

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

**BZA APPLICATION FORM** 

**GENERAL INFORMATION** 

Plan No: BZA-014725-2017

The undersigned hereby petitions the Board of Zoning Appeal for the following:								
Special Permit :			Var	iance :		-985	Appeal :	
PETITIONER :	Western	Avenue	Baptist	Church	C/O Farris	Blount III		
PETITIONER'S ADD	DRESS :	299	Western	Avenue	Cambridge,	MA 02139		
LOCATION OF PRC	OPERTY :	299 V	lestern A	Ave Camb	oridge, MA (	02139		
TYPE OF OCCUPAI	NCY :	Residen	tial			G DISTRICT :	Residence C-1 Z	lone

**REASON FOR PETITION :** 

Additions

### DESCRIPTION OF PETITIONER'S PROPOSAL :

Western Avenue Baptist Chuch is requesting a variance in order to install a handicap lift with enclosure in order to address accessibility deficiencies. A variance is needed because construction of the lift would exceed our FAR ratio.

### SECTIONS OF ZONING ORDINANCE CITED :

Article 5.000 Section 5.31 (Table of Dimensional Requirements).

Original Signature(s) :	2 RA II		
	(Petitioner(s) / Owner)		
	Farris Blount III		
_	(Print Name)		
Address :	799 Western Avenue		
	Cambridge, MA 02139		
Tel. No. :	(67)661-0433		
E-Mail Address	f5/ount@ western avenue church. com		

Date :

10/13/1-

#### 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:

An enforcement of this Ordinance would make it difficult for people with physical challenges to enter Western Avenue Baptist Church for worship and fellowship gatherings. Without the handicap lift, it would also be difficult for those who have physical difficulties to use the bathroom inside the church.

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 church building is elevated, which makes it difficult for whose who are physically challenged to enter the church from the sidewalk. Furthermore, the current building structure only has stair access to the 2nd level (where the bathrooms are located and special events are held). Without a lift, persons who are physically challenged have difficulties entering the 1st and 2nd levels of the building.

### C) DESIRABLE RELIEF MAY BE GRANTED WITHOUT EITHER:

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

1) The lift would not interfere with the sidewalk or the biking lane on Western Avenue.

2) The lift would be enclosed in a structure that resembles the current siding on the church building, making it aesthetically pleasing.

3) The lift enclosure's roof will be constructed in such a way so that during winter, snow nor ice will not fall on people on the sidewalk.

- 2) Relief may be granted without nullifying or substantially derogating from the intent or purpose of this Ordinance for the following reasons: The lift and its enclosure would just be adding 40 square feet to our total gross floor area, a small increase given 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: Farris	Blount III	PRE	RESENT USE/OCCUPANCY : Church			
LOCATION: 299 Western Ave Cambridge, MA 02			ZONE: Residence C-1 Zone			
PHONE :		REQUESTED US	E/OCCUPANCY : Chu	ırch		
		<u>EXISTING</u> CONDITIONS	<u>REQUESTED</u> CONDITIONS	<u>ORDINANCE</u> <u>REQUIREMENTS</u> 1		
TOTAL GROSS FLOOR A	REA:	4140	4180	3750	(max.)	
LOT AREA:		3575	3575	5000	(min.)	
RATIO OF GROSS FLOO TO LOT AREA: <sup>2</sup>	OR AREA	1.16	1.17	0.75	(max.)	
LOT AREA FOR EACH D	WELLING UNIT:	0	0	1500	(min.)	
SIZE OF LOT:	WIDTH	51.08	N/A	50	(min.)	
	DEPTH	N/A	N/A	N/A		
SETBACKS IN FEET:	FRONT	30.5	N/A	21.25	(min.)	
	REAR	16.20	 N/A	21.25	(min.)	
	LEFT SIDE	2	N/A	17	(min.)	
	RIGHT SIDE	9.9	4.8	17	(min.)	
SIZE OF BLDG.:	HEIGHT	40' 7/12"	N/A	35	(max.)	
	LENGTH	69' 3/12"	N/A	N/A		
	WIDTH	36' 2/12"	42' 2/12"	N/A		
RATIO OF USABLE OPEN SPACE TO LOT AREA:		0	0	0.30	(min.)	
NO. OF DWELLING UNITS:		0	N/A	1	(max.)	
NO. OF PARKING SPACES:		0	N/A	0	(min./max)	
NO. OF LOADING AREAS:		0	N/A	0	(min.)	
DISTANCE TO NEAREST BLDG. ON SAME LOT:		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.

<u>N/A</u>

- 1. SEE CAMBRIDGE ZONING ORDINANCE ARTICLE 5.000, S ECTION 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**

#### DIMENSIONAL INFORMATION

		DIMENSIONAL IN	FORMATION	Residential	
APPLICANT: Farris H	Blount III	PRES	SENT USE/OCCUPANCY :	Commercial (Chu	rh)
LOCATION: 299 West	tern Ave Cambri	.dge, MA 02139	ZONE :	Residence C-1 Zon	Э
PHONE: (617) 6	61-0433	REQUESTED USE/O		dential (Church)	
		<u>EXISTING</u> <u>CONDITIONS</u>	<u>REQUESTED</u> CONDITIONS	ORDINANCE REQUIREMENTS	
TOTAL GROSS FLOOR ARE	EA:	4140	4180	3750	(max.)
LOT AREA:		3575	3575	5000	(min.)
RATIO OF GROSS FLOOR TO LOT AREA: 2	AREA	1.16	1.17	0.75	(max.)
LOT AREA FOR EACH DWE	ELLING UNIT:	0	0	1500	(min.)
SIZE OF LOT:	WIDTH	51.08	N/A	50	(min.)
	DEPTH	N/A	N/A	N/A	
SETBACKS IN FEET:	FRONT 30	). 5 30 5 TH	N/A	21.25	(min.)
	REAR	16.20	N/A	21.25	(min.)
	LEFT SIDE	2	N/A	17	(min.)
	RIGHT SIDE	9.9	NXA 4.8	17	(min.)
SIZE OF BLDG.:	HEIGHT	40 7/12 inches	N/A	35	(max.)
	LENGTH	69 3/12 incher	N/A	Unsure N/A	
	WIDTH	36 1 2/12 muher	NKA 42 3/12	inches Unsure N/A	
RATIO OF USABLE OPEN SPACE TO LOT AREA:		0	0	0.30	(min.)
NO. OF DWELLING UNITS:		0	N/A	1	(max.)
NO. OF PARKING SPACES:		0	N/A	0 (m	in./max)
NO. OF LOADING AREAS:		0	N/A	0	(min.)
DISTANCE TO NEAREST FOR SAME LOT:	BLDG.	N/A	N/A	N/A	(min.)

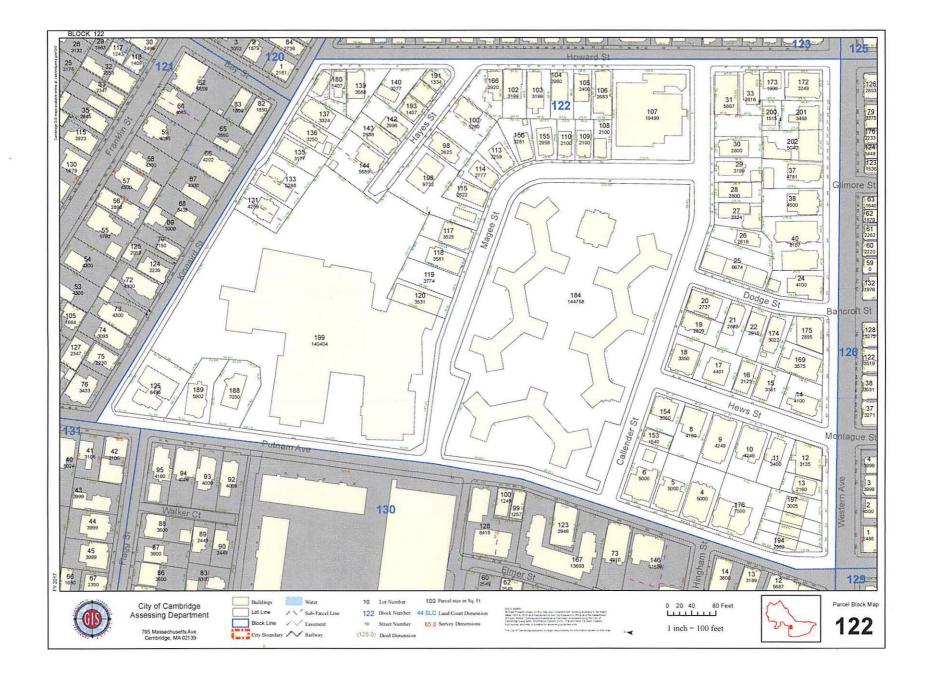
Describe where applicable, other occupancies on same lot, the size of adjacent buildings on same lot, and type of construction proposed, e.g.; wood frame, concrete, brick, steel, etc. N/A

