



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

BZA APPLICATION FORM

Plan No: BZA-016991-2018

GENERAL INFORMATION

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

Special Permit : _____ Variance : v Appeal : _____

PETITIONER : Don & Anne Lee C/O Kathleen Moore, Esq.

PETITIONER'S ADDRESS : 10 Pleasant Street #1 Cambridge, MA 02139

LOCATION OF PROPERTY : 407 Concord Ave Cambridge, MA 02138

TYPE OF OCCUPANCY : Residential ZONING DISTRICT : Residence B Zone

REASON FOR PETITION :

Change in Use / Occupancy

DESCRIPTION OF PETITIONER'S PROPOSAL :

Petitioner seeks to open a retail bakery in this building, which is in Residential Zone B. The building has been used for commercial purposes since 1965, most recently as a retail bakery, per BZA variance in Case No. BZA-007726-2015, decision filed 9/30/2015. The bakery most recently there -- Violette Bakery -- has moved out of Cambridge.

SECTIONS OF ZONING ORDINANCE CITED :

Article 4.000 Section 4.35.R (Bakery Retail).

Original Signature(s) :

[Handwritten Signature]
 (Petitioner(s) / Owner)

Kathleen Moore Esq.
 (Print Name)

Address :

Gallego & Leatsch LLP
10 Pleasant St #1
Cambridge MA 02139

Tel. No. :

617 370 2724

E-Mail Address :

KathleenMoore@gmail.com

Date : _____

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:

This building has operated as a commercial. retail establishment since 1965. The hardship is the shape and structure of the garage-style, one-story building, which is not amenable to residential use.

- 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:

This building has operated as a commercial. retail establishment since 1965. The hardship is the shape and structure of the garage-style, one-story building, which is not amenable to residential use.

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

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

This relief will result in no change to the past operations of the building, and these past operations caused no substantial detriment to the public good, nor does it nullify the intent and purpose of the Ordinance. In addition, the business will provide a source of homemade cakes.

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

This relief will result in no change to the past operations of the building, and these past operations caused no substantial detriment to the public good, nor does it nullify the intent and purpose of the Ordinance. In addition, the business will provide a source of homemade cakes.

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

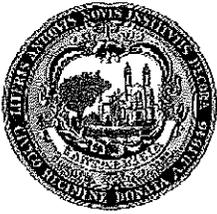
BZA APPLICATION FORM
DIMENSIONAL INFORMATION

APPLICANT: Brit Bakery PRESENT USE/OCCUPANCY: Commercial, per variance
 LOCATION: 407 Concord Ave Cambridge, MA 02138 ZONE: Residence B Zone
 PHONE: _____ REQUESTED USE/OCCUPANCY: Commercial

	<u>EXISTING CONDITIONS</u>	<u>REQUESTED CONDITIONS</u>	<u>ORDINANCE REQUIREMENTS</u> ¹	
<u>TOTAL GROSS FLOOR AREA:</u>	<u>437</u>	<u>437</u>	<u>1957</u>	(max.)
<u>LOT AREA:</u>	<u>3914</u>	<u>no change</u>	<u>5000</u>	(min.)
<u>RATIO OF GROSS FLOOR AREA TO LOT AREA:</u> ²	<u>.243</u>	<u>.243</u>	<u>.5</u>	(max.)
<u>LOT AREA FOR EACH DWELLING UNIT:</u>	<u>n/a</u>	<u>n/a</u>	<u>2500</u>	(min.)
<u>SIZE OF LOT:</u>	WIDTH	<u>98</u>	<u>50</u>	(min.)
	DEPTH	<u>80</u>	<u>50</u>	
<u>SETBACKS IN FEET:</u>	FRONT	<u>58</u>	<u>15</u>	(min.)
	REAR	<u>0</u>	<u>15</u>	(min.)
	LEFT SIDE	<u>15</u>	<u>7.5</u>	(min.)
	RIGHT SIDE	<u>10</u>	<u>sum=20</u>	(min.)
<u>SIZE OF BLDG.:</u>	HEIGHT	<u>10</u>	<u>35</u>	(max.)
	LENGTH	<u>25</u>	<u>35</u>	
	WIDTH	<u>25</u>	<u>25</u>	
<u>RATIO OF USABLE OPEN SPACE TO LOT AREA:</u>	<u>n/a</u>	<u>n/a</u>	<u>40%</u>	(min.)
<u>NO. OF DWELLING UNITS:</u>	<u>0</u>	<u>n/a</u>	<u>1</u>	(max.)
<u>NO. OF PARKING SPACES:</u>	<u>4 (8 total)</u>	<u>no change</u>	<u>1</u>	(min./max)
<u>NO. OF LOADING AREAS:</u>	<u>1</u>	<u>n/a</u>	<u>n/a</u>	(min.)
<u>DISTANCE TO NEAREST BLDG. ON SAME LOT:</u>	<u>e building on</u>	<u>no change</u>	<u>n/a</u>	(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.
There is one, garage-style building on the lot. The lot is described at 407-409 Concord Avenue.

