

CITY OF CAMBRIDGE

BOARD OF ZONING APPEAL

831 Massachusetts Avenue, Cambridge MA 02139

617-349-6100

2023 MAR 28 AM 11:50

RECEIVED CITY CLERK
CITY OF CAMBRIDGE

BZA Application Form

BZA Number: 215453

General Information

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

Special Permit: X

Variance:

Appeal:

PETITIONER: Creative Properties on Centre, LLC C/O Leon Navickas, Manager

PETITIONER'S ADDRESS: 56 Juniper Rd, Belmont, MA 02478

LOCATION OF PROPERTY: 27 Dana St., Cambridge, MA

TYPE OF OCCUPANCY: 2-family

ZONING DISTRICT: Residence C-1 Zone

REASON FOR PETITION:

/Relocate non-confirming rear egress steps and platform about 54" on same wall/

DESCRIPTION OF PETITIONER'S PROPOSAL:

Relocation of existing non-confirming steps and platform within the same non-confirming area. Rear setback requirement is 20 ft. This yard has 16 ft.

SECTIONS OF ZONING ORDINANCE CITED:

- Article: 5.000 Section: 5.31 (Table of Dimensional Requirements).
- Article: 8.000 Section: 8.22.2.D (Non-Conforming Structure).
- Article: 10.000 Section: 10.40 (Special Permit).

Original
Signature(s):

(Petitioner (s) / Owner)

LEON NAVICKAS

(Print Name)

Address:

56 JUNIPER RD, BELMONT, MA

Tel. No.

6175139873

E-Mail Address:

leon@navickas.com

Date: 3/24/23

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 Creative Properties on Centre, LLC. Leon Navickas, Manager
(OWNER)

Address: 56 Juniper Rd. Belmont, MA 02478

State that I/We own the property located at 27 Dana St. Cambridge, which is the subject of this zoning application.

The record title of this property is in the name of Creative Properties on Centre, LLC.

*Pursuant to a deed of duly recorded in the date 14 April, 2022 Middlesex South County Registry of Deeds at Book 80004, Page 171; or Middlesex Registry District of Land Court, Certificate No. _____ Book _____ Page _____.

Navickas
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 Middlesex

The above-name Leon Navickas personally appeared before me, this 21st of March, 20 23, and made oath that the above statement is true.

My commission expires October 13 2028 (Notary Seal).
SADHANA BHANDARI
Notary Public, Commonwealth of Massachusetts
My Commission Expires October 13, 2028

- 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 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 27 Dana St., 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:
- Existing steps and platform will be rebuilt without creating additional non-conformities
- 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:
- None, because this project is in the rear of the building.
- 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 change of location of steps/platform is minimal (54") and has no impact on others.
- 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 impact because the minor scale of moving steps/platform.
- 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:
- Historical Commission has approved the project

***If you have any questions as to whether you can establish all of the applicable legal requirements, you should consult with an attorney.**

BZA Application Form

DIMENSIONAL INFORMATION

Applicant: Creative Properties on Centre, LLC
Location: 27 Dana St., Cambridge, MA
Phone: 6175139873

Present Use/Occupancy: 2-family
Zone: Residence C-1 Zone
Requested Use/Occupancy: no change

		<u>Existing Conditions</u>	<u>Requested Conditions</u>	<u>Ordinance Requirements</u>	
<u>TOTAL GROSS FLOOR AREA:</u>		2500	no change	none	(max.)
<u>LOT AREA:</u>		2500	no change	5000	(min.)
<u>RATIO OF GROSS FLOOR AREA TO LOT AREA: 2</u>		.58	no change	.75	
<u>LOT AREA OF EACH DWELLING UNIT</u>		1452	no change	1500	
<u>SIZE OF LOT:</u>	<u>WIDTH</u>	33	no change	50	
	<u>DEPTH</u>	44	no change	none	
<u>SETBACKS IN FEET:</u>	<u>FRONT</u>	10	none	10	
	<u>REAR</u>	13	13	20	
	<u>LEFT SIDE</u>	16	23	7.6	
	<u>RIGHT SIDE</u>	23	16	7.6	
<u>SIZE OF BUILDING:</u>	<u>HEIGHT</u>	30	none	35	
	<u>WIDTH</u>	44	none	none	
	<u>LENGTH</u>	33	none	none	
<u>RATIO OF USABLE OPEN SPACE TO LOT AREA:</u>		not applicable	none	30%	
<u>NO. OF DWELLING UNITS:</u>		2	no change	none	
<u>NO. OF PARKING SPACES:</u>		3	no change	none	
<u>NO. OF LOADING AREAS:</u>		0	0	none	
<u>DISTANCE TO NEAREST BLDG. ON SAME LOT</u>		20	none	none	

