



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

2019 MAY 31 AM 10:22
OFFICE OF THE CITY CLERK
CAMBRIDGE, MASSACHUSETTS

BZA APPLICATION FORM

Plan No: BZA-017095-2019

GENERAL INFORMATION

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

Special Permit : _____ Variance : ✓ Appeal : _____

PETITIONER : Jamie Fordyce & Sarah Foster - C/O John Lodge, Architect

PETITIONER'S ADDRESS : 56 Aberdeen Ave. Cambridge, MA 02138

LOCATION OF PROPERTY : 351 Pearl St Cambridge, MA 02139

TYPE OF OCCUPANCY : Residential ZONING DISTRICT : Residence C Zone

REASON FOR PETITION :

Additions

DESCRIPTION OF PETITIONER'S PROPOSAL :

The petitioner seeks to build a roof deck that protrudes into the sideyard setback. The lot does not conform in terms of usable open space and the roof deck will provide relief.

SECTIONS OF ZONING ORDINANCE CITED :

Article 5.000 Section 5.31 (Table of Dimensional Requirements).

Original Signature(s) :


(Petitioner(s) / Owner)

John E. Lodge
(Print Name)

Address : John Lodge Architects
54 Aberdeen Ave., Cambridge, MA

Tel. No. : 617-308-3037

E-Mail Address : John@JohnLodgeArchitects.com

Date :

May 31, 2019
April 28, 2019

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 current lot, which is share by both units does not provide enough open space. The petitioners have two small children who need more access to the outdoors.

- 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:

Not applicable

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

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

The proposed deck, which will be located on a flat roof at the rear of the building, meets the setback requirements on the left side and at the rear. It would protrude 3'-6" into the right side setback; on that side, the adjacent house is approximately 20' away. Only a samml protion of the required 3' railing will be visible from the street.

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

The proposed deck will not increase the bulk of the house or cast any shadows beyond the lot lines. It will also be in keeping with the houses in neighborhood, many of which have large roof decks as well.

- * 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: John Lodge Architects **PRESENT USE/OCCUPANCY:** residential
LOCATION: 351 Pearl St Cambridge, MA 02139 **ZONE:** Residence C Zone
PHONE: _____ **REQUESTED USE/OCCUPANCY:** residential

		<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>		3254	3254	2984	(max.)
<u>LOT AREA:</u>		4974	4974	5000	(min.)
<u>RATIO OF GROSS FLOOR AREA</u> <u>TO LOT AREA:</u> ²		.652	.652	.6	(max.)
<u>LOT AREA FOR EACH DWELLING UNIT:</u>		2487	2487	1800	(min.)
<u>SIZE OF LOT:</u>	WIDTH	50	50	50	(min.)
	DEPTH	100	100	100	
<u>SETBACKS IN FEET:</u>	FRONT	7.3	7.3	10	(min.)
	REAR	42.9	42.9	20	(min.)
	LEFT SIDE	16.9	16.9	10.5	(min.)
	RIGHT SIDE	1.8	1.8	10.5	(min.)
<u>SIZE OF BLDG.:</u>	HEIGHT	32	32	35	(max.)
	LENGTH	49.9	49.9	70	
	WIDTH	30.33	30.33	29	
<u>RATIO OF USABLE OPEN SPACE</u> <u>TO LOT AREA:</u>		30%	30%	36%	(min.)
<u>NO. OF DWELLING UNITS:</u>		2	2	2	(max.)
<u>NO. OF PARKING SPACES:</u>		2	2	2	(min./max)
<u>NO. OF LOADING AREAS:</u>		0	0	0	(min.)
<u>DISTANCE TO NEAREST BLDG.</u> <u>ON SAME LOT:</u>		20.33	20.33	10	(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.

