plan



Scale 1/8" = 1'-0"

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COMPASS

Remove Garage door. Add standard door and frame / finish opening. Construct new wall to create separate egress hallway from new accessory apartment to new egress door.



Lower Level Plan

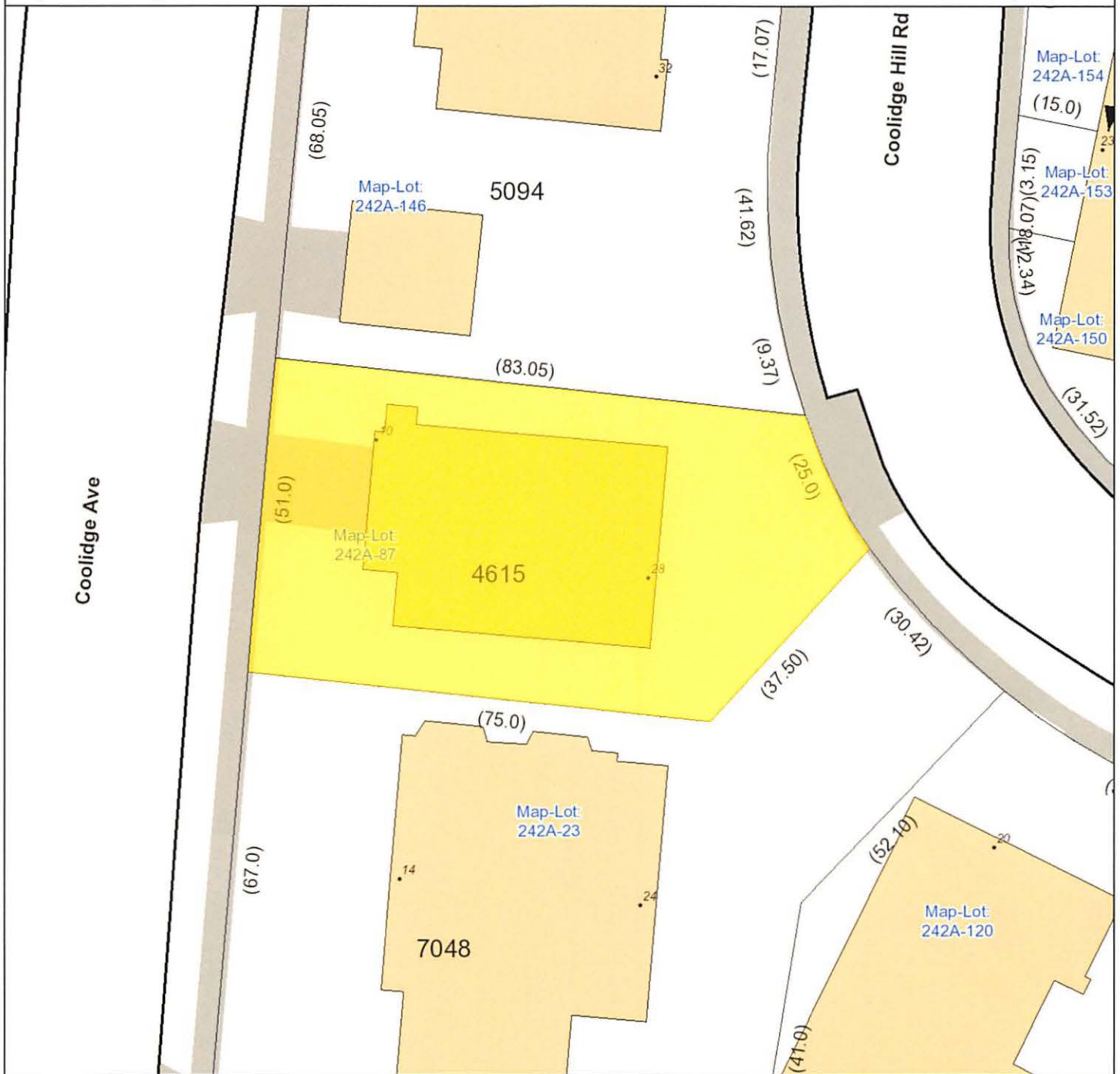


Scale 1/8" = 1'-0"

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City of Cambridge
Massachusetts

1" = 24 ft

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www.cambridgema.gov/gis



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 - Unpaved Roads
 - Unpaved Parking
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 - Driveways
 - Alleys
 - Other Paved Surface
 - Public Footpath

ARLINGTON

MEDFORD

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