



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

BZA APPLICATION FORM

Plan No: BZA-017103-2019

GENERAL INFORMATION

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

Special Permit: ✓ Variance: _____ Appeal: _____

PETITIONER: Koby Kempel - C/O Marcelo Tagore Hernandez

PETITIONER'S ADDRESS: 30 Quincy Street Somerville, MA 02143

LOCATION OF PROPERTY: 46 Mt Vernon St Cambridge, MA

TYPE OF OCCUPANCY: _____ ZONING DISTRICT: Residence C-1 Zone

REASON FOR PETITION:

Additions

DESCRIPTION OF PETITIONER'S PROPOSAL :

Restore historic bay on the front of house that was demolished. Proposed bay would occur over the preexisting bay foundation that is still in place. The non-conformity of the existing residence requires Special Permit. The restoration of the bay is voluntary effort on behalf of the Petitioner as per the request of the Cambridge Historic Commission.

SECTIONS OF ZONING ORDINANCE CITED :

Article 8.000 Section 8.22.2.C (Non-Conforming Structure).

Article 10.000 Section 10.40 (Special Permit).

Original Signature(s):

(Petitioner(s) / Owner)

Marcelo Tagore Hernandez
(Print Name)

Address: 30 Quincy St.
Somerville MA 02143

Tel. No.: 617.871.0155

E-Mail Address: Hernandez@G Group Design Build.com

Date: _____

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 46 Mt Vernon 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:
- Construction will otherwise comply with other dimensional requirements of the Ordinance. F.A.R. , Lot Area per Unit, Height, Private Open Space and Ratio, Front, Left ,and Rear Setbacks shall all comply with the Ordinance.
- 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 proposed restoration of the Bay window will not result in additional traffic, change in traffic, or change in the established neighborhood character. The proposal will allow for much needed improvements, such as new permeable masonry pavers, landscaping, and irrigation. The improvements will be very much in keeping with the historic character of the residential neighborhood.
- 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:
- No change in use will occur as a result of the proposed Bay. The existing residence is 7-Family and has been Permitted to scale down to a 3-Family, and improvements will not result in adverse impacts on the neighboring residential uses.
- 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 variance relief, as the replaced Bay will have limited impact to neighbors. The proposal, on behalf of the Cambridge Historic Commission's request and support, will restore the look of a mid-19th century mansard residence and will improve the historic character of 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:
- The requested relief for an Addition to a non-conforming structure can be granted without impairing the integrity of the District or adjoining district, because the restored Bay will be in keeping with the current architecture of streetscape, akin in design, shape, and height consistent with the neighborhood.

BZA APPLICATION FORM**DIMENSIONAL INFORMATION**

APPLICANT: Group Design Build Inc **PRESENT USE/OCCUPANCY:** Residential
LOCATION: 46 Mt Vernon St Cambridge, MA **ZONE:** Residence C-1 Zone
PHONE: 617-877-0155 **REQUESTED USE/OCCUPANCY:** Residential

		<u>EXISTING CONDITIONS</u>	<u>REQUESTED CONDITIONS</u>	<u>ORDINANCE REQUIREMENTS</u> ¹	
<u>TOTAL GROSS FLOOR AREA:</u>		6208	6330	6792	(max.)
<u>LOT AREA:</u>		9056	9056	5000	(min.)
<u>RATIO OF GROSS FLOOR AREA TO LOT AREA: ²</u>		.68	.69	.75	(max.)
<u>LOT AREA FOR EACH DWELLING UNIT:</u>		--	--	--	(min.)
<u>SIZE OF LOT:</u>	WIDTH	72.5	72.5	50	(min.)
	DEPTH	125	125	--	
<u>SETBACKS IN FEET:</u>	FRONT	19.5	19.5	10	(min.)
	REAR	19.1	19.1	20	(min.)
	LEFT SIDE	10.2	10.2	7.5	(min.)
	RIGHT SIDE	6.1	6.1	7.5	(min.)
<u>SIZE OF BLDG.:</u>	HEIGHT	33.1	33.1	35	(max.)
	LENGTH	54.9	54.9	--	
	WIDTH	31.6	31.6	--	
<u>RATIO OF USABLE OPEN SPACE TO LOT AREA:</u>		32	32	30	(min.)
<u>NO. OF DWELLING UNITS:</u>		3	3	3	(max.)
<u>NO. OF PARKING SPACES:</u>		2	2	3	(min./max)
<u>NO. OF LOADING AREAS:</u>		--	--	--	(min.)
<u>DISTANCE TO NEAREST BLDG. ON SAME LOT:</u>		3.9	3.9	--	(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.

Existing non-conforming residential structure.

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'.



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OFFICE OF THE CITY CLERK
CAMBRIDGE, MASSACHUSETTS

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Article 10.000 Section 10.40 (Special Permit).