Wood frame 2-car garage

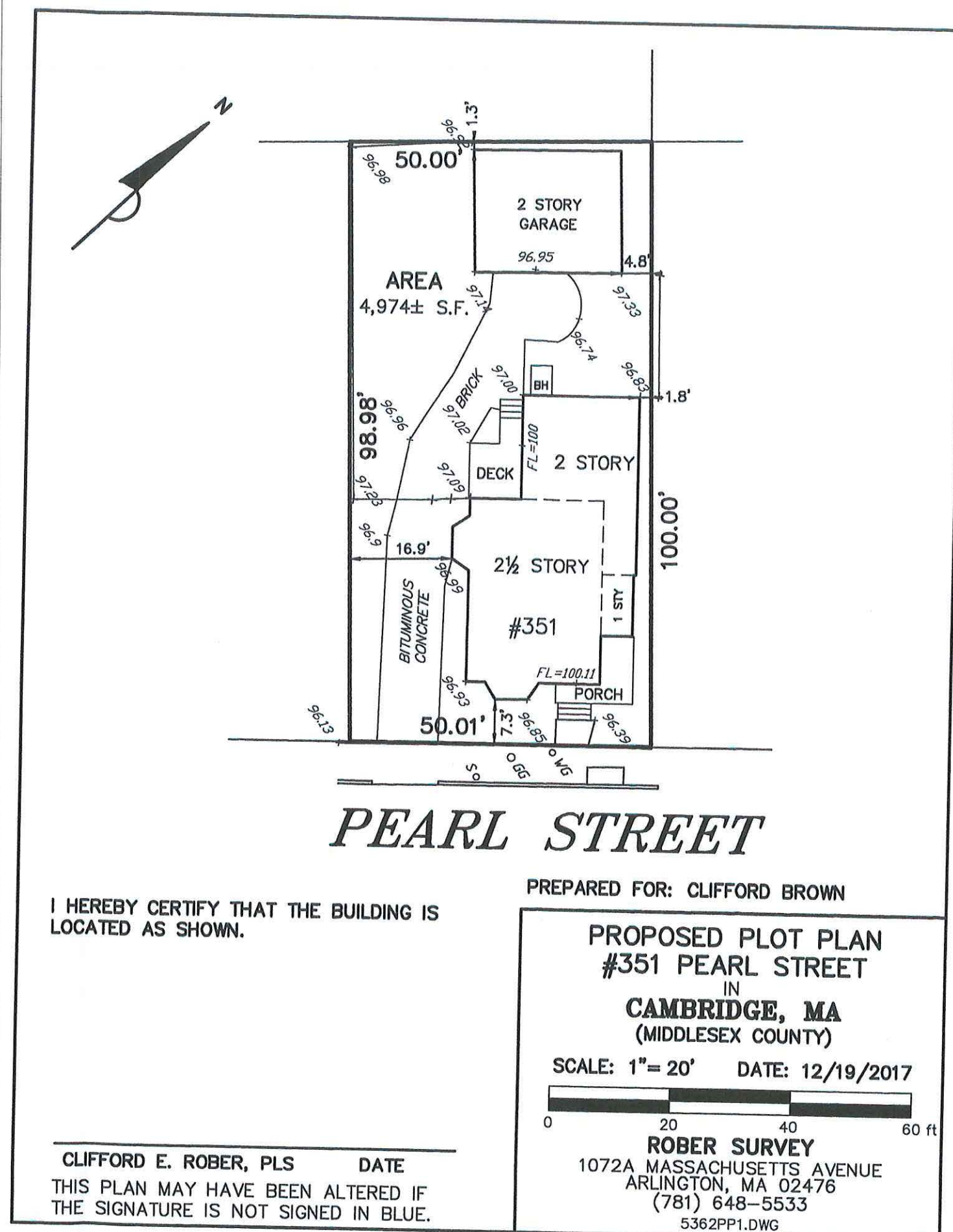
1. SEE CAMBRIDGE ZONING ORDINANCE ARTICLE 5.000, SECTION 5.30 (DISTRICT OF DIMENSIONAL REGULATIONS).
2. TOTAL GROSS FLOOR AREA (INCLUDING BASEMENT 7'-0" IN HEIGHT AND ATTIC AREAS GREATER THAN 5') DIVIDED BY LOT AREA.
3. OPEN SPACE SHALL NOT INCLUDE PARKING AREAS, WALKWAYS OR DRIVEWAYS AND SHALL HAVE A MINIMUM DIMENSION OF 15'.

