



CITY OF CAMBRIDGE

BOARD OF ZONING APPEAL

831 Massachusetts Avenue, Cambridge MA 02139

617-349-6100

BZA Application Form

BZA Number: 211399

General Information

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

Special Permit: _____ Variance: X Appeal: _____

PETITIONER: Elizabeth O'Neil C/O Matthew Simitis, AIA

PETITIONER'S ADDRESS: 158 Mount Auburn St. Suite 2, Cambridge, MA 02138

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

TYPE OF OCCUPANCY: Single Family Residence

ZONING DISTRICT: Residence C-3 Zone

REASON FOR PETITION:

/Additions/

DESCRIPTION OF PETITIONER'S PROPOSAL:

Added deck and stairs to grade to create open space.

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)

Matthew Simitis
(Print Name)

Address:

Tel. No.

E-Mail Address:

617-771-6946

msimitis@simitis.studio

27 Ware St. Cambridge MA
02138

Date: _____

2023 FEB 17 AM 10:46
OFFICE OF THE CITY CLERK
CAMBRIDGE, MASSACHUSETTS

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 Elizabeth O'Neil
(OWNER)

Address: 27 Ware St., Cambridge, MA 02138

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

The record title of this property is in the name of Elizabeth O'Neil

*Pursuant to a deed of duly recorded in the date 11/13/2002 Middlesex South
County Registry of Deeds at Book 27472, Page 507; or
Middlesex Registry District of Land Court, Certificate No. _____
Book _____ Page _____.

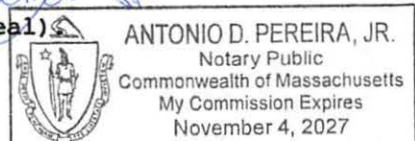
Elizabeth O'Neil
SIGNATURE BY LAND OWNER OR
AUTHORIZED TRUSTEE, OFFICER OR AGENT*

***Written evidence of Agent's standing to represent petitioner may be requested.**

Commonwealth of Massachusetts, County of Middlesex

The above-name Elizabeth O'Neil personally appeared before me,
this 1st of Dec, 2022, and made oath that the above statement is true.

My commission expires Nov 4th, 2027 (Notary Seal) _____ Notary



- 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:
- Currently, there is no usable private outdoor space. The rear yard is paved for parking and open as an alley for all connected properties of the rowhouse, and the front very small and exposed to street activity.
- 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 due to the shape and layout of this and the surrounding properties, and the resulting access to them all. It also is due to the type of construction, with party wall construction eliminating side setbacks.
- C) DESIRABLE RELIEF MAY BE GRANTED WITHOUT EITHER:**
- 1)** Desirable relief may be granted without substantial detriment to the public good for the following reasons:
- Relief can be granted without substantial detriment because the layout of the proposed deck is hidden from most angles by the existing building, or where there is currently off-street parking activity. Additionally, said parking spot will be maintained, and will not increase demand for on street parking in the area.
- 2)** Desirable relief may be granted without nullifying or substantially derogating from the intent or purpose of this Ordinance for the following reasons:
- Relief may be granted without nullifying or substantially derogating from the intent of the Ordinance because this proposal increases private outdoor space, a goal of the ordinance, in an area without much. It does this while having minimal impact on the surrounding properties due to the size and location of the proposed deck, as well as maintaining the required off street parking, again to minimize impact on the surrounding area.

***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: Elizabeth O'Neil
Location: 27 Ware St., Cambridge, MA
Phone: 617-771-6946