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



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 617 349-6100

2018 AUG 21 AM 11:46
 OFFICE OF THE CITY CLERK
 CAMBRIDGE, MASSACHUSETTS

BZA APPLICATION FORM

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Original Signature(s) :
 (Petitioner(s) / Owner)

Kathleen Moore, Esq.
 (Print Name)

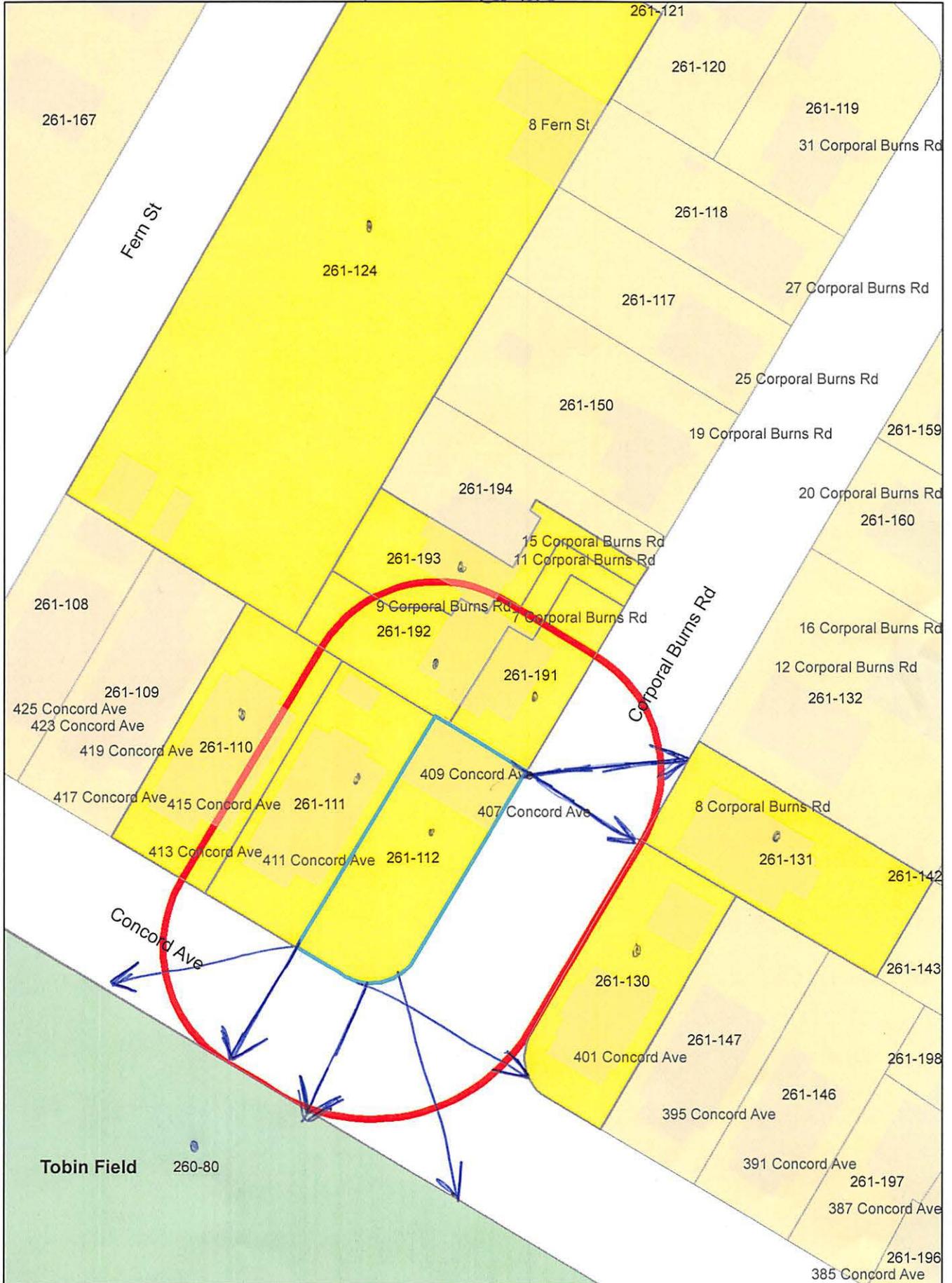
Address : Galleria & Watson LLP
10 Pleasant St #1
Cambridge, MA 02139