- 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.
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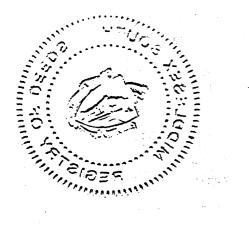
	831	CITY OF CAMBRIN MASSACHUSETTS DARD OF ZONING APPE MASSACHUSETTS AVE CAMBRIDGE, MA 02139 617 349-6100	NUE			
	BZA AP	PLICATION FORM	OFFICE OF THE CITY CLERK Plan NoCAMBZA 01472532017HUSETTS			
	GENER	AL INFORMATION	Plan Not Amilia Ange 2010 HUSETTS			
The undersigned hereby petitie	ons the Board of Zoning App	beal for the following:				
Special Permit :	Variance :	√	Appeal :			
PETITIONER: Western	Avenue Baptist Church	C/O Farris Blount II	I			
PETITIONER'S ADDRESS :	299 Western Avenue	Cambridge, MA 02139				
LOCATION OF PROPERTY :	299 Western Ave Cam	bridge, MA 02139				
TYPE OF OCCUPANCY :	esidential	ZONING DISTRICT :	Residence C-1 Zone			
<b>REASON FOR PETITION :</b>						
Addit	ions					
DESCRIPTION OF PETITIONER	<pre> {'S PROPOSAL : </pre>					
Western Avenue Baptist	Chuch is requesting a	a variance in order to	) install a handicap			
Western Avenue Baptist Chuch is requesting a variance in order to install a handicap lift with enclosure in order to address accessibility deficiencies. A variance is needed						
because construction of	the lift would excee	ed our FAR ratio.				
SECTIONS OF ZONING ORDIN	ANCE CITED :					
Article 5.000		of Dimensional Requir	ements).			
			approximation of the test of t			

Original Signature(s) :	Ju P= II
	(Petitioner(s) / Owner)
_	Farris Blount III
	(Print Name)
Address :	299 Western Avenue
	Combridge, MA 02139
Tel. No. :	(617)64 - 0433
E-Mail Address :	fblount@ western avenuechurch.com

Date : 10/13/17



4169	-		]
4169 324 MURDOC to WESTERN BAPTI TABERNAC CHURCH	AVENUE IST CLE	my. heirs, or assigns; and I hereby, for myself and my heirs and assigns GOVEMANT with the grantee and his heirs, excentors, edministrators, and sesigns that, in case a sale shall be made under the foregoing power I or they will upon request execute, acknowledge, and deliver to the pur- cheser or purchesers a deed or deeds of release confirming such sale, and said greates and his assigns are hereby appointed and constituted the attornay or attornays irrevocable of the said grantor to execute and deliver to the said purchesers a full transfer of all policies of insurance on the buildings upon the land covered by this mortgage at the time of such sale. AND IT IS AGREED that the grantee, or his axecutors, saministrators, or essigns, or any person or persons in their behalf, may purchase at any sale made as aforeasid, and that no other purchaser shell be answerable for the application of the purchase money; and that, until default in the performance or observance of the condition of this deed, I and my heirs and assigns may hold and enjoy the granted premises and receive the rents and profits thereof. IN WINESS WINEND I the sold Walter H. Murdock, who am unmarried here- mute set my hend and seel this trenty third day of October in the year one thousand nine hundred and seventeen. Walter H. Murdock (seel) Signed and seeled in presence of Edward E. Bartlett. OGMMONWEALTH OF MASSACHUSENTS. Middlesex es. Hopkinton, October 257d, 1917. Then per- sonally appeared the above-masid Walter H. Murdock and acknowledged the foregoing instrument to be his free act and deed, before me. Edward E. Bartlett, Justice of the Peade	



turning and running in a Northerly direction by land of Frank R. Murdock sixty six and 15/100 (66.15) feet to a stake; thence turning and running in a Westerly direction by land of said Frank R. Murdock forty seven and 69/100 (47.69) feet to a stake at land now or late of Hezlitt, and thence turning and running in a Southerly direction by said land now or late of Hezlitt and by said land now or late of Hews eighty three and 49/100 (83.49) feet to said Western Avenue and point of beginning. Containing 3576 square feet more or less and being the same premises conveyed to me by Frank R. Murdock by deed of even date herewith and are subject to a mortgage for twenty five hundred dollars which forms part of the consideration hereof and which the grantee hereby assumes and agrees to pay and save the grantor harmless therefrom. Also my rights in the pipe leading from the building on above described land as set forth in said deed. TO HAVE AND TO HOLD the granted premises, with all the privileges and appurtenences thereto belonging to the said Western Avenue Beptist Tabernacle Church and its successors and assigns to their own use and behoof forever. And I do hereby, for myself and my heirs. executors and administrators COVENANT with the said grantee and its successors and assigns that I am lawfully seized in fee simple of the granted premises, that they are free from all incumbrances except as aforesaid that I have good right to sell and convey the same as aforesaid; and that I will and my hairs, executors, and administrators shall WARRANT AND DEFEND the same to the said grantee and its successors and assigns forever against the lawful claims and demands of all persons except as eforessid. IN WITNESS WHEREOF I the said Walter H. Murdock who am unmarried hereunto set my hand and seal this twenty third day of October in the year one thousand nine hundred and seventeen. Walter H. Murdock (seel) Signed, seeled and delivered in presence of Edward E. Bartlett. COMMONWEALTH OF MASSACHUSETTS. Middlesex as. Hopkinton, October 23rd, 1917. Then personally appeared the above-named Walter H. Murdock and acknowledged the foregoing instrument to be his free act and deed, before me. Edward E. Bartlett. Justice of the Peace. -

Middlesex ss. Oct. 24, 1917. 11h. 55m. A.M. Rec'd & Recorded.

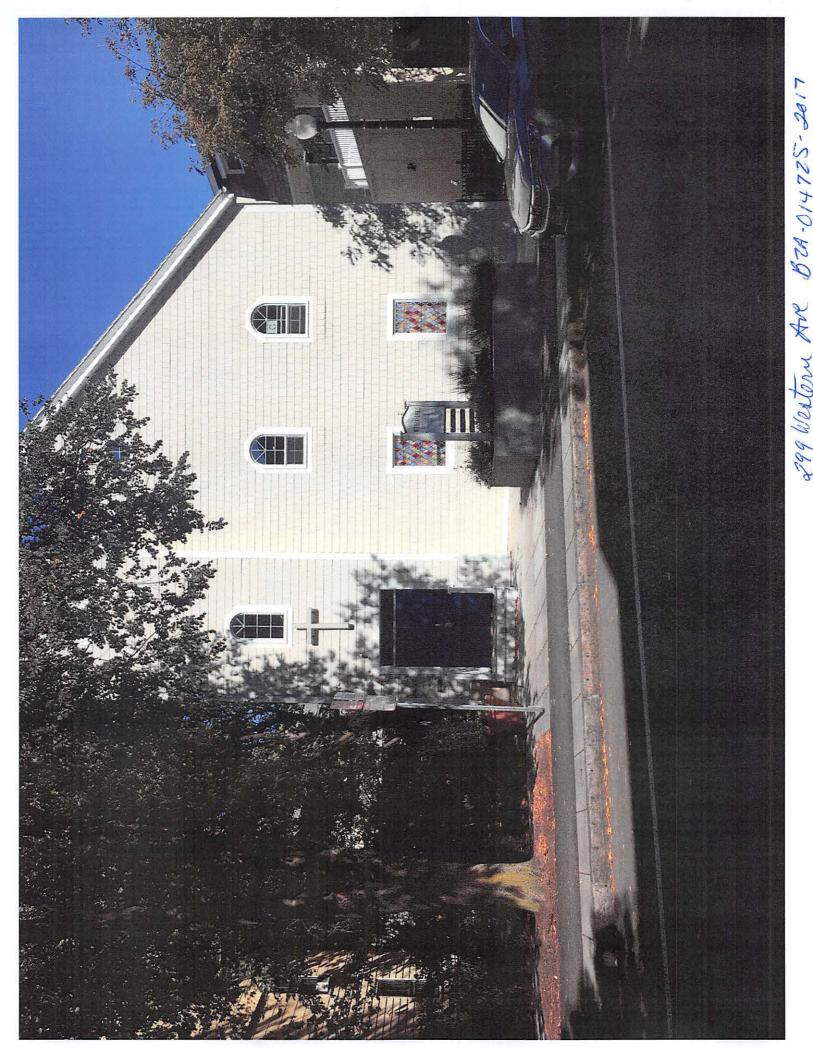
I, James N. Meddox of Everett, Middlesex County, Massachusetts for consideration paid, grant to the Everett Co-operative Bank, situated in Everett, Middlesex County, Nassachusetts, with MORTGAGE CCVENANTS, to secure the payment of Thirty-four hundred dollars, and