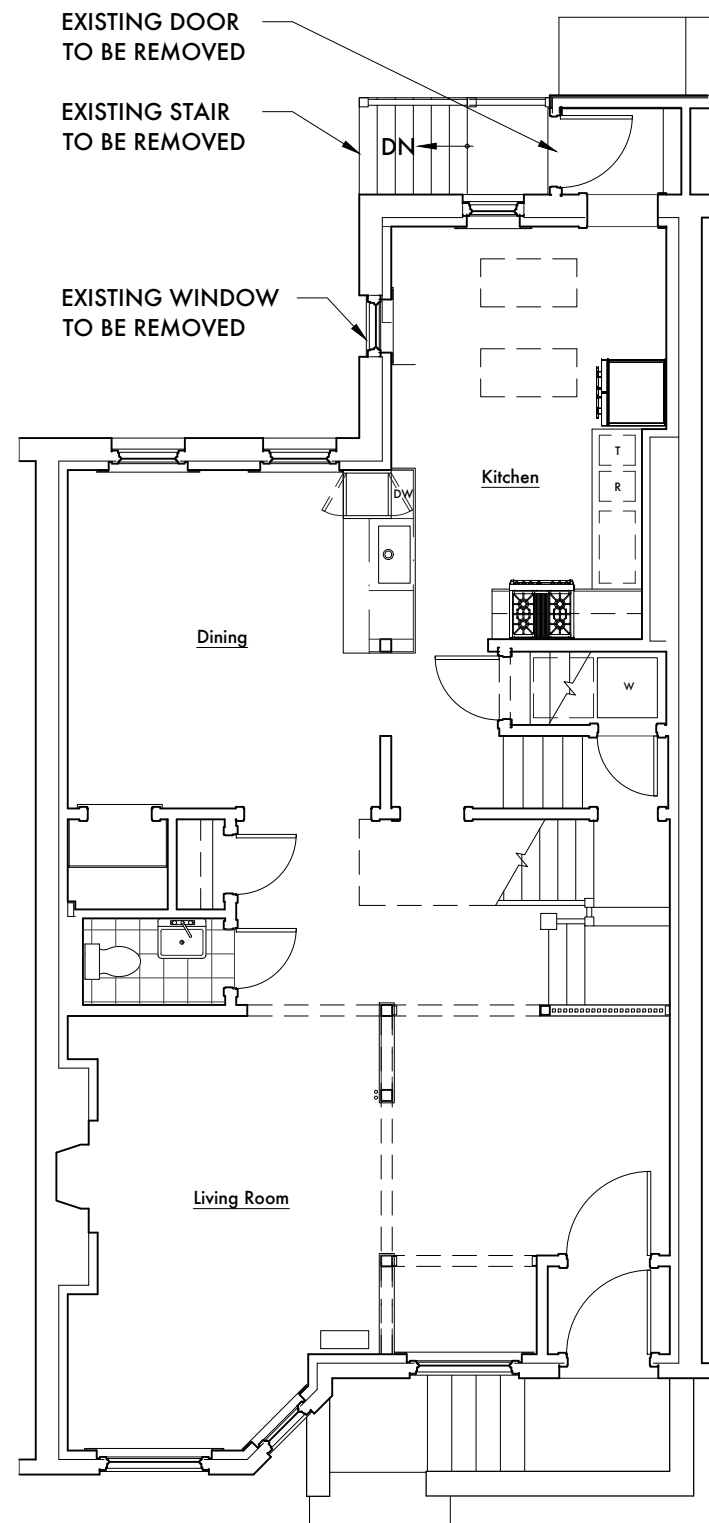
Present Use/Occupancy: Single Family Residence
Zone: Residence C-3 Zone
Requested Use/Occupancy: Single Family Residence

		<u>Existing Conditions</u>	<u>Requested Conditions</u>	<u>Ordinance Requirements</u>	
<u>TOTAL GROSS FLOOR AREA:</u>		3287.88	No Change	7653	(max.)
<u>LOT AREA:</u>		2551	No Change	5000	(min.)
<u>RATIO OF GROSS FLOOR AREA TO LOT AREA: ²</u>		1.29	No Change	3.0	
<u>LOT AREA OF EACH DWELLING UNIT</u>		2551	No Change	300	
<u>SIZE OF LOT:</u>	WIDTH	26.38'	No Change	50'	
	DEPTH	97.40'	No Change	100'	
<u>SETBACKS IN FEET:</u>	FRONT	11.19'	No Change	5'	
	REAR	25.23'	No Change	20'	
	LEFT SIDE	0'	No Change	12.23'	
	RIGHT SIDE	0'	No Change	12.23'	
<u>SIZE OF BUILDING:</u>	HEIGHT	37.11'	No Change	120'	
	WIDTH	60.72'	No Change	-	
	LENGTH	26.38'	No Change	-	
<u>RATIO OF USABLE OPEN SPACE TO LOT AREA:</u>		10.8%	17.7%	10%	
<u>NO. OF DWELLING UNITS:</u>		1	No Change	-	
<u>NO. OF PARKING SPACES:</u>		1	No Change	1/d.u.	
<u>NO. OF LOADING AREAS:</u>		0	No Change	-	
<u>DISTANCE TO NEAREST BLDG. ON SAME LOT</u>		NA	NA	NA	