Original Signature(s) :

(Petitioner(s) / Owner)

Marcelo Agave Hernandez
(Print Name)

(Print Name)

Address : 30 Quincey St.
Somerville MA 02143

Tel. No. : 617. 871. 0155

E-Mail Address : Hernandez@GroupDesignBuild.com

Date : _____

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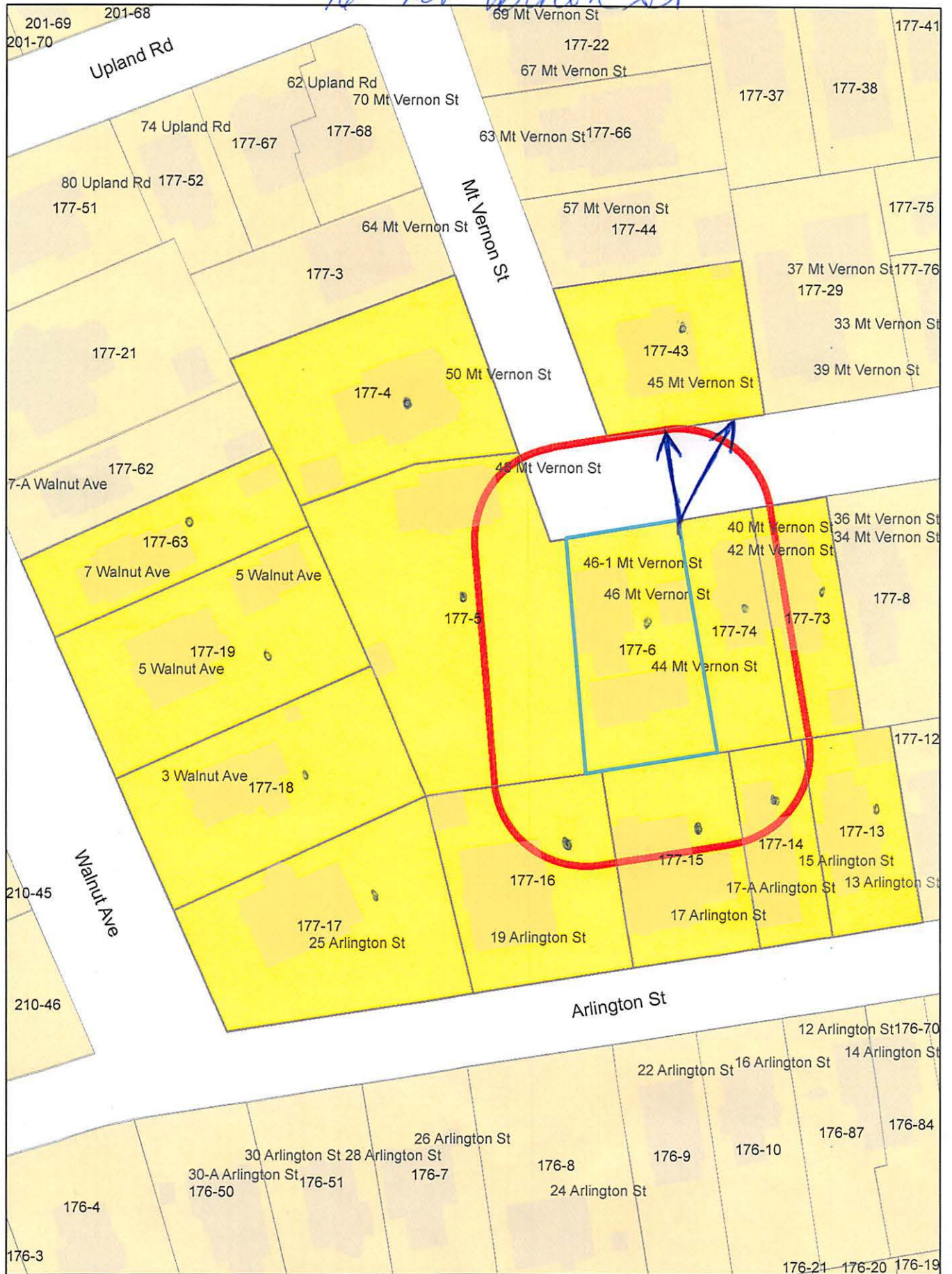
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46 Mt. Vernon St.