Describe where applicable, other occupancies on the same lot, the size of adjacent buildings on same lot, and type of construction proposed, e.g; wood frame, concrete, brick, steel, etc.:

none

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'.

27 Dana St. -- Rear

Relocate and Repair
Existing Steps/Platform

Leon Navickas, Mgr.
Creative Properties on Centre, LLC
March 9, 2023

27 Dana St. Existing Conditions --- REAR



27 Dana St. Existing Conditions - REAR



Existing Steps/Platform



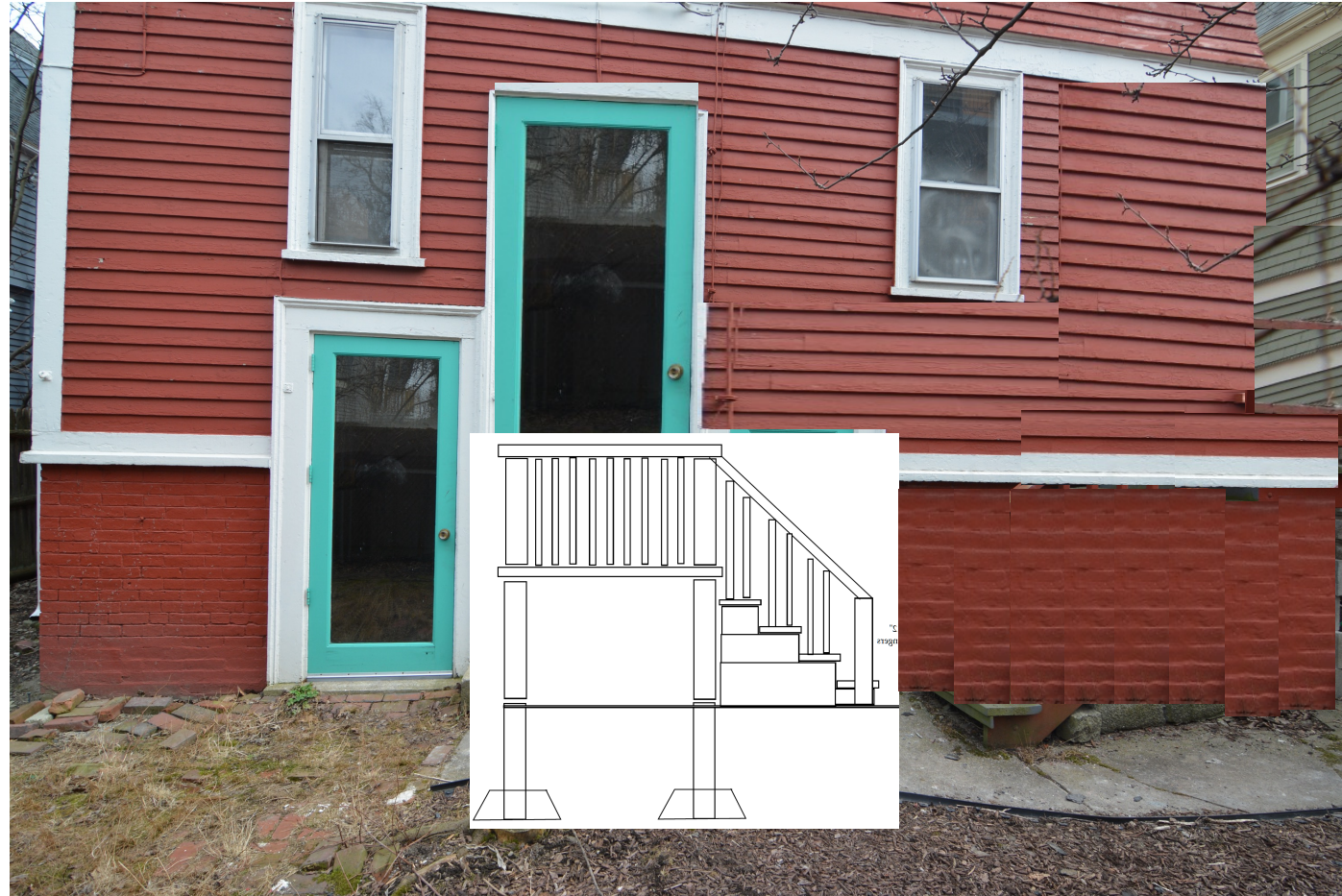
Side View of Back Yard



New Location of Steps/Platform

27 Dana St. Proposed --- REAR

- Remove old steps/platform
- Rebuild steps/platform
- Locate under existing egress
54" from old location
- Cover old egress door
- Cover old unused door

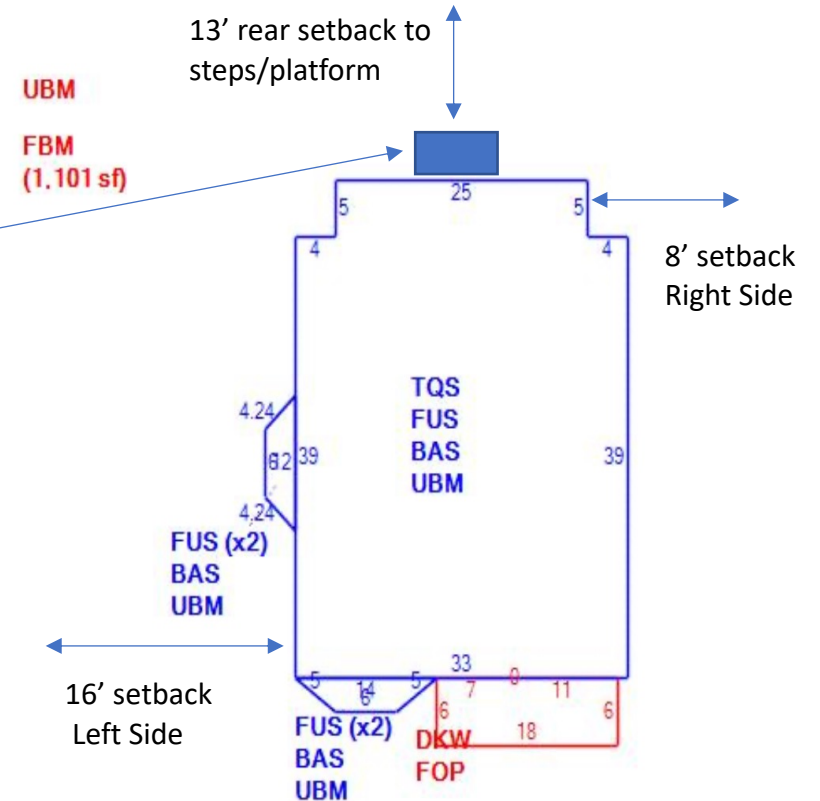


27 Dana St. Building Dimensions

- 3-story 2-family house
- Height: ~ 30'
- Width: ~33'
- Depth: ~44'
- Rear steps/platform: ~9'w X 3'd x 4'h