Tel. No. : 617 320 2724

E-Mail Address : Kathleenmoore@gmail.com

Date : _____

407 Concord Ave



407 Concord Ave

Petitioner

260-80
CAMBRIDGE CITY OF SCHOOL DEPT -
TOBIN SCHOOL
159 THORNDIKE ST
CAMBRIDGE, MA 02141

260-80
CITY OF CAMBRIDGE
C/O NANCY GLOWA
CITY SOLICITOR

KATHLEEN MOORE, ESQ.
10 PLEASANT STREET #1
CAMBRIDGE, MA 02139

260-80
CITY OF CAMBRIDGE
C/O LOUIE DEPASQUALE
CITY MANAGER

261-124
LYMAN, JAMES M., REINIER BEEUWKES, JR.
AUSTIN BROADHURST, TRUSTEES OF
LYMAN REAL ESTATE TRUST
445 CONCORD AVE
CAMBRIDGE, MA 02138

261-130
BULKOWSKI, CHARLES J. DOLORES M BULKOWSKI
401 CONCORD AVE
CAMBRIDGE, MA 02138

261-131
LAGES, ANA
8 CORPORAL BURNS RD.
CAMBRIDGE, MA 02138

261-191
MITCHELL, MARY H. & JEFFREY D. MITCHELL
7 CORPORAL BURNS RD
CAMBRIDGE, MA 02138

261-192
HOPKINS, SUZANNE B. & WENDY L. WOOD
9 CORPORAL BURNS RD
CAMBRIDGE, MA 02138

261-193
BUNDY, CAROLE L.
11 CORPORAL BURNS RD
CAMBRIDGE, MA 02138

261-112-111
CLARK, EMORY J. XANNABEL G CLARK
413 CONCORD AVE
CAMBRIDGE, MA 02138

261-110
HELFELD, ALVIN AND SUSAN SCHENKEL
417 CONCORD AVE.
CAMBRIDGE, MA 02138

11/20/21



419

407

VIOLETTE BAKERS

LIVE with LOVE and LAUGH often

African Basketry by DCF



Back



RESERVED
CUSTOMER
PARKING
ONLY
Customers will be
removed AWAY
at expense





Handwritten list on a chalkboard:

- Handwritten list of items including: Cane Sugar, Chocolate, dried oranges, Lemons, Raspberries, Strawberries, and Lanang.

Animals Without Borders
We help Animals in Need
Layra & Brand

ARC
AMERICAN RED CROSS
SERVICES IN CRISIS
AmericanRedCross.org
www.americanredcross.org



DRINKS

- Coffee \$2.50
- Espresso \$3.00
- Cappuccino \$3.50
- Latte \$3.50
- Hot Chocolate \$3.50
- Tea \$4.75

Flavors:

- Pink Opal
- Whole Coconut
- Almond

SWEETS

- Cookies \$1.75 / \$2.50
- Cupcakes \$3.10 / \$5
- Tart cakes \$1.00 / \$1.50
- Frosted cakes \$2.75 / \$3
- Pies \$7.27
- Bars \$4.50
- Macarons \$3.75

SAVORY

- \$1.50
- \$2.75
- \$3.80
- one \$1.20
- \$18.250

tasendia tea

Ask us about our cake flavors

Flourless Cupcakes (6.50)