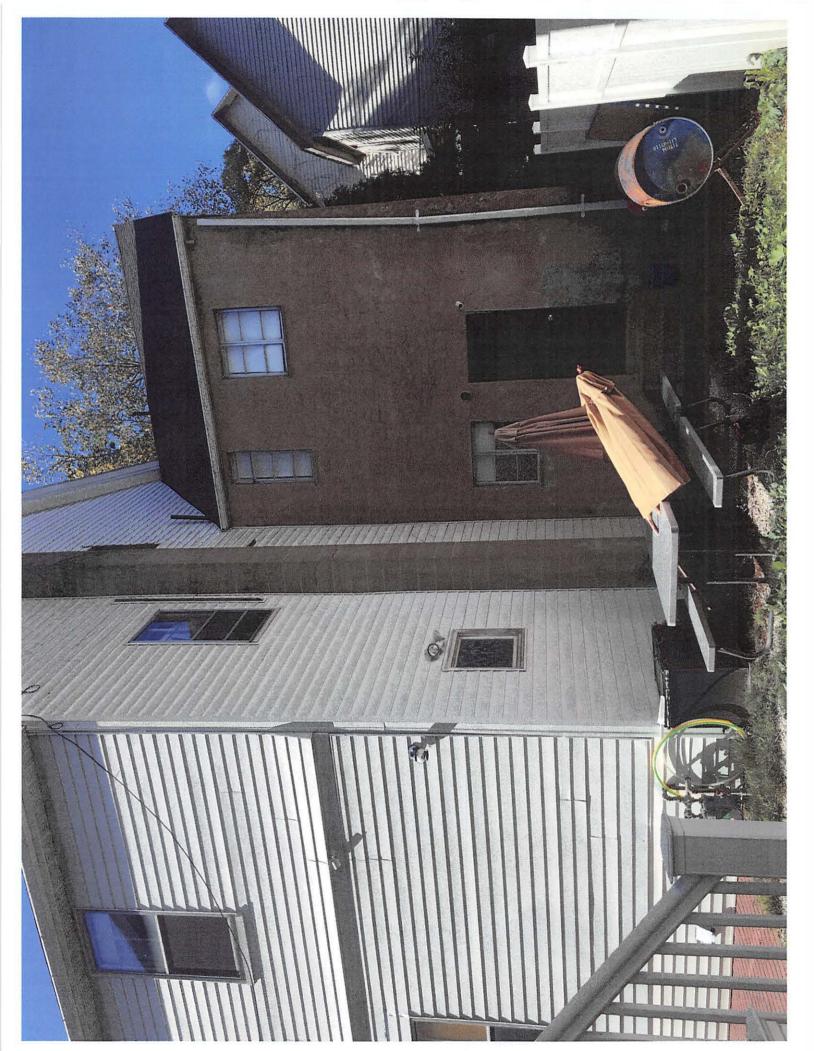
MADDOX to EVERETT CO-CP. BANZ

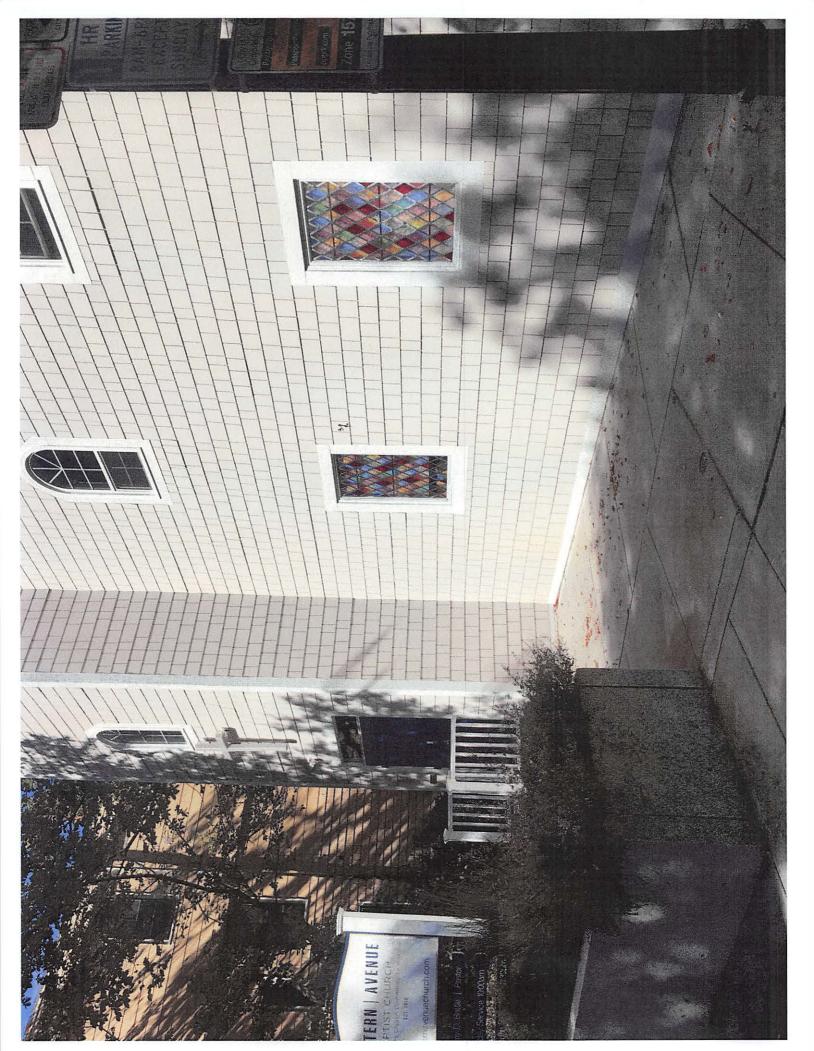
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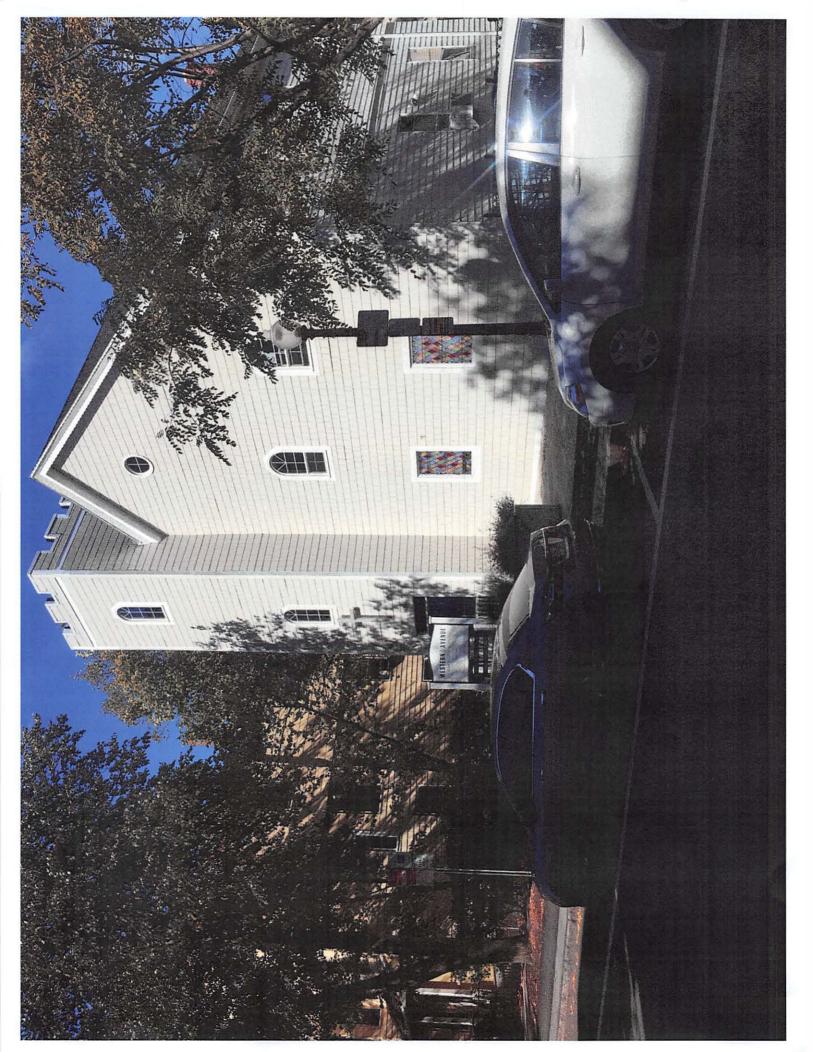
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CA	MBRIDGE, MA
I HEREBY CE	RTIFY THE FOREGOING
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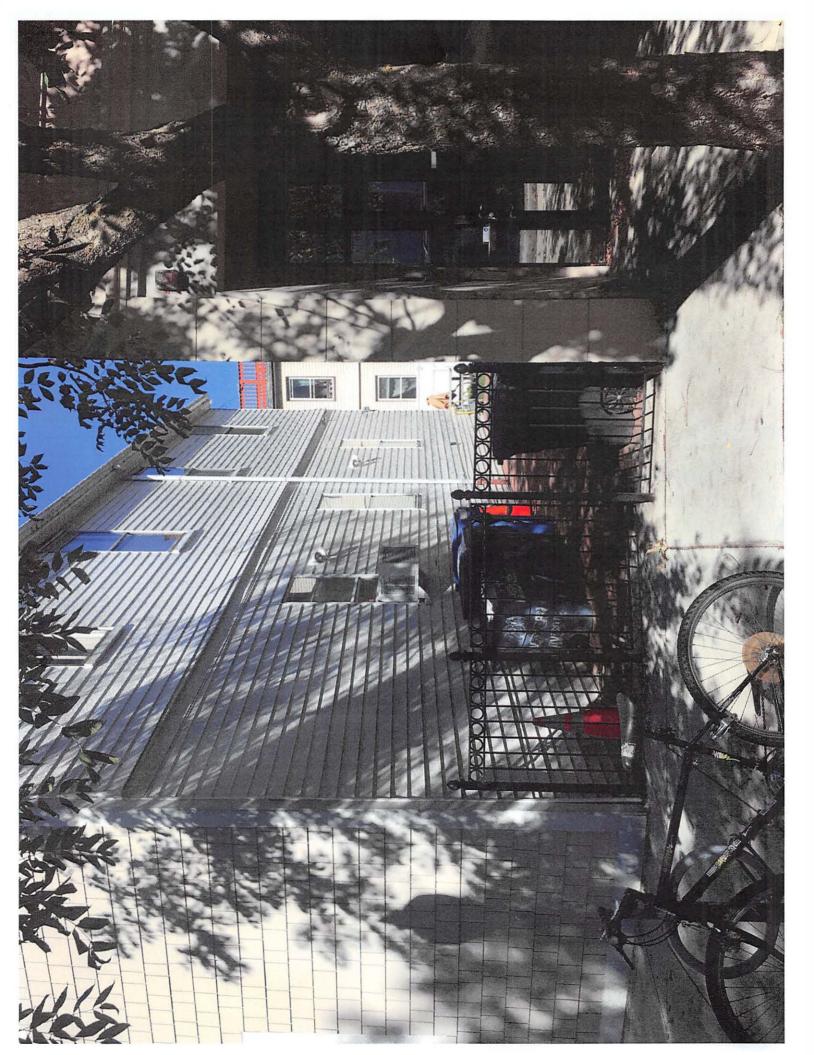