46 Mt. Vernon St.

Petitioner

177-4
BI, HONGHAI & YANHUA PENG
TRS. THE B IPENG 2016 FAMILY TRUST
50 MT VERNON ST
CAMBRIDGE, MA 02140

177-5
JENNIFER H. ZACKS
48 MT VERNON ST
CAMBRIDGE, MA 02140

MARCELO TAGORE HERNANDEZ
30 QUINCY STREET
SOMERVILLE, MA 02143

177-13
HAAR, JONATHAN & LINDA MONGELLI HAAR
13 ARLINGTON ST
CAMBRIDGE, MA 02140

177-14
RODWIN, MARC A. & WENDY JO SCHOENER
15 ARLINGTON ST.
CAMBRIDGE, MA 02140

177-15
O'BRIEN, DIANE SCOTT,
TR. THE 17 ARLINGTON ST NOMINEE REALTY TR
17 ARLINGTON ST., #17
CAMBRIDGE, MA 02140

177-15
BRIGGS, ROBERT E. & MARILYN H. BRIGGS
17A ARLINGTON ST
CAMBRIDGE, MA 02138

177-16
THORNE, PETER A., TR. THE PETER A. THORNE
QUALIFIED PERSONAL RESIDENCE TRUST
19 ARLINGTON ST
CAMBRIDGE, MA 02140

177-17
NEILAN, BONNIE A.
25 ARLINGTON ST
CAMBRIDGE, MA 02140

177-18
BORN, JOHN ROBERT & KATHLEEN L BORN
3 WALNUT AVE
CAMBRIDGE, MA 02140

177-19
MAZUR, MICHAEL & GAIL B MAZUR
5 WALNUT AVENUE
CAMBRIDGE, MA 02140

177-43
BERMAN, PETER A. & JENNY M. RUDUCHA
45 MT. VERNON ST.
CAMBRIDGE, MA 02140

177-63
LOVELL, SANDRA G,
TR. THE SANDRA G. LOVELL 1996 TRUST
7 WALNUT AVE
CAMBRIDGE, MA 02140

177-73
LENGAUER, CHRISTOPH &
BARBARA LENGAUER TRUSTEES
40 MT VERNON ST., #1
CAMBRIDGE, MA 02140

177-73
ARSHAD, SHEHIME
40 MT VERNON ST, #2
CAMBRIDGE, MA 02140

177-74
FIELD, LAURENCE M. & CHERYL R. SUCHORS
42 MT. VERNON ST.
CAMBRIDGE, MA 02140

177-6
SALAMON, ALEX.
2200 SOUTH OCEAN LANE #103
FORT LAUDERDALE, FL 33316



CAMBRIDGE HISTORICAL COMMISSION

831 Massachusetts Avenue, 2nd Floor, Cambridge, Massachusetts 02139

Telephone: 617 349 4683 TTY: 617 349 6112

E-mail: [histcomm@cambridgema.gov](mailto:hstcomm@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*

March 27, 2019

Board of Zoning Appeal
831 Massachusetts Avenue
Cambridge, Mass. 02139

Re: 46 Mt. Vernon Street

Dear Board Members:

I am writing with regard to the request of 46 Mt. Vernon LLC for a special permit to reconstruct a bay window on the front elevation of the house at 46 Mt. Vernon Street.

The Lund House at 46 Mt. Vernon Street is a significant Mansard house constructed in 1870 and located within the Avon Hill Neighborhood Conservation District. It is also a contributing building in the Avon Hill National Register District. On January 28, 2019, the Avon Hill NCD Commission granted a Certificate of Appropriateness for the exterior restoration of both this house and the 1969 house at the rear of the lot (46R).

The developer has prepared plans that include restoration of a bay window on the front elevation, which requires zoning relief. This bay window was original to the house's construction but was removed in about 1969 when the house was unsympathetically modernized with aluminum siding, inappropriate replacement windows, and modifications to the front porch. The granite foundation of the bay remains in place. The Avon Hill NCD Commission encouraged the owner to restore the bay window to complete the exterior restoration of this significant building. A similar bay was recently reconstructed at 34 Mt. Vernon Street.

This is a very worthwhile project that will restore a significant architectural feature to this historic home. I hope the Board will grant the requested relief.

Sincerely,

Sarah L. Burks
Preservation Planner

cc: Koby Kempel
Tagore Hernandez

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THE SECRETARY OF THE
TREASURY
WASHINGTON, D. C.

TO THE SECRETARY OF THE
TREASURY
WASHINGTON, D. C.

Dear Sir:

Enclosed for you are
two copies of a letter
from the Secretary of the
Treasury to the Secretary of the
Department of the Interior.

Very truly yours,

John D. Rockefeller

Enclosed for you are two copies of a letter from the Secretary of the Treasury to the Secretary of the Department of the Interior.

The letter is dated January 17, 1914, and is addressed to the Secretary of the Department of the Interior. It contains a statement of the Secretary of the Treasury regarding the proposed legislation for the establishment of a National Conservation Service.

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John D. Rockefeller

John D. Rockefeller

46 Mt. Vernon St





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 Koby Kempel, Manager of 46 Mt. Vernon Street LLC
(OWNER)

Address: 292 Newbury Street PMB 485 Boston MA 02115

State that I/We own the property located at 46 Mt Vernon Cambridge MA 02140,
which is the subject of this zoning application.

The record title of this property is in the name of 46 Mt. Vernon
Street LLC

*Pursuant to a deed of duly recorded in the date 12/18/18, Middlesex South
County Registry of Deeds at Book 72103, Page 246; or
Middlesex Registry District of Land Court, Certificate No. _____

Book _____ Page _____.


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

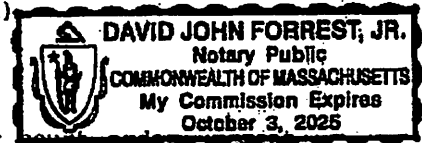
*Written evidence of Agent's standing to represent petitioner may be requested.

Commonwealth of Massachusetts, County of Suffolk

The above-name Koby Kempel personally appeared before me,
this 9 of April, 2019, and made oath that the above statement is true.

David John Forrest, Jr. Notary

My commission expires 10/3/25 (Notary Seal)



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