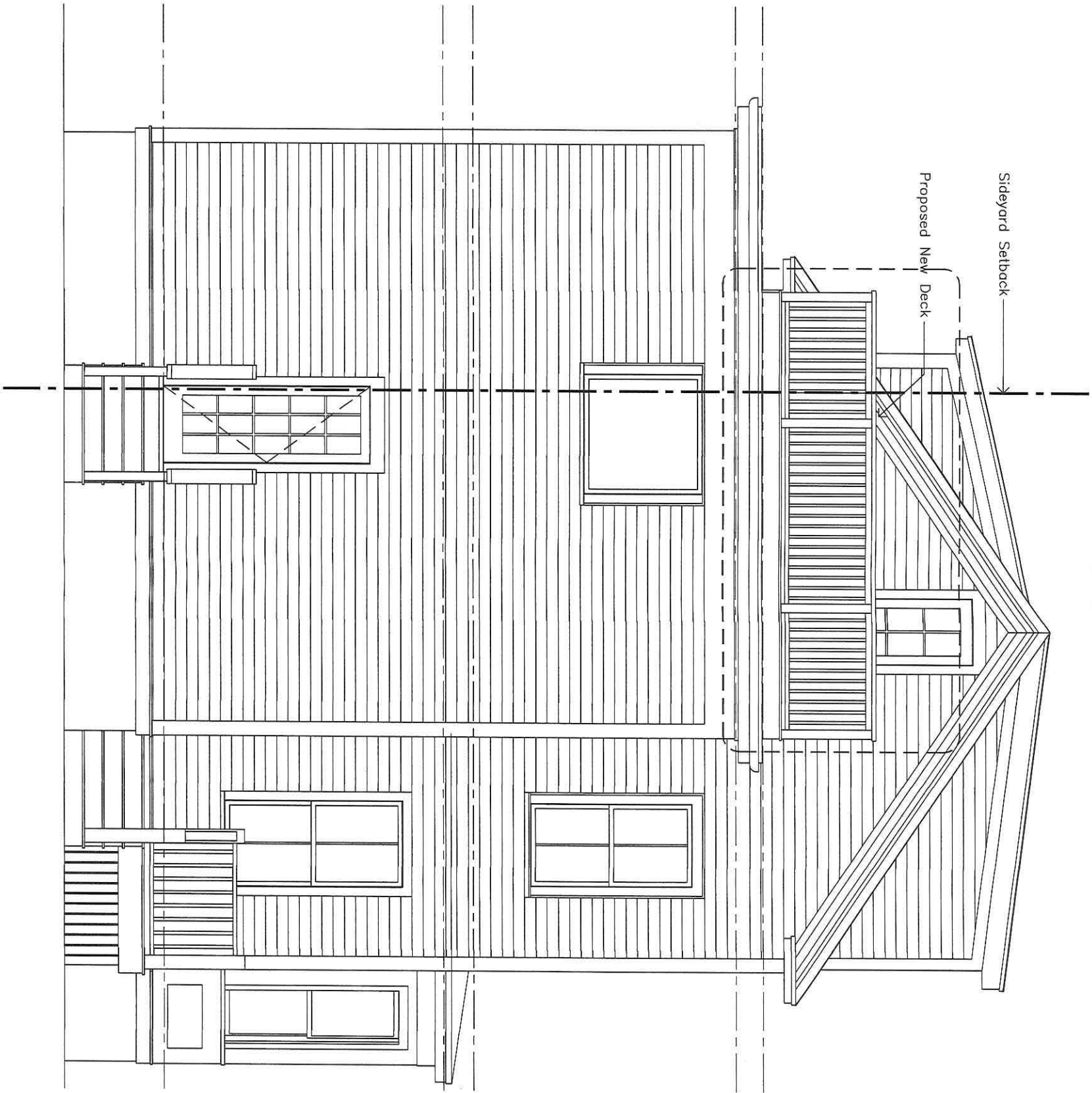


5362PP1.DWG

Z-1 Roof Deck Plan
Z-2 South Elevation
Z-3 East Elevation
Z-4 North Elevation
Z-5 West Elevation

Zoning Requirements	
District	C
Max. FAR (j)	.6
Min. Lot Size	5,000 S.F.
Min. Lot Area / D.U.	1,800 S.F.
Min. Lot Width	50 Ft.
Min. Front Yard	H+L/4 (a)
Min. Side Yard	H+L/5 - 10'-6"
Min. Rear Yd. (c)	H=L/4 (c)
Max. Hgt.	35 Ft.
Min. Open Space	36%
(a) From CL of street but not less than 10'	
(c) 20' under 100', Max. of 35' for Deeper Lots	