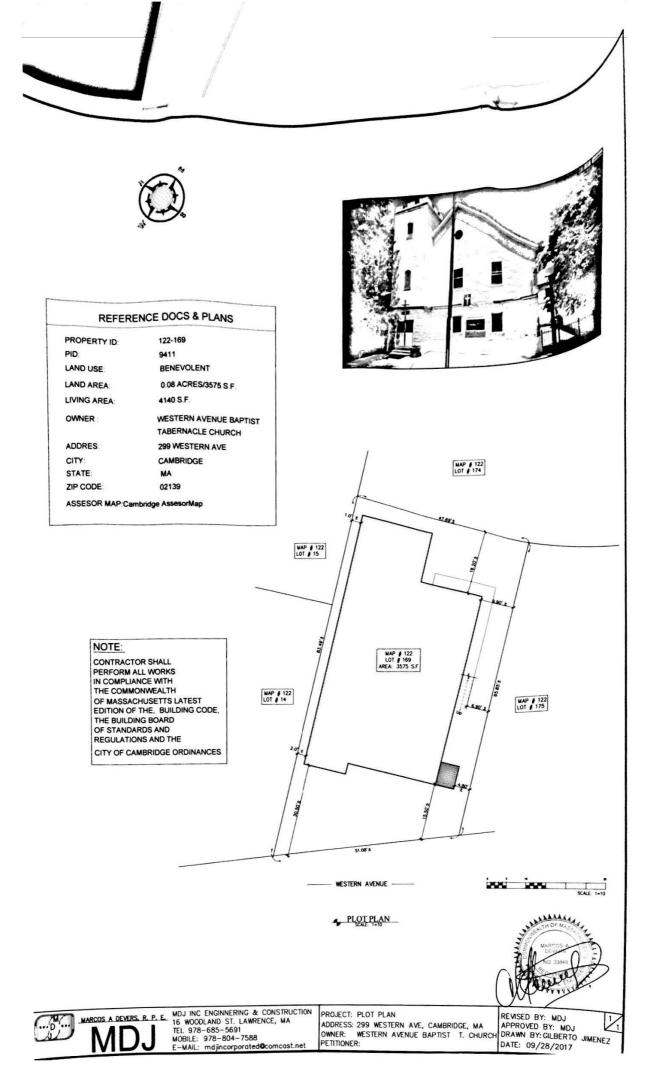


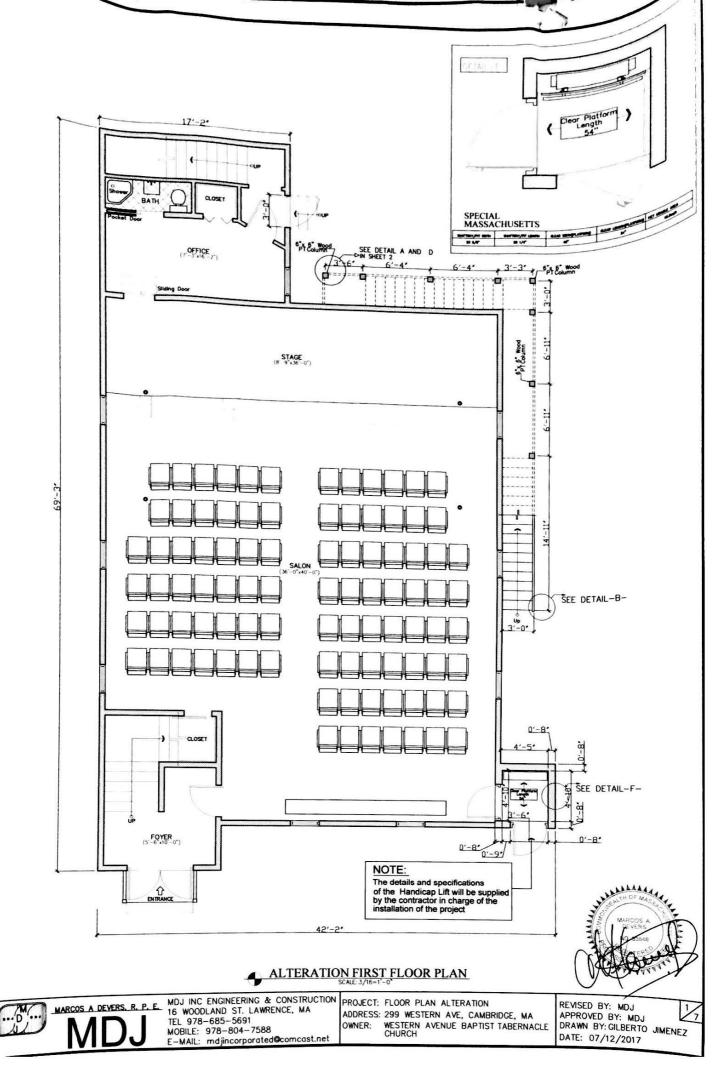


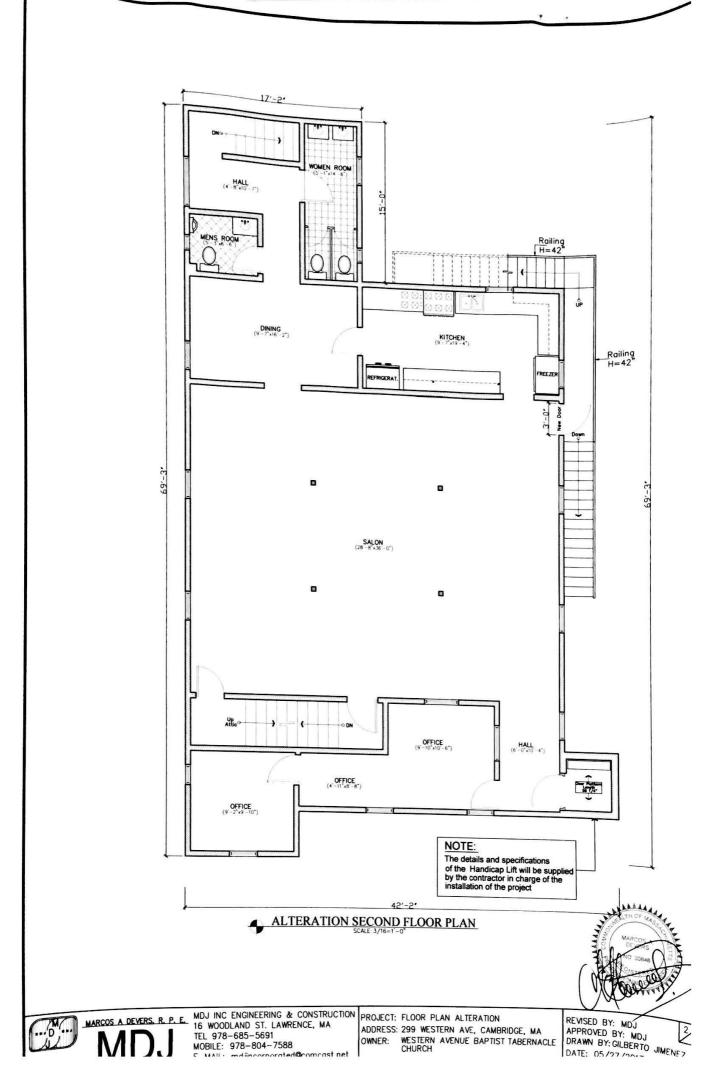


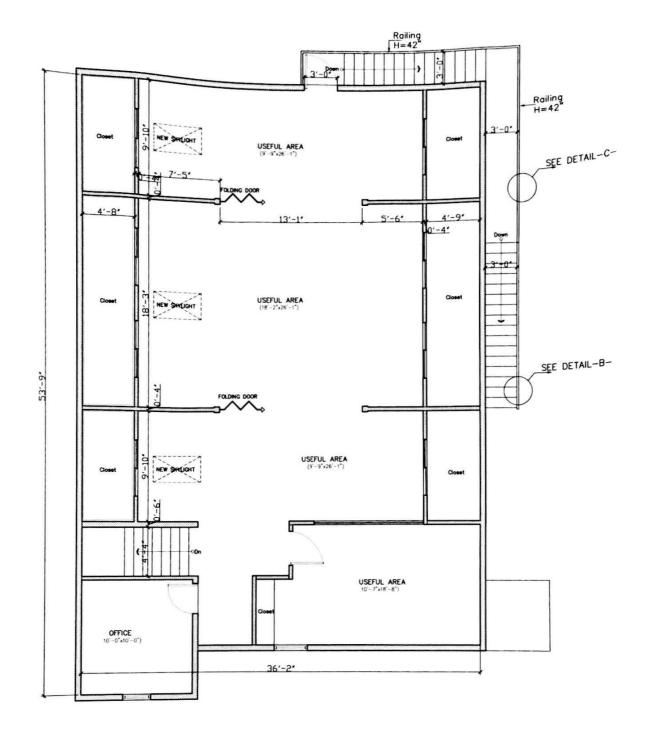






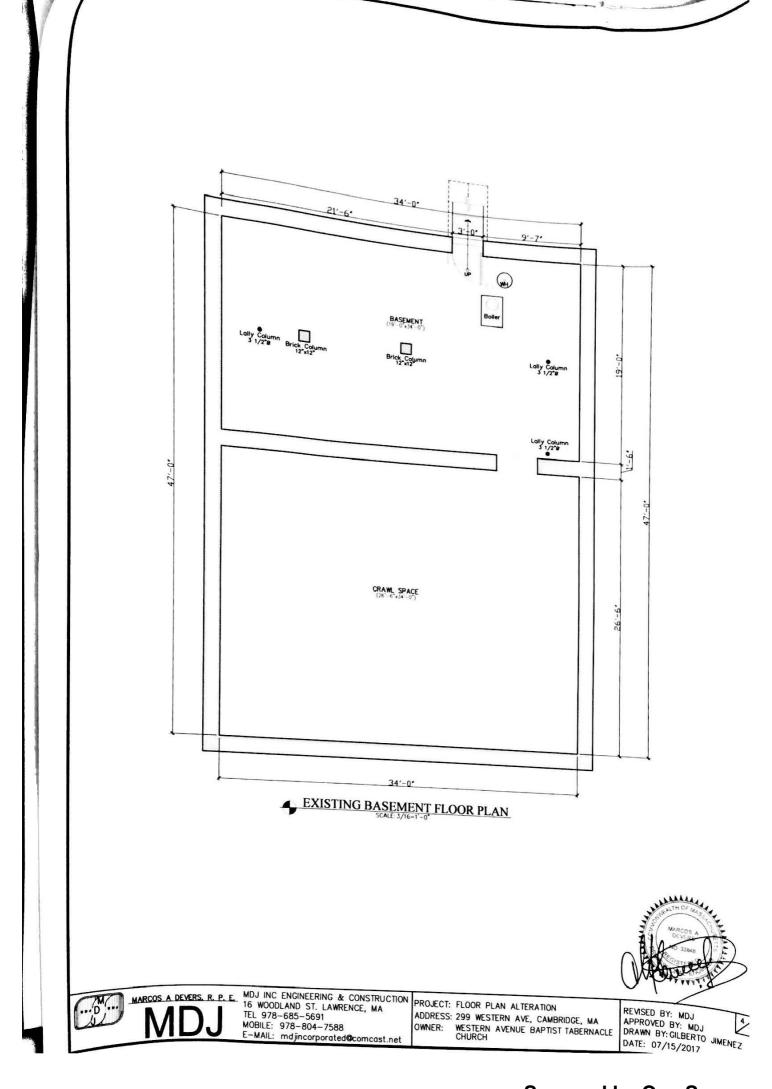


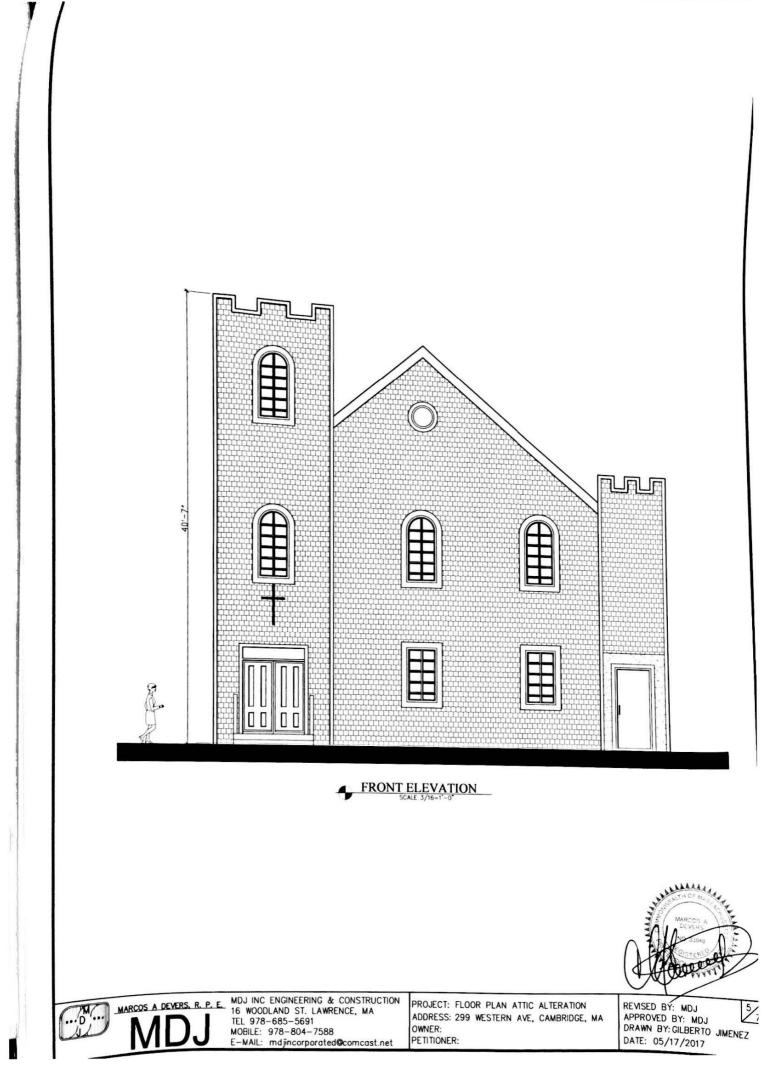


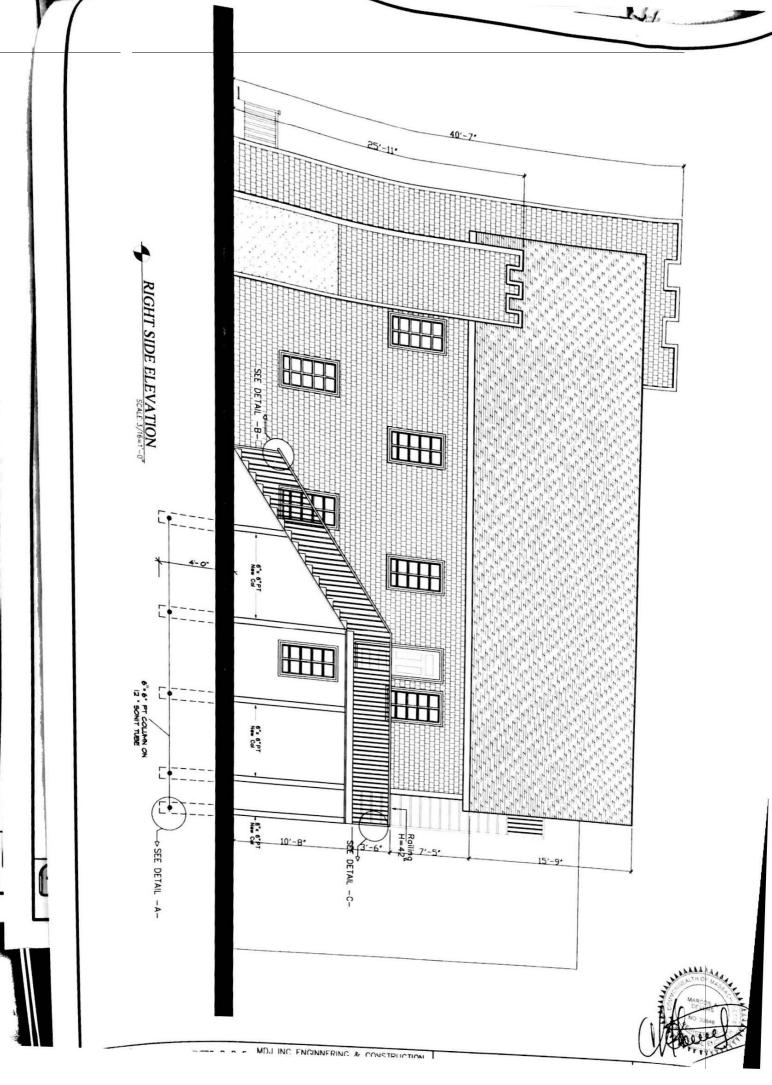


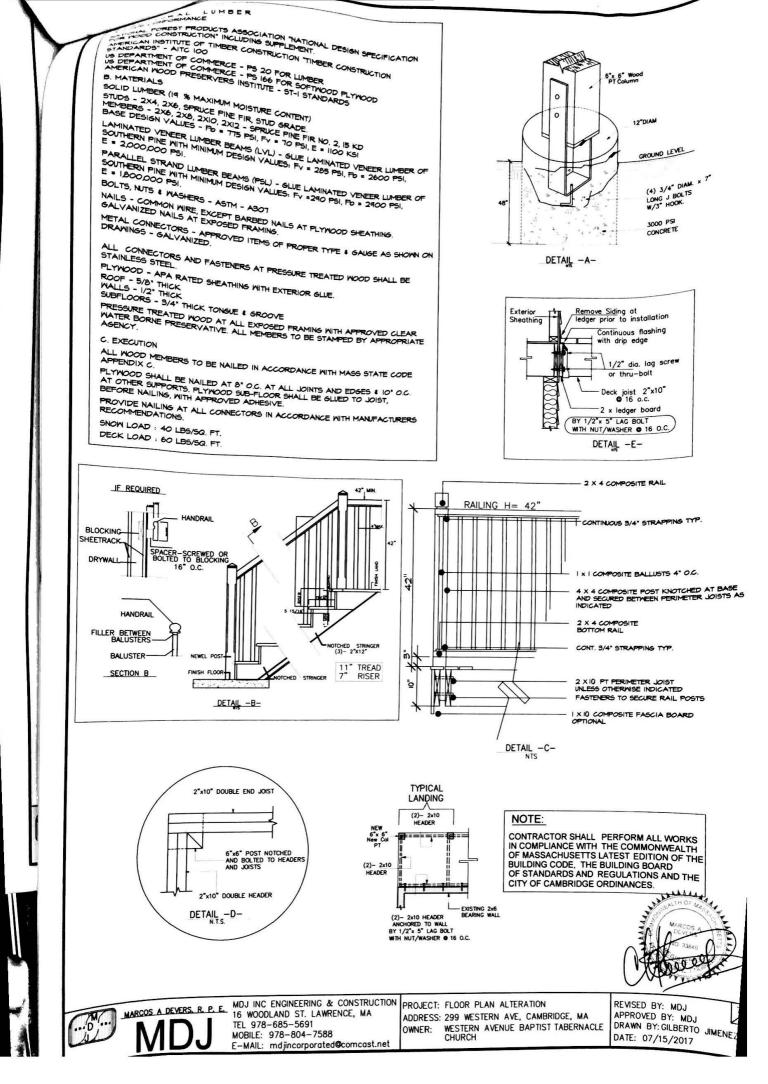
ALTERATION ATTIC FLOOR PLAN

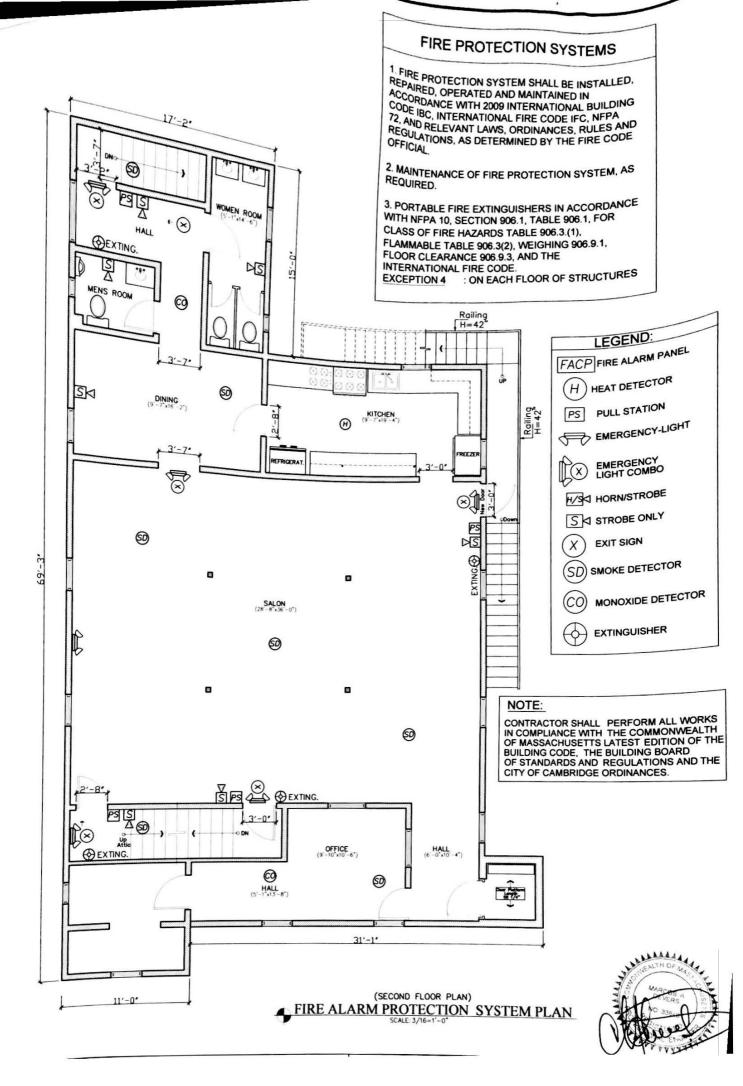


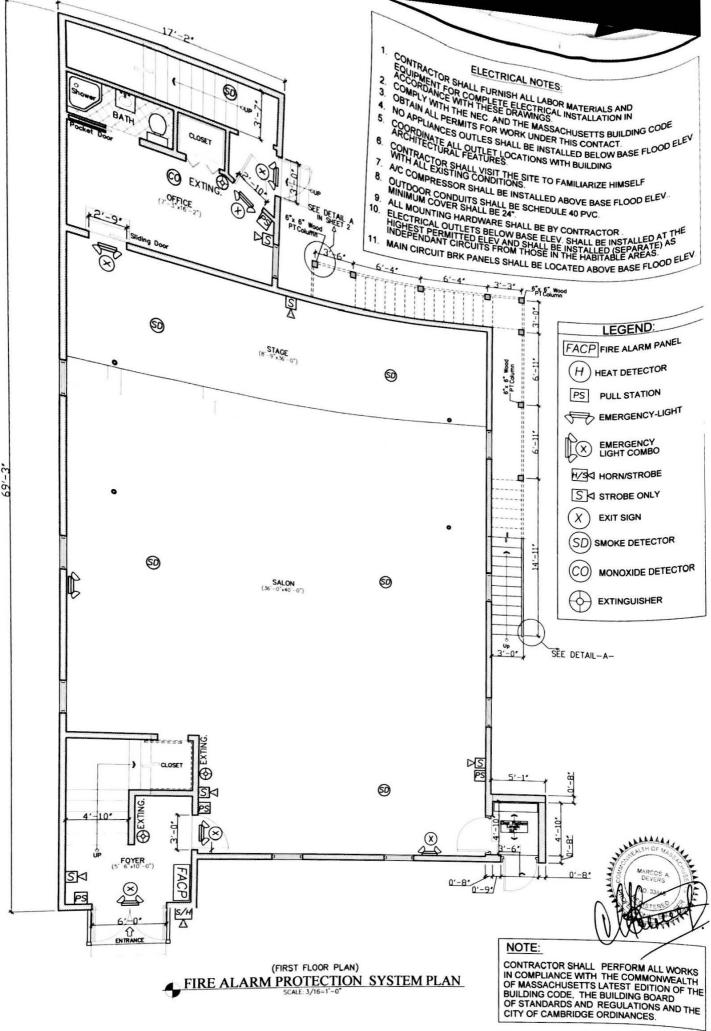


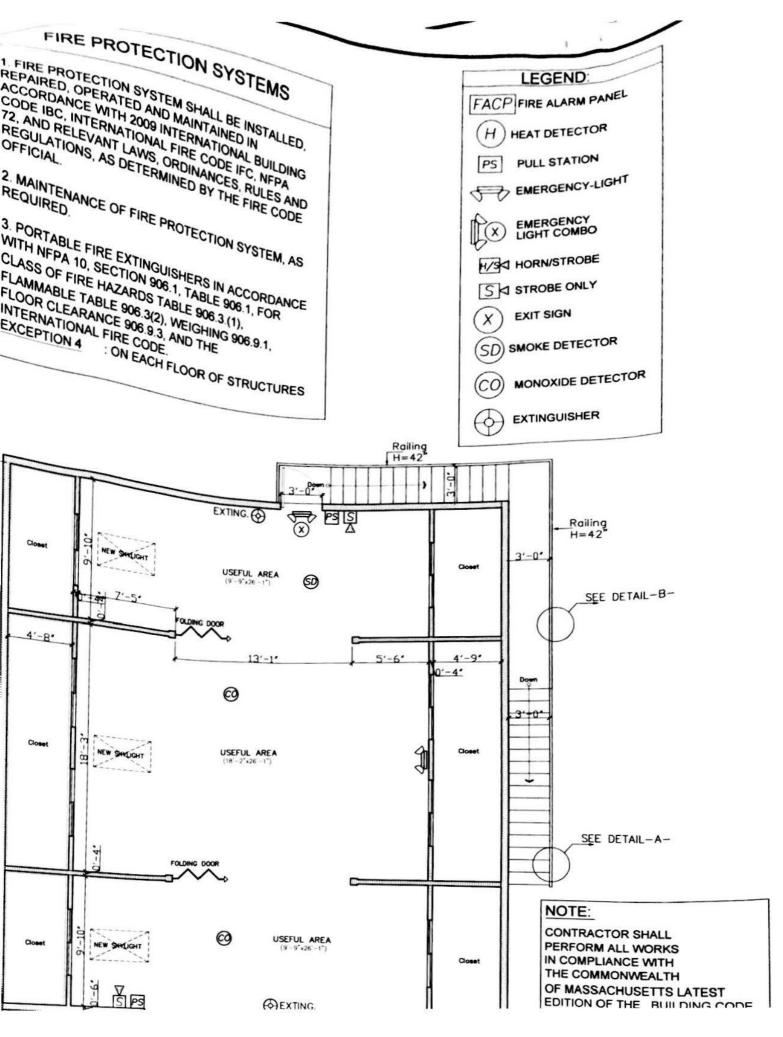


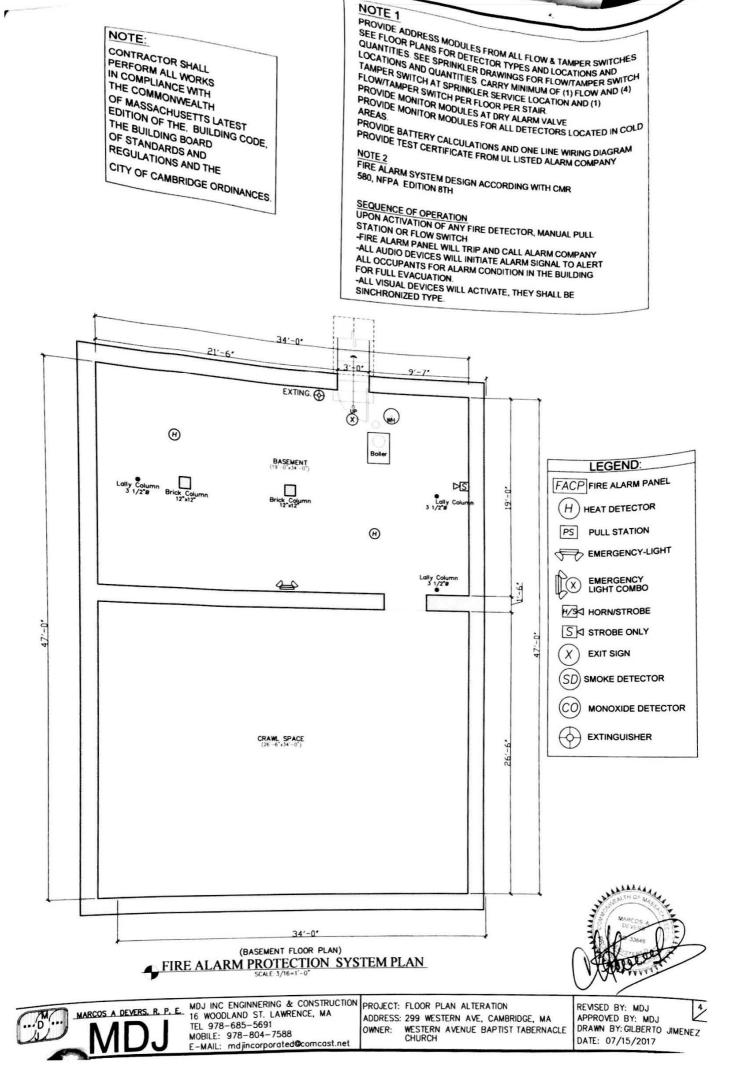


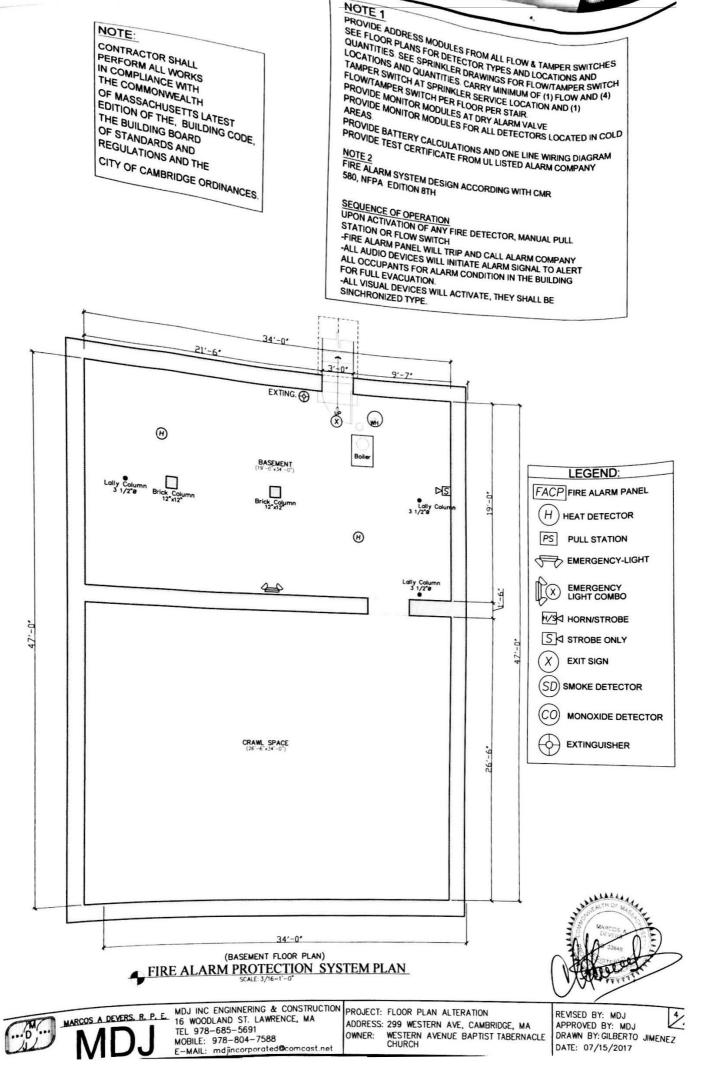














# City of Cambridge

MASSACHUSETTS

BOARD OF ZONING APPEAL

831 Mass Avenue, Cambridge, MA. (617) 349-6100

## **BZA**

## POSTING NOTICE – PICK UP SHEET

The undersigned picked up the notice board for the Board of Zoning Appeals Hearing.