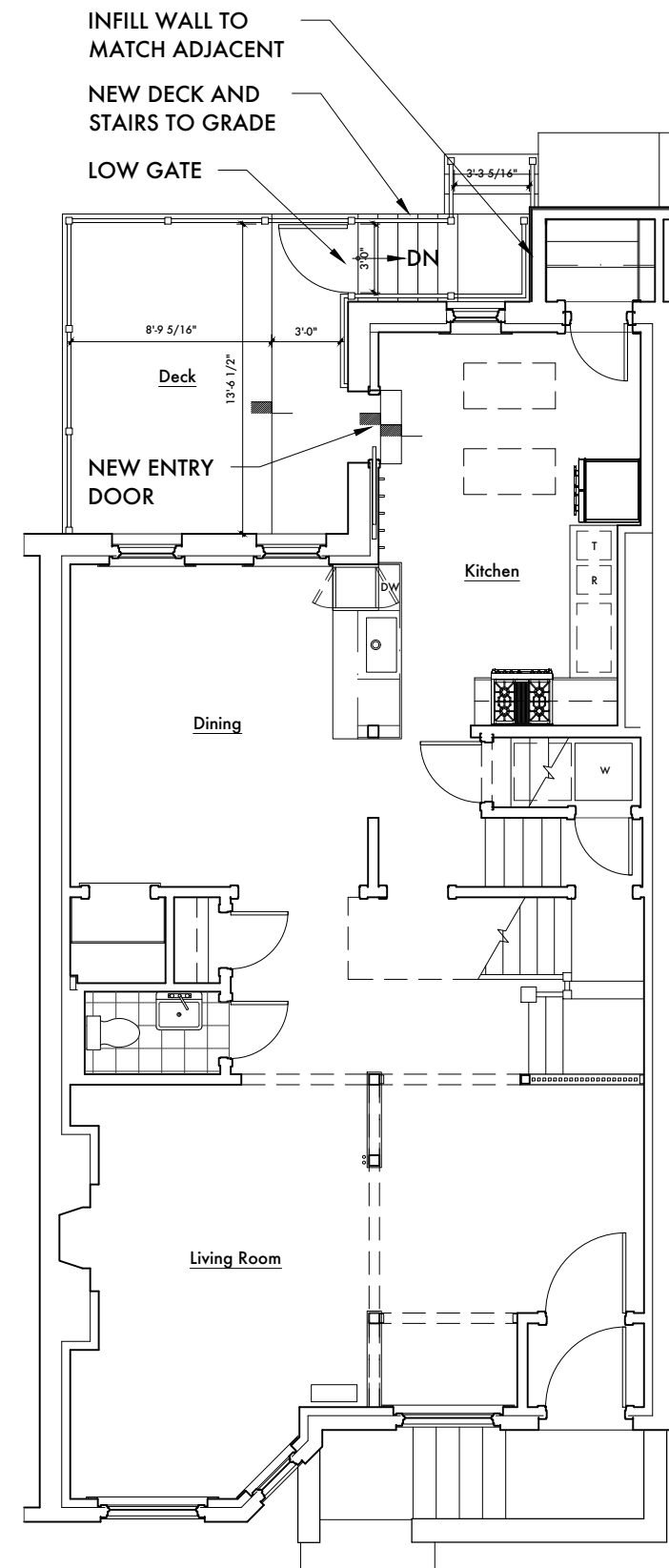
Describe where applicable, other occupancies on the same lot, the size of adjacent buildings on same lot, and type of construction proposed, e.g; wood frame, concrete, brick, steel, etc.:

No other occupancies on the same lot. Proposed deck and stair will be a combination of steel and wood frame 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'.