Double Peanut Butter Cookies

oda \$8
da/Calzone \$12
d \$11
Pres \$18-30

Patented Safecut Technology **CHOICE** No More Wasted Film
Safecut
FOODSERVICE FILM
18" x 2000'
Premium Quality Cling
MADE IN THE USA

ClingClassic
FOOD WRAP

AEP

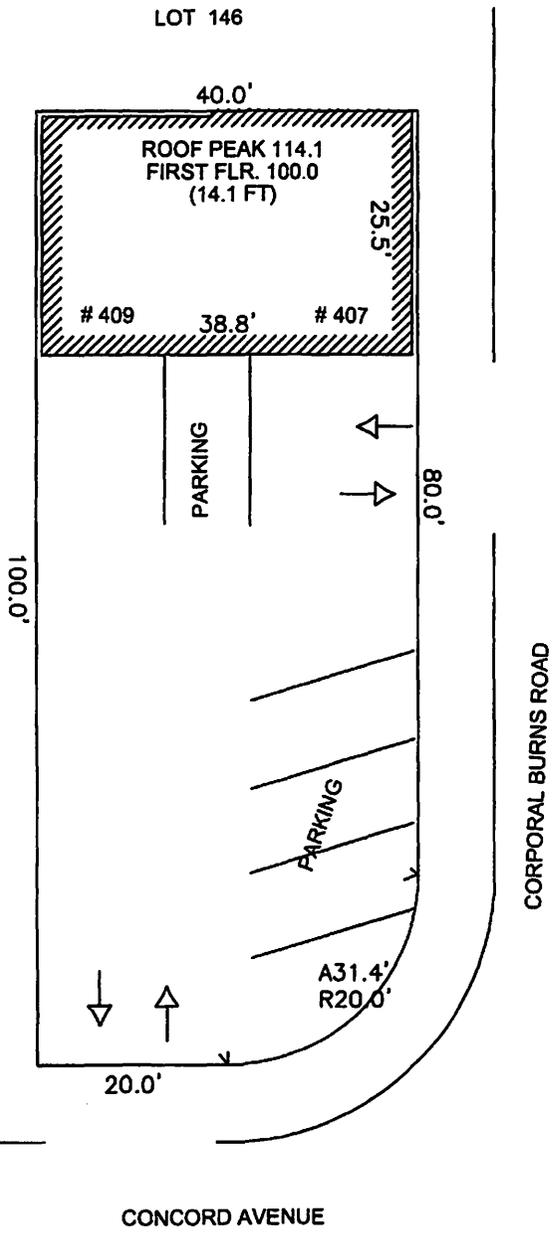
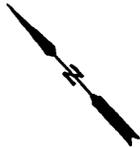
18 inches x 2,000 Feet
(3000 sq. feet)
457 mm x 610 m
(277 sq. meters)