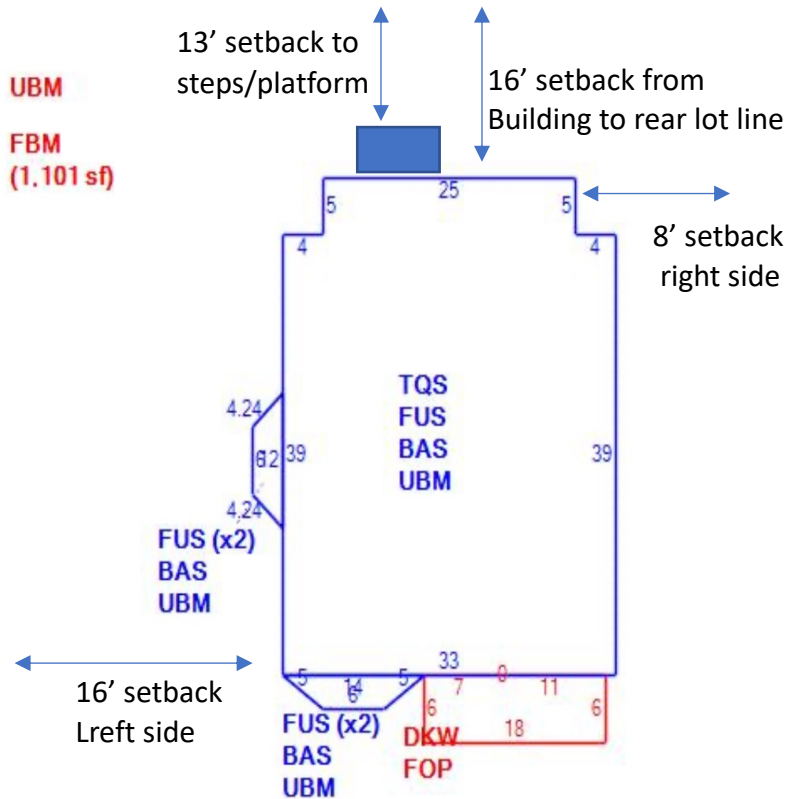
Rebuild and Relocate Steps/Platform

- Rebuild existing steps/platform
- Move approx. 54" to center of building
- Keep same dimensions as original structure