1 Existing First Floor



2 Proposed First Floor



PROPOSED SITE PLAN
27 WARE STREET
CAMBRIDGE, MASSACHUSETTS

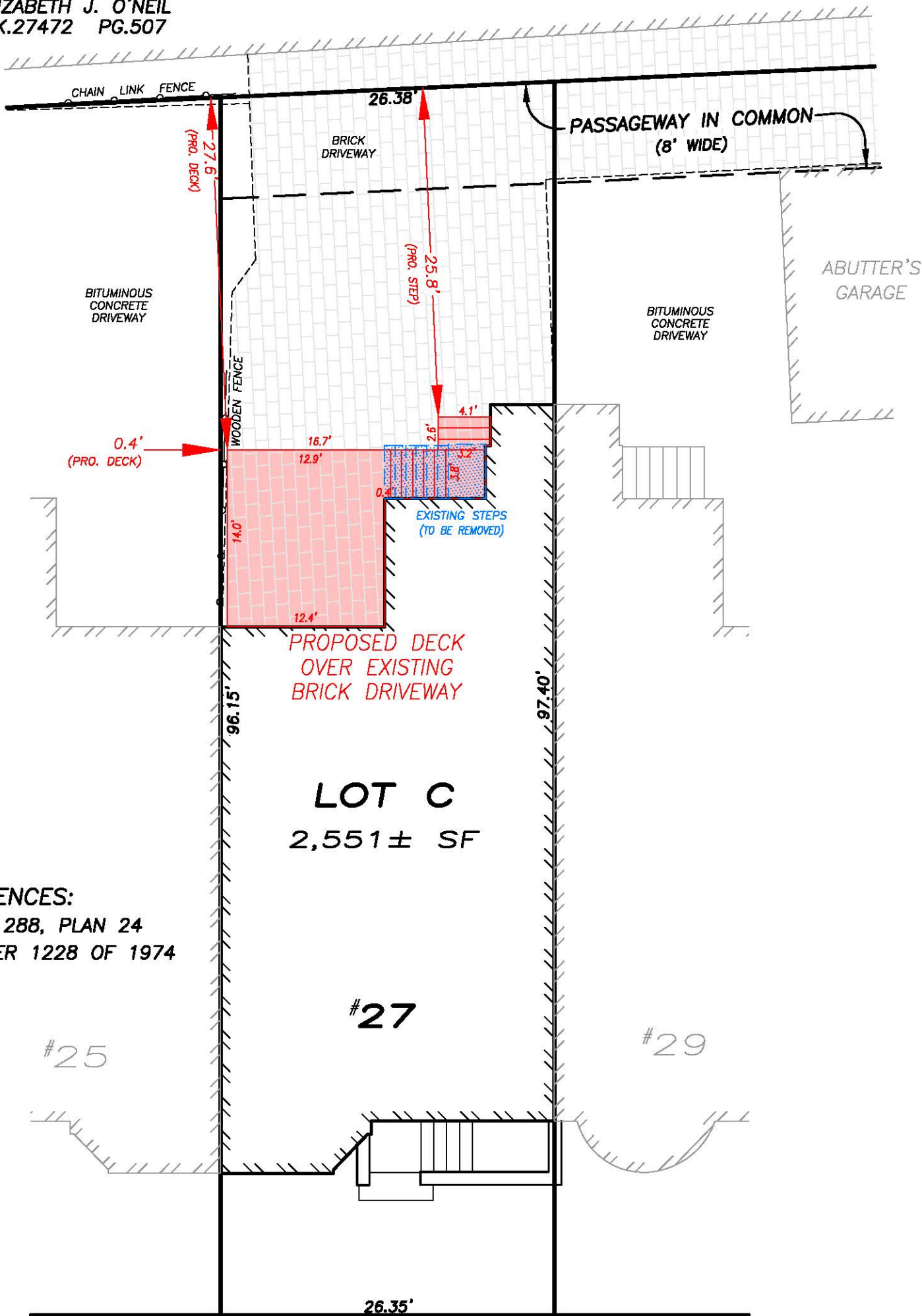
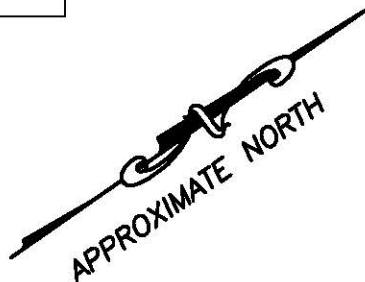
1 INCH = 10 FEET JANUARY 9, 2023

SNELLING & HAMEL ASSOCIATES, INC.
PROFESSIONAL LAND SURVEYORS & ENGINEERS
10 LEWIS STREET P.O. BOX 102
LINCOLN, MASSACHUSETTS 01773
(781) 259-0071

OWNERS OF RECORD:

PATRICK E. O'NEIL
&
ELIZABETH J. O'NEIL
BK.27472 PG.507

1 INCH = 10 FEET
0 5 10 20 30



PLAN REFERENCES:

- PLAN BOOK 288, PLAN 24
- PLAN NUMBER 1228 OF 1974

#27

#25

#29

WARE STREET

I HEREBY STATE THAT THE LOCATION OF THE FEATURES SHOWN HEREON IS THE RESULT OF A FIELD SURVEY PERFORMED AS OF AUGUST 8, 2022.