Name:	Farris Blount II	Date: _	10/20/17
Address:	(Print) 299 Western AVC		
Case No	BZA-014725-2017		
Hearing D	Date: 11/9/17	*	

Thank you, Bza Members



## **CAMBRIDGE HISTORICAL COMMISSION**

831 Massachusetts Avenue, 2<sup>nd</sup> Floor, Cambridge, Massachusetts 02139
Telephone: 617 349 4683 TTY: 617 349 6112
E-mail: histcomm@cambridgema.gov URL: http://www.cambridgema.gov/Historic

Bruce A. Irving, *Chair*; Susannah Barton Tobin, *Vice Chair*; Charles M. Sullivan, *Executive Director* William G. Barry, Jr., Robert G. Crocker, Joseph V. Ferrara, Chandra Harrington, Jo M. Solet, *Members* Gavin Kleespies, Paula Paris, Kyle Sheffield, *Alternates* 

Jurisdiction Advice

To the Owner of Property at 299 Western Avenue

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)
- **\_X\_** 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.

No demolition permit anticipated; CHC staff are reviewing the construction, which is being funded in part with a Preservation Grant. CHC public meeting process completed.

- \_\_\_\_ 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 <u>SLB</u>

Received by Uploaded to Energov Relationship to project BZA 14725-2017 Date October 23, 2017

Date October 23, 2017

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.

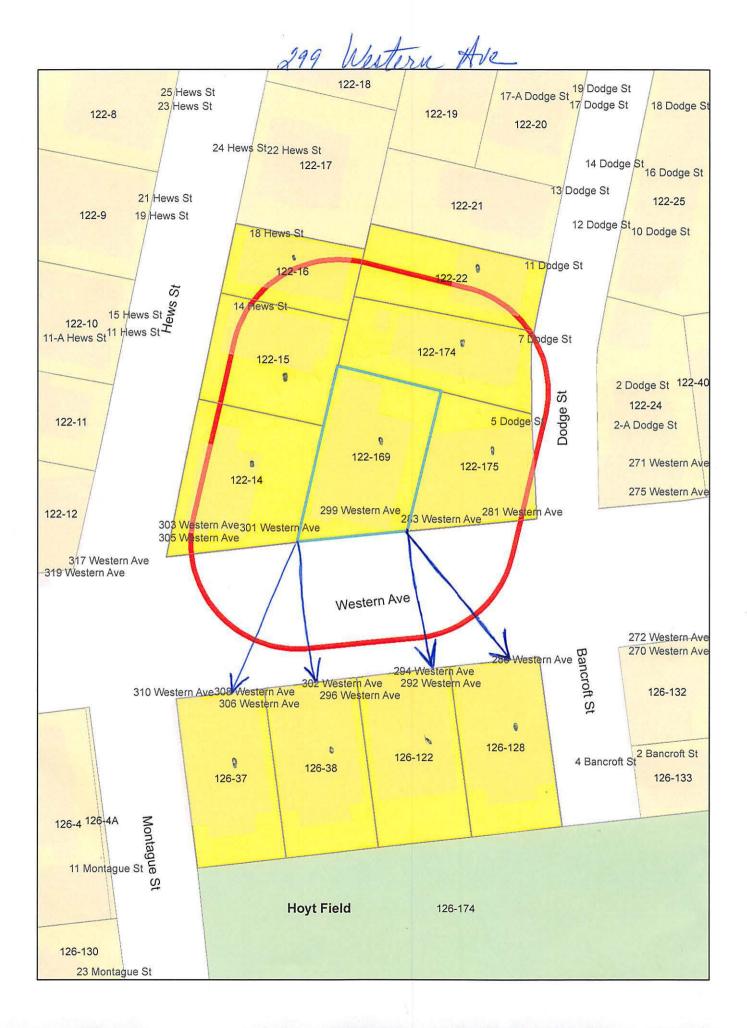
Please contact the building inspector or a staff member of the Historical Commission if you have questions about whether a demolition permit is required for a particular project.

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



122-14 SIENIEWICZ, THOMAS & MARTHA SIENIEWICZ 84 MAGAZINE ST CAMBRIDGE, MA 02139

122-169 WESTERN AVENUE BAPTIST TABERNACLE CHURCH 299 WESTERN AVE. CAMBRIDGE, MA 02139

126-122 MLA CAPITAL PARTNERS, LLC 955 MASSACHUSETTS AVE CAMBRIDGE, MA 02139

126-122 CHAUNDRY, RASHID & SAMIA CHAUNDRY C/O 292 WESTERN LLC 37 JUNIPER RD WESTON, MA 02493

126-37 SRP 310 WESTERN AVE., LLC 720 MASSACHUSETTS AVE. CAMBRIDGE, MA 02139

122-22 LYBERIS, JOHN 11 DODGE ST. UNIT#1 CAMBRIDGE, MA 02139

## 299 Western Are

122-15 FUNES, PABLO J. & SILVIA B. GERSZKOWICZ 14 HEWS ST CAMBRIDGE, MA 02139

122-174 NARINSKY, ALEXANDER 7 DODGE ST CAMBRIDGE, MA 02139

126-122 TOWVIM, ADAM 288-294 WESTERN AVE. - UNIT #290/1 CAMBRIDGE, MA 02139

126-122 DUTTA, ARINDAM & ANNE REINHARDT 288-294 WESTERN AVE.,UNIT #292/2 CAMBRIDGE, MA 02139

126-38 TUCK, JEROME M. & RICHARD L. TUCK, TRS. THE 296 WESTERN AVENUE REALTY TR. 110 WOODLAND ST. NATICK, MA 01760

122-22 LECHEVALIER, DAVID & MARJORIE LECHEVALIER 11 DODGE ST. UNIT#2 CAMBRIDGE, MA 02139

WESTERN AVENUE BAPTIST CHURCH C/O FARRIS BLOUNT, III 299 WESTERN AVENUE CAMBRIDGE, MA 02139

122-175 277-283 WESTERN AVE LLC. C/O SAFE JOURNEYS, LLC 24 RIDGEWOOD TERRACE NORTHAMPTON, MA 01060

126-122 USANMAZ, GOKHAN & EBRU GIRITLIGIL 288-294 WESTERN AVE.,UNIT #290/2 CAMBRIDGE, MA 02139

126-122 KEZIRIAN, MICHAEL T. 288-294 WESTERN AVE. - UNIT #294 CAMBRIDGE, MA 02139

126-128 WEST ARMS COOPERATIVE CORPORATION 280 WESTERN AVE #1 CAMBRIDGE, MA 02139

122-16 BERSHIRE INVESTMENT, LLC, 18 HEWS ST CAMBRIDGE, MA 02139