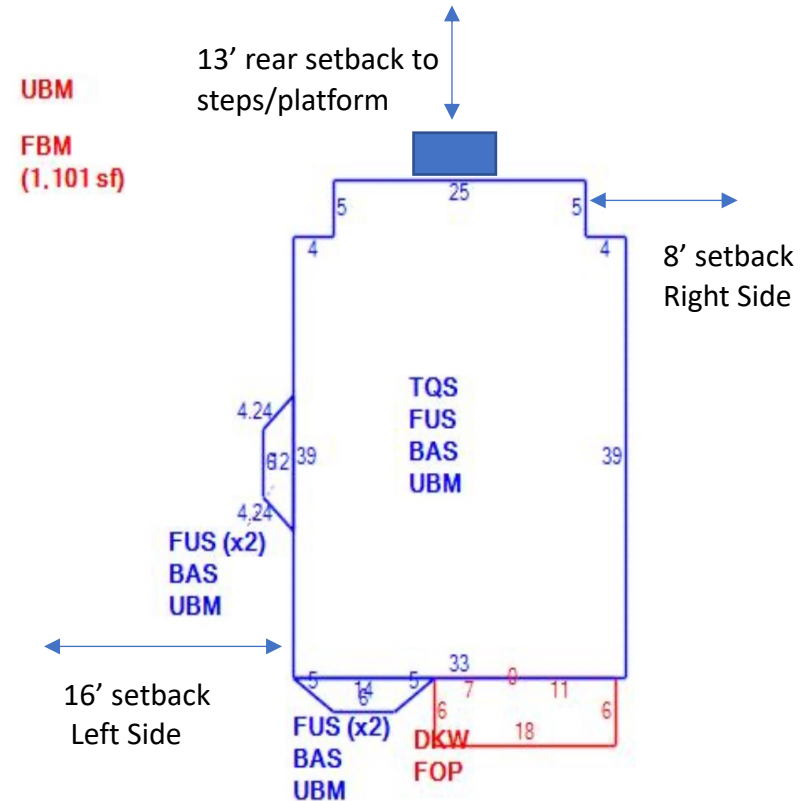
Existing Setbacks

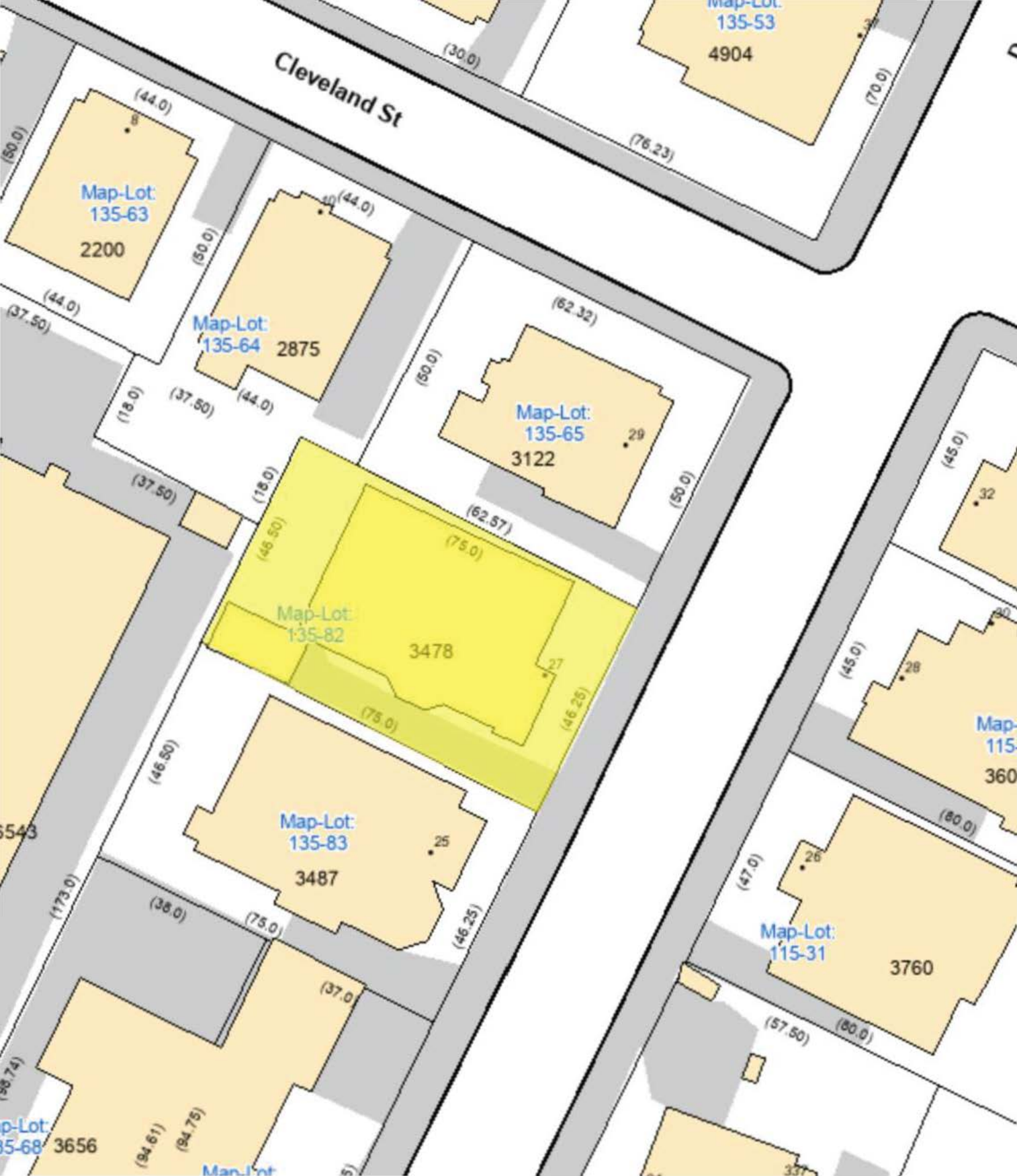
- 13' from platform to rear
- 23' to Right lot line
- 16' to Left lot line



New Setbacks

- No Change
- 16' to Right lot line
- 23' to Left lot line





Cleveland St

Map-Lot