Zoning Set

Z-5

351 Pearl St.
Cambridge, MA

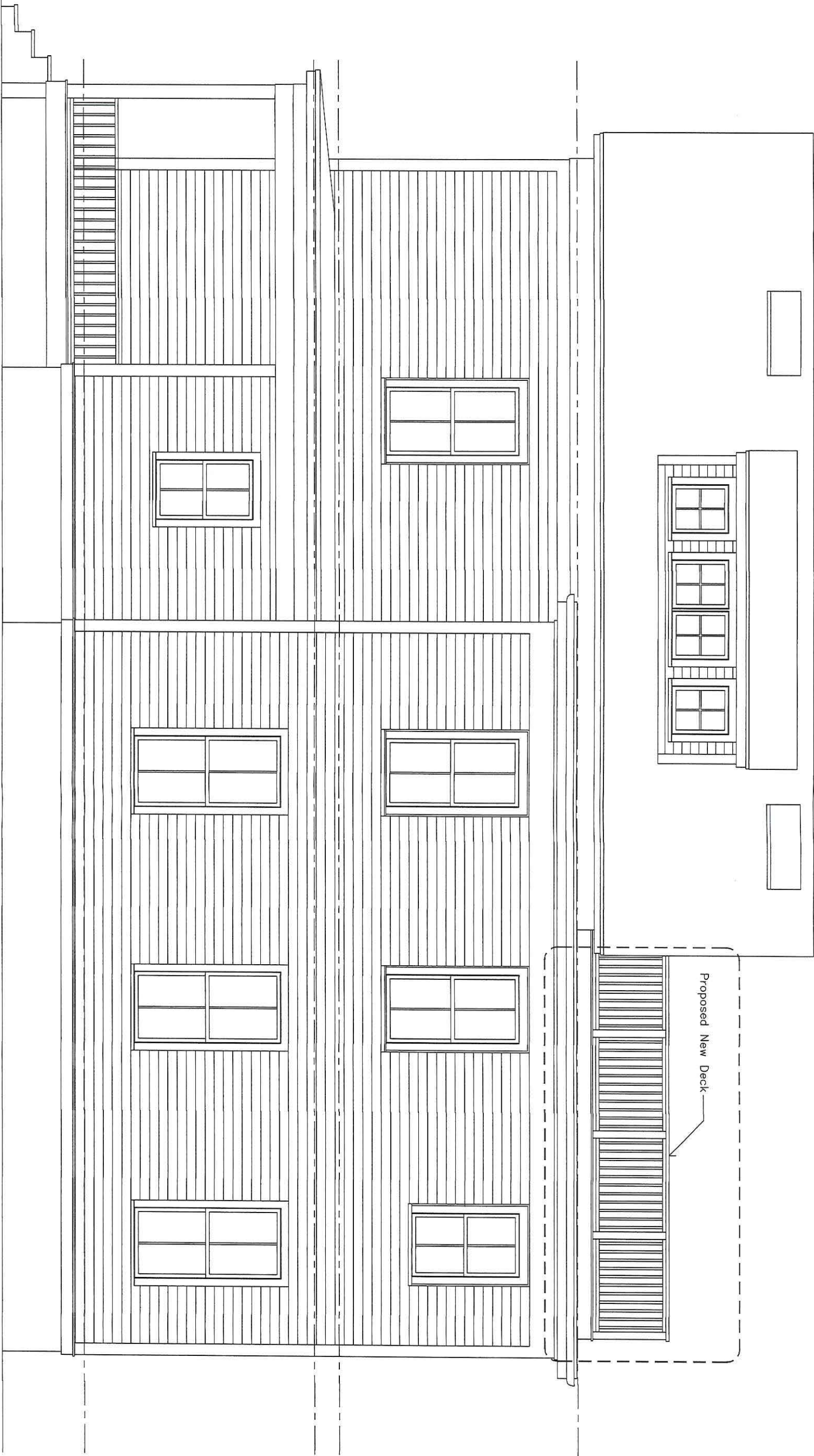
Revisions	
No.	Date
1	
2	
3	
4	
5	
6	

Project No.: 1705.01
Date: 02.24.19
Scale: 1/4" = 1'-0"

Proposed Deck -
West Elevation

John Lodge Architects
56 Aberdeen Ave. Cambridge, MA 02138
T: 617.308.3037
E: John@JohnLodgeArchitects.com