John R. Hamel

JOHN R. HAMEL
PROFESSIONAL
LAND SURVEYOR

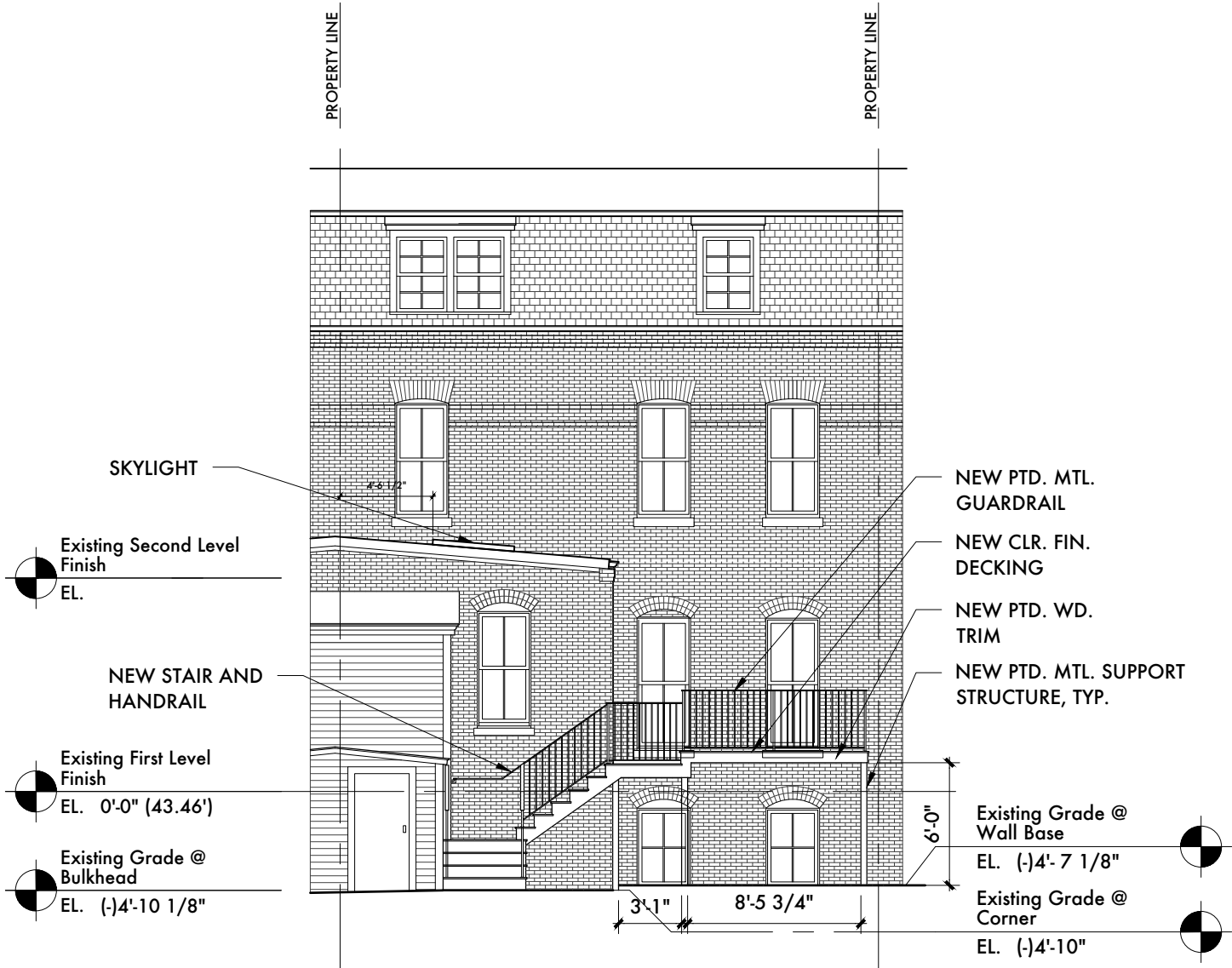


JANUARY 9, 2023

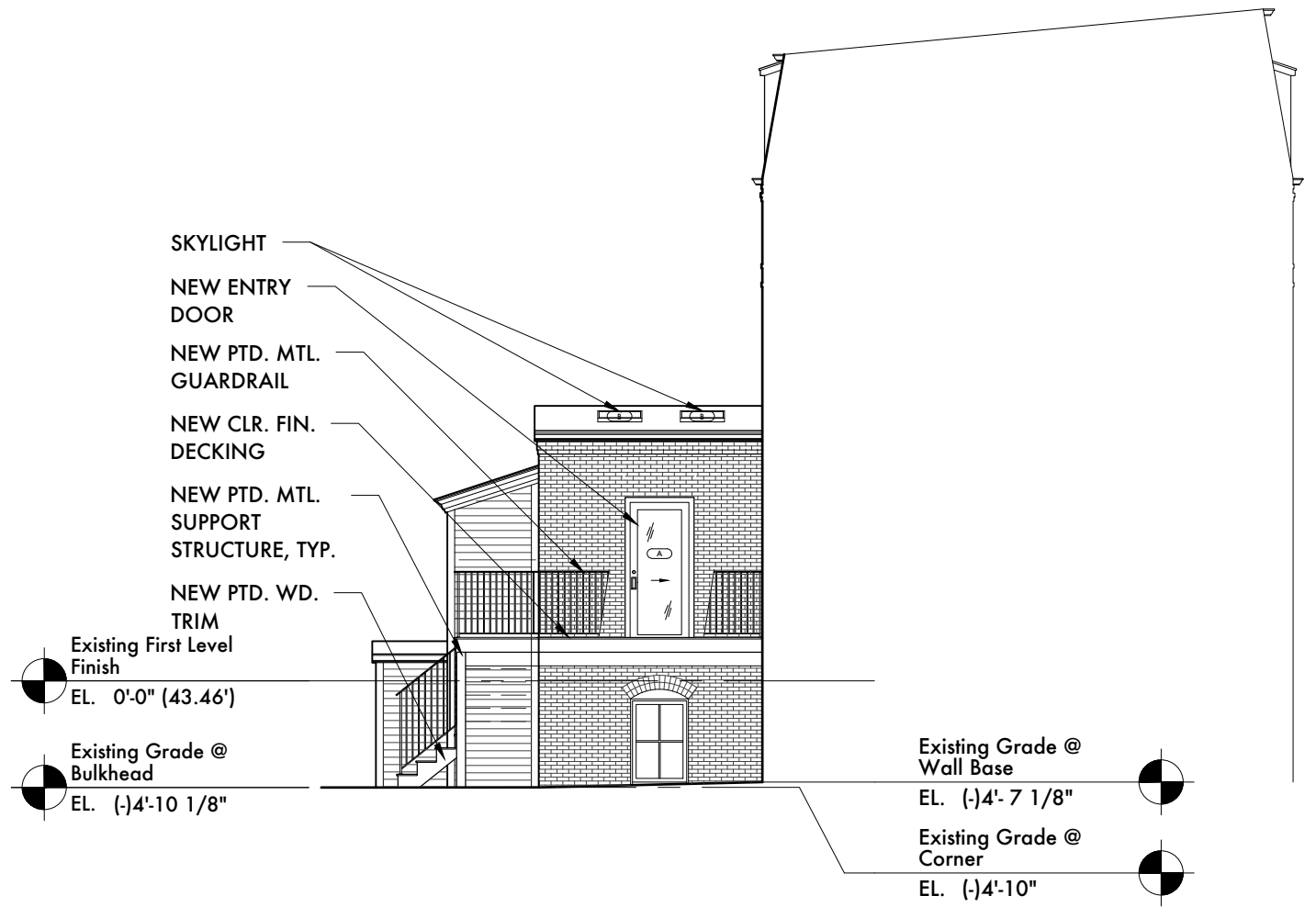
DATE:

16813.DWG
JANUARY 9, 2023

WINDOW SCHEDULE				
TYPE	QTY.	WIDTH	HEIGHT	NOTES
A	1	2'-10"	7'-0"	POCKETING TERRACE DOOR
B	2	2'-0"	4'-0"	TEMPERED SKYLIGHT