EXISTING BUILDING
407-409 CONCORD AVENUE
CAMBRIDGE, MA
SCALE: 1 IN = 20 FT
AUG 5, 2018



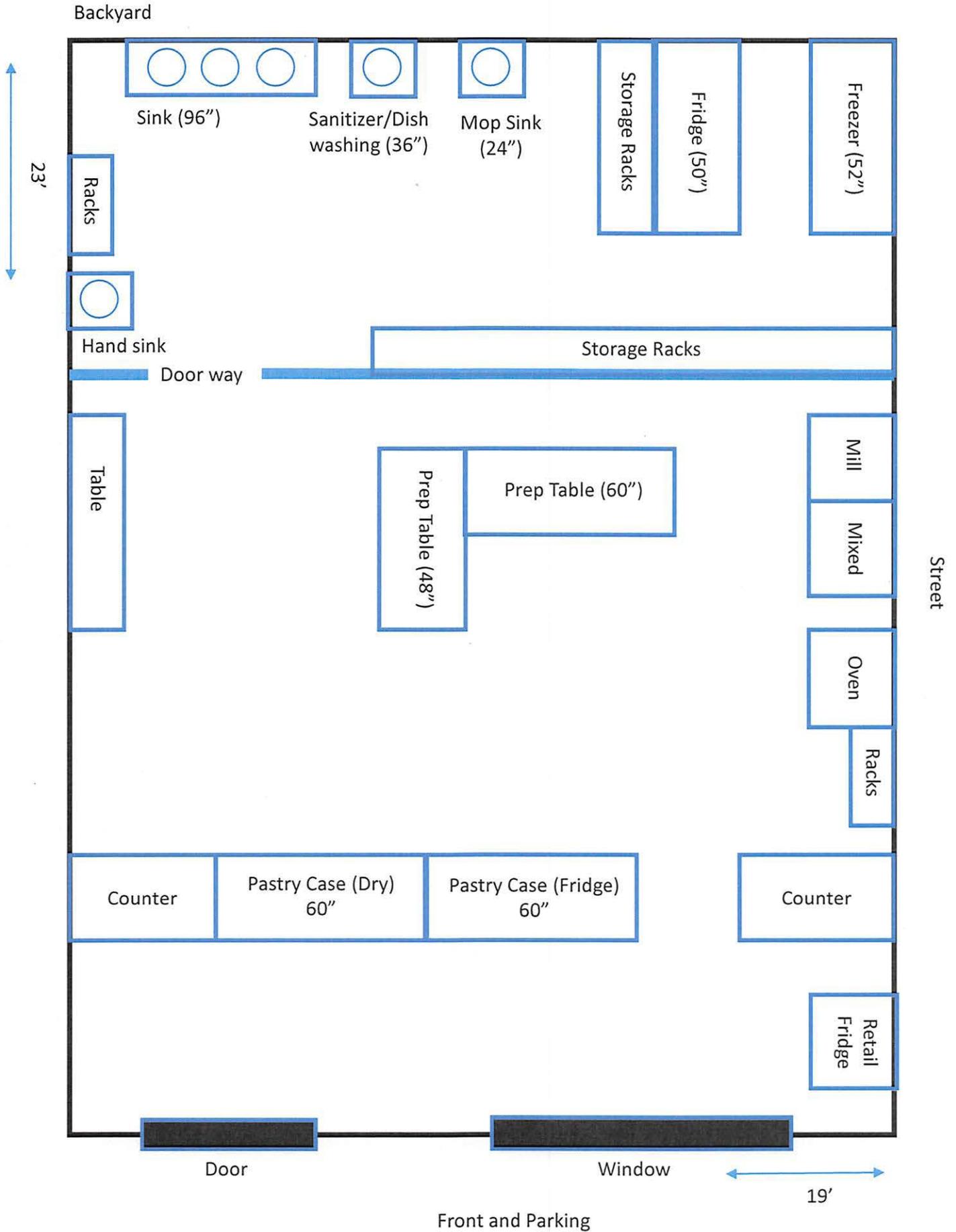
LOT 147 AREA: 3914 SF +/- RECORD
REFERENCE BOOK 11342 PAGE 692
FILE PLAN 481

ESSEX ENG. & SURVEY
PO BOX 850217
WEST NEWTON, MA. 02485

617-797-7342
FRANK.IEBBA@GMAIL.COM

Floor Plan

407-409 Concord Ave



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 Emory J. Clark Xonnabel G. Clark
(OWNER)

Address: 413 Concord Ave Cambridge, MA 02138

State that I/We own the property located at 407-409 Concord Ave. which is the subject of this zoning application.

The record title of this property is in the name of Emory J. Clark
Xonnabel G. Clark

*Pursuant to a deed of duly recorded in the date June 20, 1967, Middlesex South County Registry of Deeds at Book 11342, Page 692; or Middlesex Registry District of Land Court, Certificate No. _____

Book _____ Page _____

Emory J. Clark

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 Emory J. Clark personally appeared before me, this 9th of July, 2018, and made oath that the above statement is true.

Jacqueline Arzu Woods Notary

My commission expires January 20, 2023 (Notary Seal).



JACQUELINE ARZU WOODS
Notary Public
Commonwealth of Massachusetts
My Commission Expires Jan 20, 2023

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



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 407 Concord 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)
- 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 proposed. No CHC review of use.
- 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 August 21, 2018

Received by Uploaded to Energov

Date August 21, 2018

Relationship to project BZA 16991-2018

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>