Zoning Set

Z-4

351 Pearl St.
Cambridge, MA

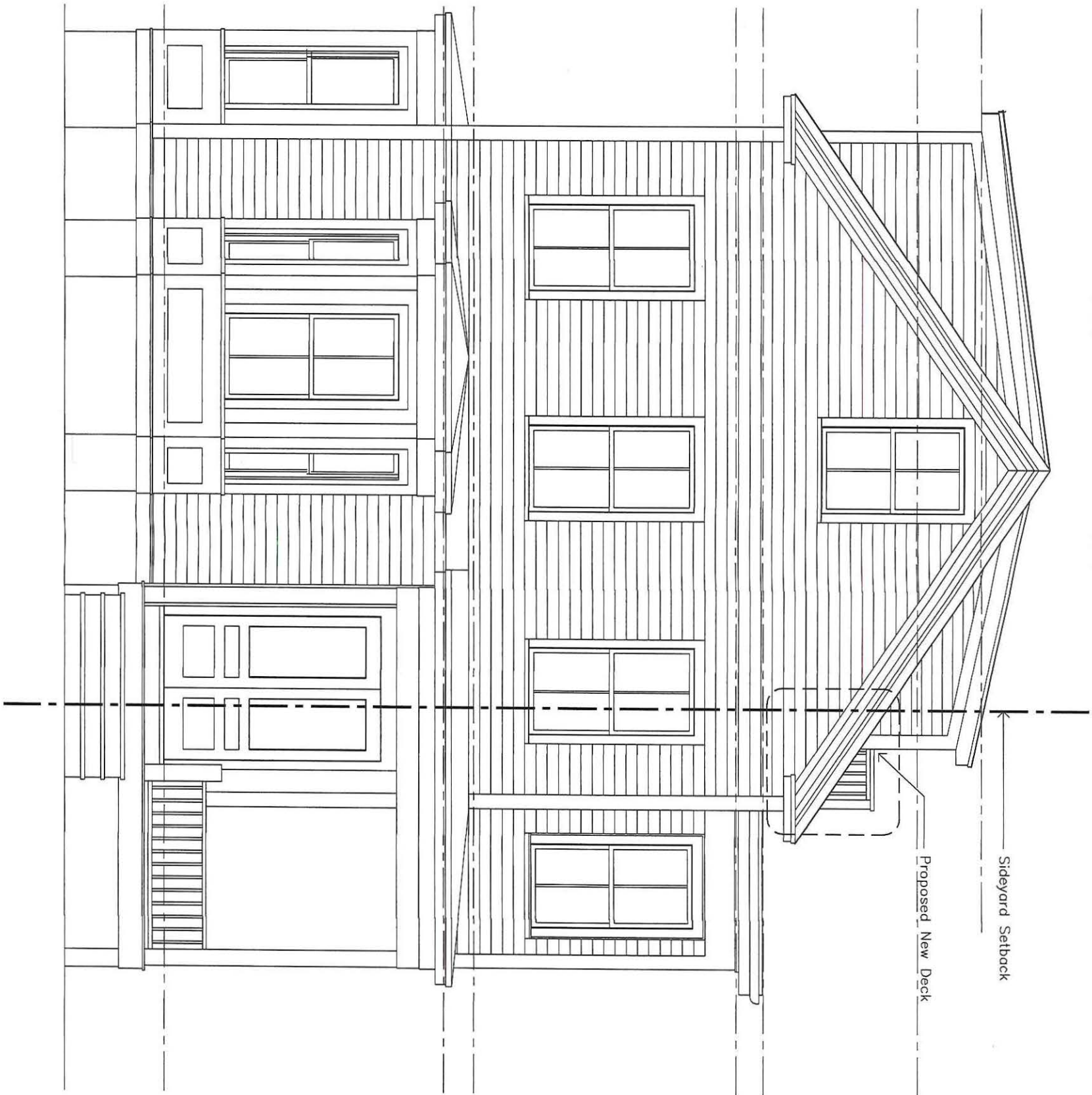
Revisions	
No.	Date
1	
2	
3	
4	
5	
6	

Project No.: 1705.01
Date: 02.24.19
Scale: 1/4" = 1'-0"

Proposed Deck -
North Elevation

John Lodge Architects
56 Aberdeen Ave. Cambridge, MA 02138
T: 617.308.3037
E: John@JohnLodgeArchitects.com





Zoning Set

Z-3

351 Pearl St.
Cambridge, MA

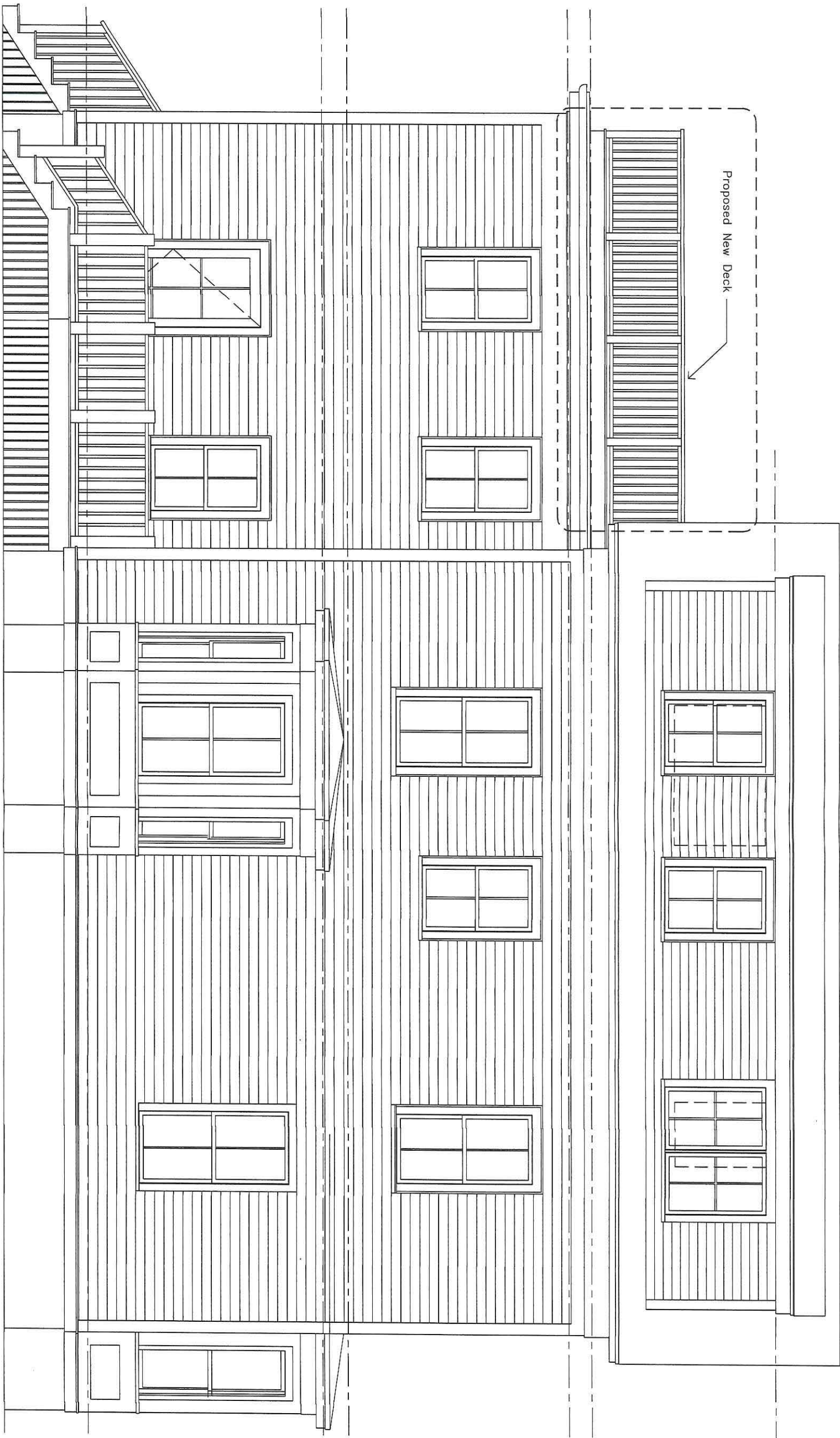
Revisions	
No.	Date
1	
2	
3	
4	
5	
6	

Project No.: 1705.01
Date: 02.24.19
Scale: 1/4" = 1'-0"