1 Proposed Rear Elevation



2 Proposed Side Elevation



○ view from Ware Street

○ view of curent parking



○ view from Rear Alley

○ view of building extension

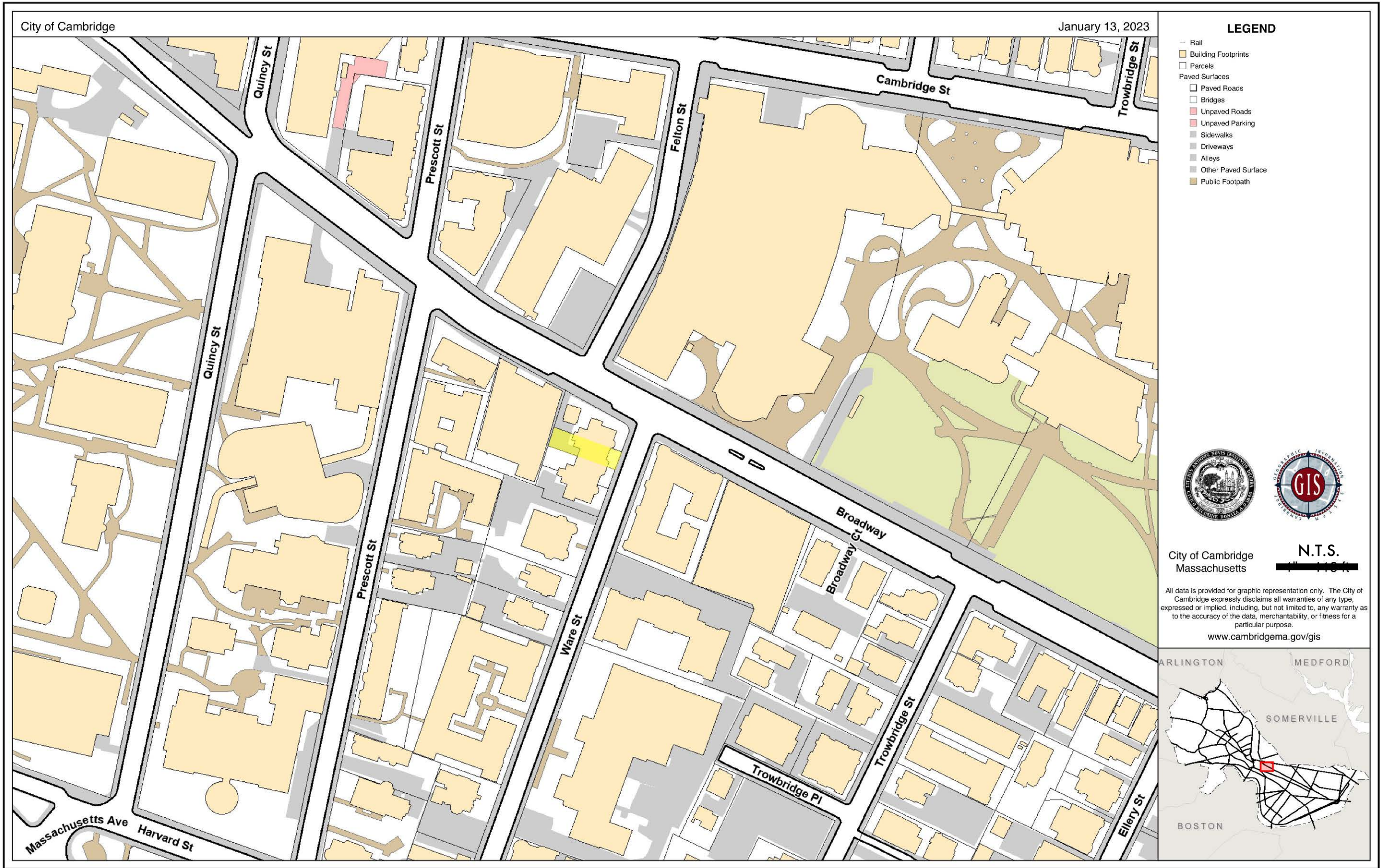


SIMITIS Architecture Studio
158 Mount Auburn St Suite 2
Cambridge, MA 02138
617 771-6946