135-63

2200

Map-Lot
135-64

2875

Map-Lot
135-65

3122

Map-Lot
135-82

3478

Map-Lot
135-83

3487

Map-Lot
115-31

3760

Map-Lot
115-32

3600

Map-Lot
135-68

3656

Map-Lot

3657

3761

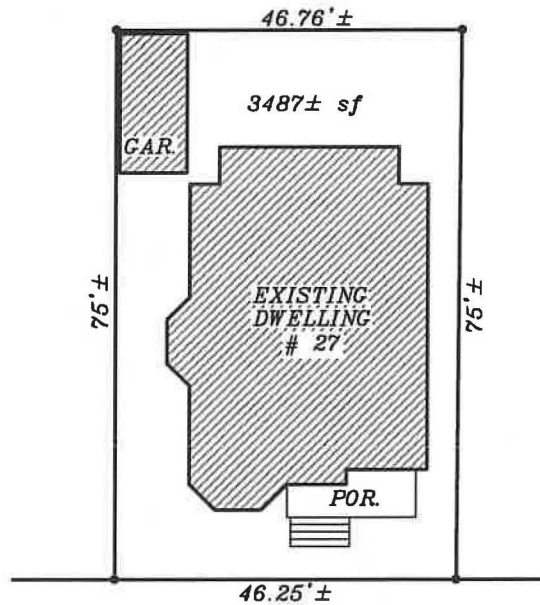
MORTGAGE INSPECTION PLAN

NORTHERN ASSOCIATES, INC.

92 MAPLE AVENUE ANDOVER, MA 01810 TEL:(978) 837-3335 FAX:(978) 837-3336
MASSACHUSETTS

MORTGAGOR: CREATIVE PROPERTIES ON CENTRE, LLC
LOCATION: 27 DANA ST
CITY, STATE: CAMBRIDGE, MA
DATE: 4/14/22

DEED REF. 67158/494
PLAN REF. ASSESSORS
SCALE: 1"=20'
JOB #: 21511263



DANA STREET

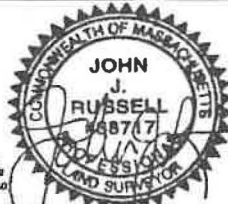
CERTIFIED TO:

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.

LOT CONFIGURATION IS BASED ON ASSESSOR'S INFORMATION AND MAY NOT BE EXACT

INSTRUMENT SURVEY RECOMMENDED

NOTE: This mortgage inspection was prepared specifically for mortgage purposes only and is not to be relied upon as a land or property line survey, used for recording, preparing deed descriptions, or construction. No corners were set. Building location and offsets are approximately located on ground and are shown specifically for zoning determination only and are not to be used to establish property lines. The matters shown herein are based on client-furnished information and may be subject to further out-sales, takings, easements and rights of way, and other matters of record and prescriptive or other rights. Northern Associates, Inc. assumes no responsibility herein to land owner or occupant, accepts no responsibility for damages resulting from said reliance by anyone other than the said mortgagee and its assigns in connection with its proposed mortgage financing to said mortgagee.



I render this mortgage inspection plan to be issued with the best of my knowledge, information and belief.

I further state that in my professional opinion that the structures shown conform with the local zoning horizontal dimensional setback requirements at the time of construction or are exempt under provisions of M.G.L. CH. 40-A Sec. 7.

- 1. Property/House is not in Flood Hazard.
- 2. Property/House is in a Flood Hazard Area.
- 3. Information is insufficient to determine Flood Hazard.

Flood Hazard determined from latest Federal Flood

Insurance Rate Map Panel 25017C0576E

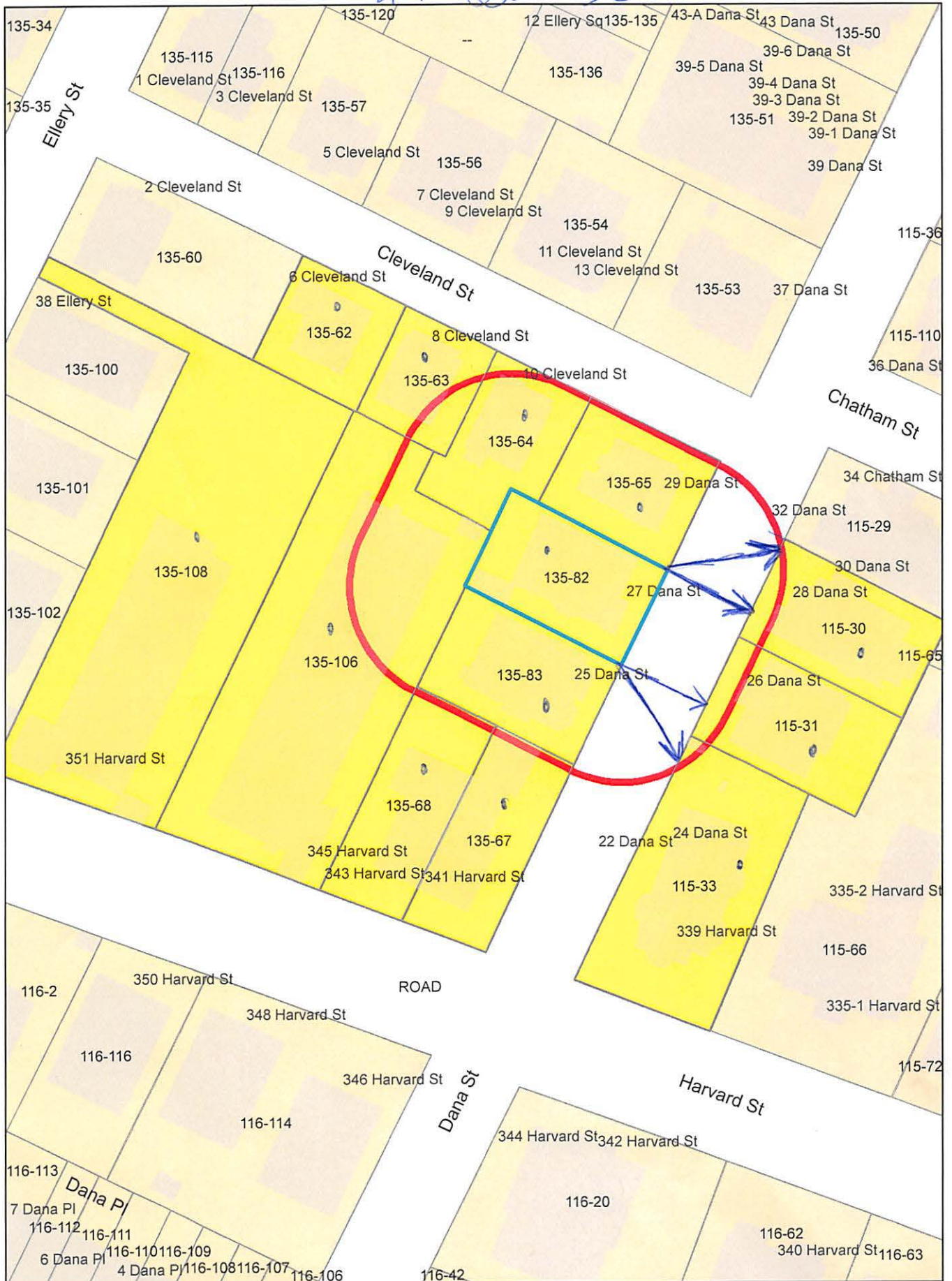
Date 06/04/10

Zone X-UNSHADED



27 Dana St.

27 Dana St.



27 Dana St

Petitioner

115-33
MOJSOV, SVETLANA, TRUSTEE THE
NUSSENZWEIG FAM 2013 TRUST AGREEMENT
15 EAST 91ST ST., #8B
NEW YORK, NY 10128

115-30
TWAROG, STANLEY A. & SUSAN S. TWAROG
28 DANA ST
CAMBRIDGE, MA 02138-4208

135-82
CREATIVE PROPERTIES ON CENTRE, LLC
C/O LEON NAVICKAS, MANAGER
56 JUNIPER ROAD
BELMONT, MA 02478

135-83
AKBARI, THOMAS J. & NANCY K. AKBARI
25 DANA ST., #1
CAMBRIDGE, MA 02138

135-67
CATALANO, ADRIAN
341 HARVARD ST
CAMBRIDGE, MA 02138

135-65
COLDING, TOBIAS HOLCK & STINE GRODAL
29 DANA ST
CAMBRIDGE, MA 02139

135-108
RPI 351 HARVARD STREET LLC,
27 MICA LANE. SUITE 201
WELLESLEY, MA 02481

135-64
WINSTON, VICTORIA W. &
HOWARD L. SCHULTZ TRUSTEES
10 CLEVELAND ST
CAMBRIDGE, MA 02138

135-83
ATLAS, STEVEN J. & LESTRA M. LITCHFIELD
25 DANA ST., UNIT #2
CAMBRIDGE, MA 02138

135-106
WANG, XIAOYU & HAI YU
345 HARVARD ST., #B1X
CAMBRIDGE, MA 02139

135-106
FOO, CHEN HUI & E-TING FOO
231 LLOYD LANE
WYNNWOOD, PA 19096

135-106
SACCARDI, THOMAS A &
MARIANNE C. SACCARDI, TRS
345 HARVARD ST., #3D & 3E
CAMBRIDGE, MA 02138

135-106
MINCHEVA, ADRIANA
38 ASHLAND ST
ARLINGTON, MA 02476

135-106
ZHANG, HUIHONG
345 HARVARD ST UNTI #2D
CAMBRIDGE, MA 02138

135-106
XIANG, YILIN
345 HARVARD ST., #1F
CAMBRIDGE, MA 02138

135-106
WU, KATHERINE
345 HARVARD ST UNIT #1A
CAMBRIDGE, MA 02138

135-106
PORAT, YOAV
24 MYRTLE AVE
CAMBRIDGE, MA 02138

135-106
WESTBOURNE RESOURCES, LTD TRIDENT
TRUST CO (BVI) LIMITED WICKHAMS CAY,
TRIDENT CHAMBERS
PO BOX 146
TORTOLA, _____

135-68
LIN, CHU-HSIEN & LU LIN
343 HARVARD ST
CAMBRIDGE, MA 02139

135-106
SHANKARAN, GIRISH
345 HARVARD ST., #3B
CAMBRIDGE, MA 02138

135-106
ROVNER, DANIELA
6533 MAJESTIC RIDGE
EL PASO, TX 79912

135-106
WANG, STANLEY YINGHSIN &
ANGELA TSUIPING LEE
30 STEARNS RD., #401
BROOKLINE, MA 02446

135-106
SRINIVASAN, MUKUND &
RAJALAKSHMI RAMANATH
246 WORTHEN RD
LEXINGTON, MA 02421

135-106
TREITMAN, RICHARD S.
17 BARBERRY RD.
LEXINGTON, MA 02173

135-106
PORAT, YOAV
24 MYRTLE AVE
CAMBRIDGE, MA 02138

135-106
BOYLSTON, ANTHEA ETHEL
345 HARVARD ST., #2C
CAMBRIDGE, MA 02138

115-33
BINNETTE, VANDA
337 HARVARD ST - UNIT 2
CAMBRIDGE, MA 02139

135-106
FAGIOLINI, MICHELA TAKAO K. HENSCH
19 APPLETON CIRCLE
NEWTON, MA 02459

115-33
CRANE, EVAN B.
337 HARVARD ST UNIT #B
CAMBRIDGE, MA 02139

135-106
CHEN ZHONG XI & SHI WEN
345 HARVARD STREET UNIT #1B
CAMBRIDGE, MA 02138

27 Dana St.

135-106
NIU, YUMENG
345 HARVARD ST UNIT 2E-F
CAMBRIDGE, MA 02139

135-106
WANG LIN QIUFENG LUO
345 HARVARD STREET UNIT 5A
CAMBRIDGE, MA 02138

135-106
345 HARVARD LLC
1656E SHORT COURT
DRAPER, UT 84020

135-106
GOMES, ANTONIO
345 HARVARD ST UNIT 2A2B
CAMBRIDGE, MA 02138

135-63
KLEBER, MICHAEL S & JESSICA POLITO
TRS KLEBER POLITO FAMILY TR
36 WILDWOOD AVE
NEWTOWN, MA 02141

135-62
SALOMON DANIEL K SIEGEL ERICA
6 CLEVELAND ST
CAMBRIDGE, MA 02138

135-106
YIN YAO
345 HARVARD ST - UNIT 4A
CAMBRIDGE, MA 02138

135-106
JI CHENGJIE L & YANKUN LI TRS
9 ORCHARD LN
LEXINGTON, MA 02420

115-31
FOOTE VIRGINIA R TRS WILLIAM F FOOTE TRS
26 DANA ST
CAMBRIDGE, MA 02139

115-33
SARMADI SEYED A N FOROOGH SHAMSI
22 DANA ST
CAMBRIDGE, MA 02138



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

Tony Hsiao, *Chair*, Lestra Litchfield, *Vice Chair*
Monika Pauli, Charles Redmon, Katinka Hakuta, *Members*

CERTIFICATE OF NON-APPLICABILITY

Property: 27 Dana Street

Applicant: Leon Navickas

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:

Remove garage. Alterations to rear not visible from public way, including exterior door, steps, and repairs to siding.
Permit #212455

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 6670

Date of Certificate: March 3, 2023

Attest: A true and correct copy of decision filed with the offices of the City Clerk and the Cambridge Historical Commission on March 3, 2023.

By Tony Hsiao/aac, Chair

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