**Proposed Deck -
East Elevation**

John Lodge Architects
56 Aberdeen Ave. Cambridge, MA 02138
T: 617.308.3037
E: John@JohnLodgeArchitects.com





Zoning Set

Z-2

351 Pearl St.
Cambridge, MA

Revisions	
No.	Date
1	
2	
3	
4	
5	
6	

Project No.: 1705.01
Date: 02.24.19
Scale: 1/4" = 1'-0"

Proposed Deck -
South Elevation

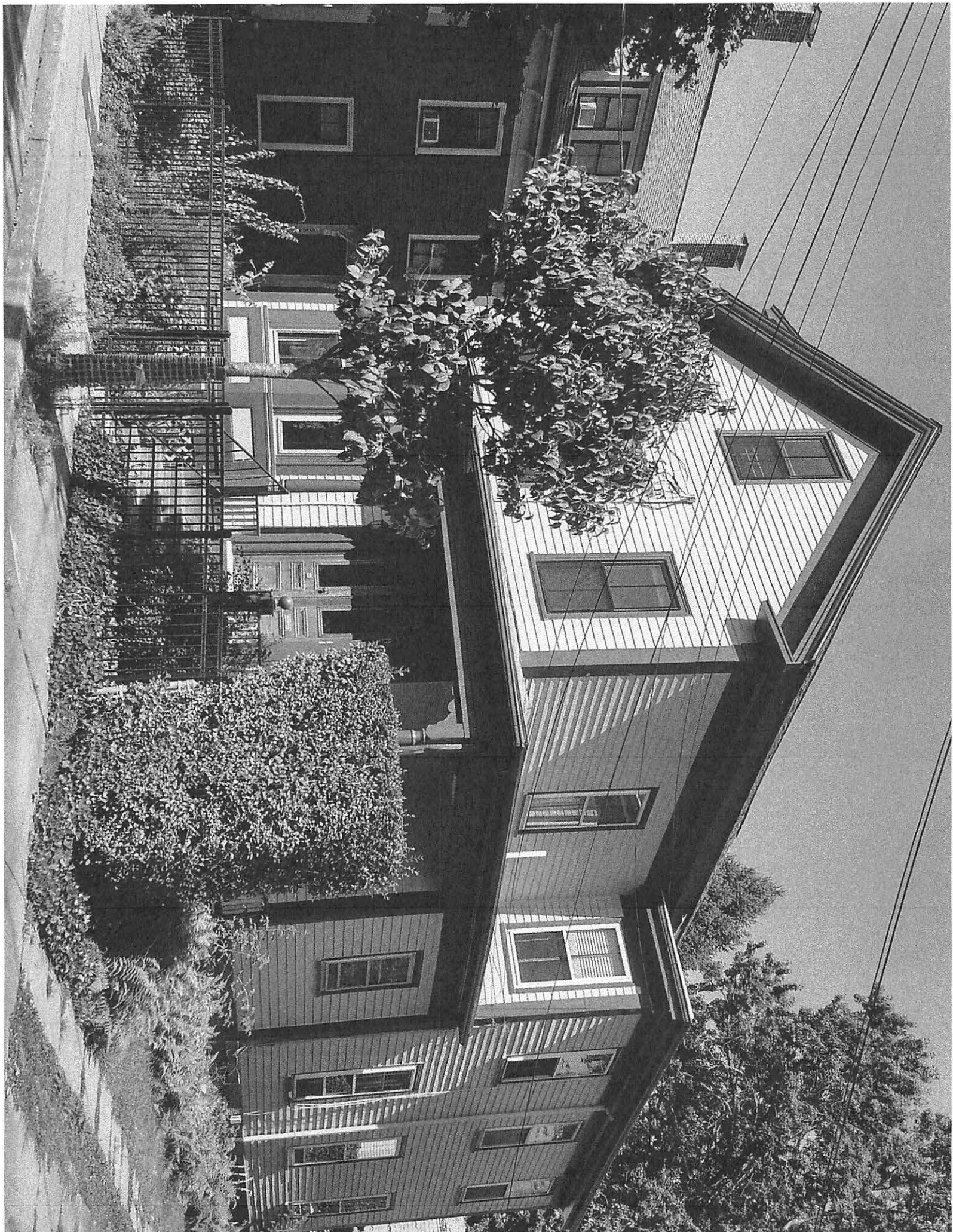
John Lodge Architects
56 Aberdeen Ave. Cambridge, MA 02138
T: 617.308.3037
E: John@JohnLodgeArchitects.com



351 Pearl St











CAMBRIDGE HISTORICAL COMMISSION

831 Massachusetts Avenue, 2nd 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 W. Kleespies, Paula A. Paris, Kyle Sheffield, *Alternates*

Jurisdiction Advice

To the Owner of Property at 351 Pearl Street

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.
- ☐ 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 SLB

Date April 29, 2019

Received by Uploaded to Energov

Date April 29, 2019

Relationship to project BZA 017095-2019

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

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.

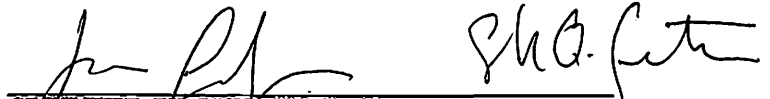
I/We JAMES B. FORDYCE & SARAH Q. FOSTER
(OWNER)

Address: 351 PEARL STREET

State that I/We own the property located at 351 PEARL ST,
which is the subject of this zoning application.

The record title of this property is in the name of _____
JAMES B. FORDYCE & SARAH Q. FOSTER

*Pursuant to a deed of duly recorded in the date July 14, 2017, Middlesex South
County Registry of Deeds at Book 69604, Page 5; or
Middlesex Registry District of Land Court, Certificate No. _____
Book _____ Page _____.


**SIGNATURE BY LAND OWNER OR
AUTHORIZED TRUSTEE, OFFICER OR AGENT***

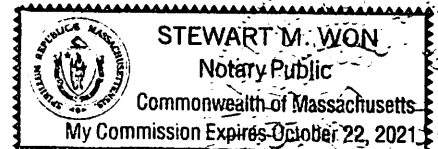
***Written evidence of Agent's standing to represent petitioner may be requested.**

Commonwealth of Massachusetts, County of MIDDLESEX

The above-name JAMES B. FORDYCE & SARAH QUINN FOSTER personally appeared before me,
this 5th of JUNE, 2019, and made oath that the above statement is true.

Stewart M. Won Notary

My commission expires OCT. 22, 2021 (Notary Seal).



- If ownership is not shown in recorded deed, e.g. if by court order, recent deed, or inheritance, please include documentation.

DECLARATION OF THE PRESIDENT OF THE UNITED STATES

That I, the President of the United States, do hereby declare that the following is a true and correct copy of the original as the same appears in the records of the Department of State.

Witness my hand and the seal of the Department of State at Washington, this _____ day of _____, 19____.

Secretary of State

Assistant Secretary of State

Under Secretary of State

Assistant Secretary of State

Assistant Secretary of State

Assistant Secretary of State

Assistant Secretary of State

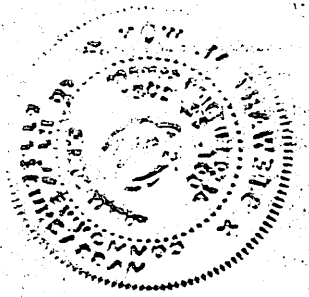
Assistant Secretary of State

Assistant Secretary of State

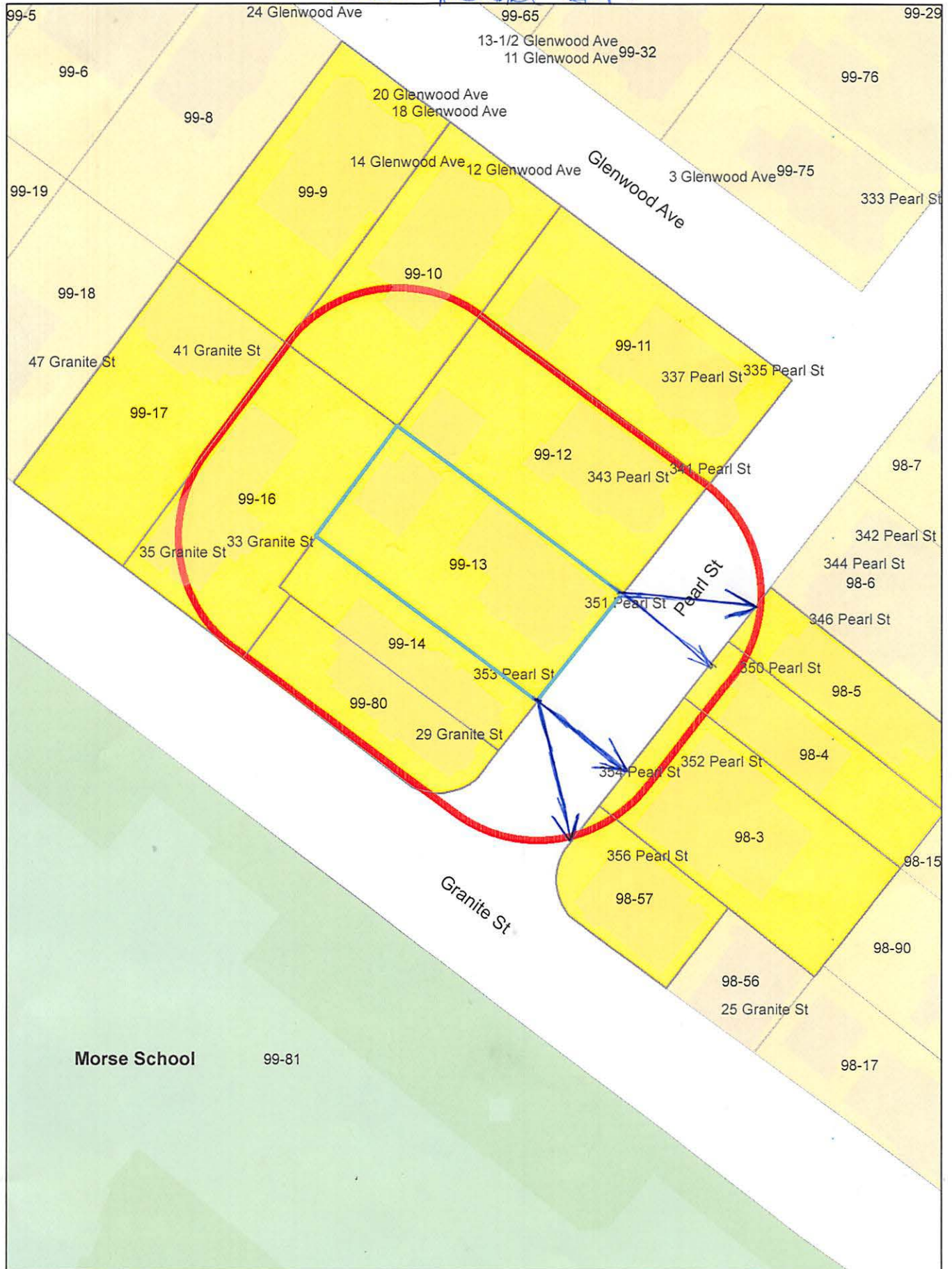
Assistant Secretary of State

Assistant Secretary of State

Assistant Secretary of State



351 Pearl St.



351 Pearl St.

Petitioner?

98-5
SULLIVAN, JOHN & DENISE MARIE SULLIVAN
346 PEARL ST
CAMBRIDGE, MA 02139

99-9
SHEN, KAIROS
20 GLENWOOD AVE., UNIT #18/1
CAMBRIDGE, MA 02139

JOHN E. LODGE, ARCHITECT
56 ABERDEEN AVENUE
CAMBRIDGE, MA 02138

99-9
TOBIN, THERESA A.
20 GLENWOOD AVE., UNIT #1
CAMBRIDGE, MA 02139

99-9
FARUQI, MAHMOOD & NAGEEN FARUQI
18 BRANWOOD DR
DIX HILLS, NY 11746

99-13
FORDYCE, JAMES P. & SARAH Q. FOSTER
351 PEARL ST
CAMBRIDGE, MA 02139

99-10
KAMPF, LOUIS
14 GLENWOOD AVENUE - UNIT #2
CAMBRIDGE, MA 02139

99-10
RYBECK, ABRAHAM
14 GLENWOOD AVE., #1
CAMBRIDGE, MA 02139

99-11
PARK, MICHAEL & PATRICIA LEE
335 PEARL ST
CAMBRIDGE, MA 02139

99-12
SHAH, ANISH & SYLVIA ROZWADOWSKA-SHAH
341 PEARL ST
CAMBRIDGE, MA 02139

99-10
RYBECK, ABRAHAM
14 GLENWOOD AVE., #1
CAMBRIDGE, MA 02139

99-14
AUKEMAN, ALAN & LAURA WARREN
353 PEARL ST
CAMBRIDGE, MA 02139

99-16
SWANSON, ERIKA L.
35 GRANITE ST., #1
CAMBRIDGE, MA 02139

99-16
LOUIS, SMITH JEAN
33-35 GRANITE ST. # 2
CAMBRIDGE, MA 02138

99-16
GEISLER, BENJAMIN P. & JOHANNA C. GEISLER
35 GRANITE ST., #3
CAMBRIDGE, MA 02138

99-17
YALOURIS, ELEFTHERIOS &
CHARLOTTE E. S. KARNEY
41 GRANITE ST.
CAMBRIDGE, MA 02139

99-80
GRANT, JEAN & WILLIAM P. GRANT
C/O CARMELLA M. PITARO TR.
P.O. BOX #6246
PLYMOUTH, MA 02362

98-57
GAULT, BRIAN C.
356 PEARL ST., #1
CAMBRIDGE, MA 02139

98-57
PARK, SEUNG HO & CHUNG OK PARK, CO-TRS
THE SEUNG HO PARK & CHUNG OK PARK TRUST
5078 SEASHELL PL
SAN DIEGO, CA 92130

98-3
KAUFMANN, KATHERINE &
JONATHAN KAUFMANN
352 PEARL ST
CAMBRIDGE, MA 02139

98-3
BORAL, ANTHONY L. & LEAH W. RUGEN
354 PEARL ST
CAMBRIDGE, MA 02139

98-4
CRAMER-GREENBAUM, SUSANNAH
350 PEARL ST., #1
CAMBRIDGE, MA 02139

98-4
HEEBINK, KELSEY K.
350 PEARL ST. UNIT#2
CAMBRIDGE, MA 02139

99-9
SHEN, KAIROS
20 GLENWOOD AVE - UNIT 18/2
CAMBRIDGE, MA 02139