O'Neil
27 Ware Street
Cambridge, MA

Existing Conditions

SP-4
17 Jan 2023



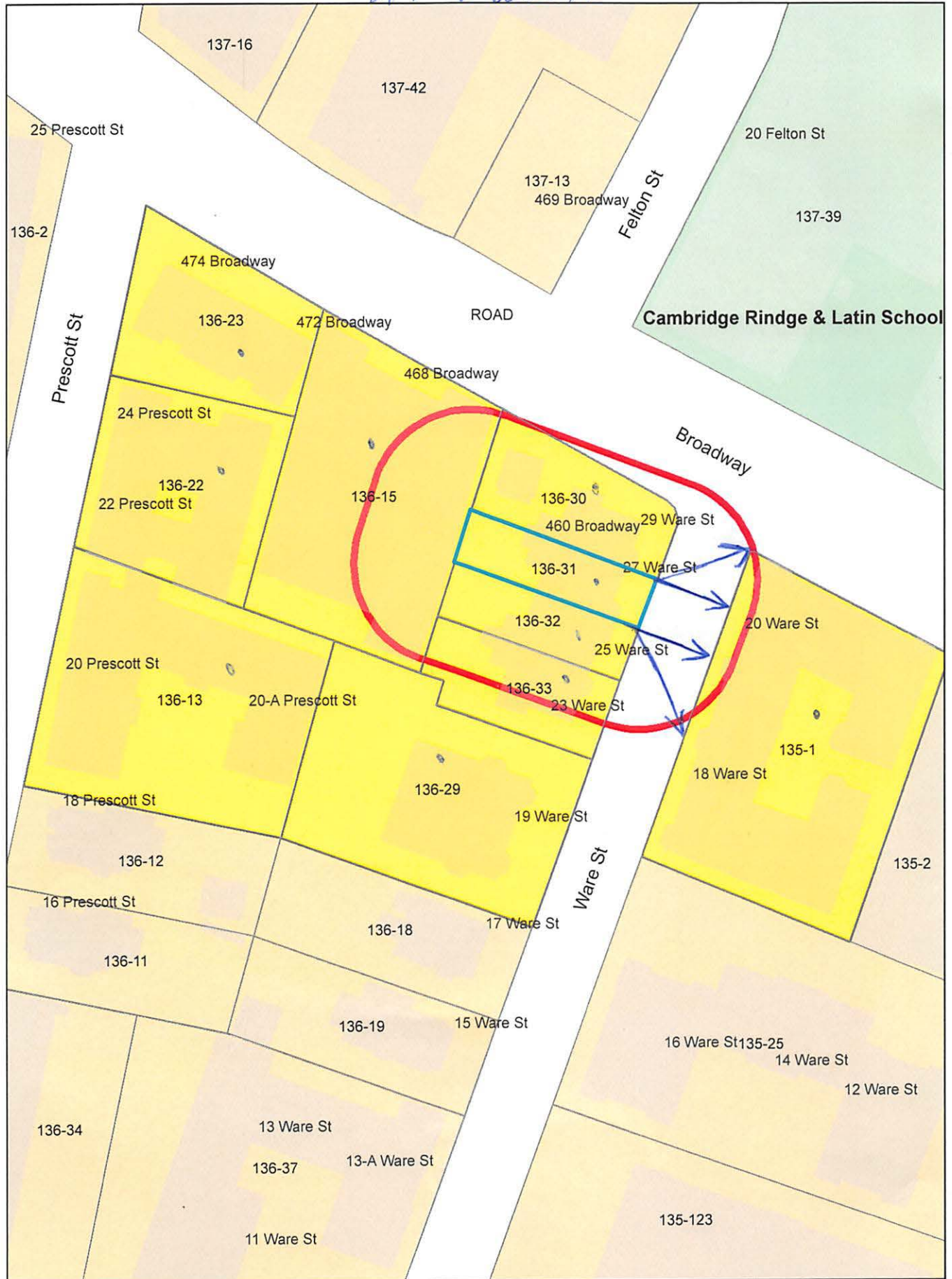
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O'Neil
27 Ware Street
Cambridge, MA

Assessor's GIS Map

SP-1
N.T.S.
17 Jan 2023

27 Ware St.



27 Ware St.

135-1
CAMBRIDGE COMMUNITY HOUSING, INC.
810 MEMORIAL DR., SUITE 102
CAMBRIDGE, MA 02139

136-23-22-29-13
PRESIDENT & FELLOWS OF HARVARD COLLEGE
C/O HARVARD REAL ESTATE INC.
HOLYOKE CENTER - ROOM #1000
1350 MASS AVE
CAMBRIDGE, MA 02138-3895

Petitioner
MATTHEW SIMITIS, AIA
158 MT. AUBURN STREET - SUITE 2
CAMBRIDGE, MA 02138

136-15
468 BROADWAY LLC,
815 MERE POINT RD.
BRUNSWICK, ME 04011

136-32
LIAN JIAN
25 WARE ST
CAMBRIDGE, MA 02138

136-31
ONEIL, PATRICK E. & ELIZABETH J. O'NEIL
27 WARE ST
CAMBRIDGE, MA 02138

136-33
H. BAKER WARE LLC
127 H. STREET
BOSTON, MA 02127

136-30
29 WARE LLC,
61 FAYETTE ST.
CAMBRIDGE, MA 02139



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 Ware Street

Applicant: Matthew Simitis

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 deck and stairs, replace window with entry door in rear of property. Not visible from public way.

Permit #211399

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 6662

Date of Certificate: February 23, 2023

Attest: A true and correct copy of decision filed with the offices of the City Clerk and the Cambridge Historical Commission on February 23, 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: