



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

2019 JUL 12 AM 10:33
 OFFICE OF THE CITY CLERK
 CAMBRIDGE, MASSACHUSETTS

BZA APPLICATION FORM

GENERAL INFORMATION

Plan No: BZA-017130-2019

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

Special Permit : ✓ Variance : ✓ Appeal :

PETITIONER : John Lodge, John Lodge Architects

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

LOCATION OF PROPERTY : 24 Rice St Cambridge, MA 02140

TYPE OF OCCUPANCY : Residential ZONING DISTRICT : Residence B Zone

REASON FOR PETITION :

Other: Remodel

DESCRIPTION OF PETITIONER'S PROPOSAL :

We are asking for a special permit to add and relocate windows within the setbacks, to add a new, below grade areaway and window well to refigure the existing. Constructing area way and installing guard rail within the required setback.

SECTIONS OF ZONING ORDINANCE CITED :

Article 5.000 Section 5.31 (Table of Dimensional Requirements).

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

Original Signature(s) :

(Petitioner(s) / Owner)

John E. Lodge

(Print Name)

Address :

John Lodge Architects

54 Aberdeen Ave., Cambridge, MA 02139

Tel. No. :

617-308-3037

E-Mail Address :

john@johnlodgearchitects.com

Date :

July 10, 2019

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 THOMAS AGNEW
(OWNER)

Address: 24 RICE STREET CAMBRIDGE MA 02140

State that I/We own the property located at 24 RICE STREET, which is the subject of this zoning application.

The record title of this property is in the name of THOMAS AGNEW and ARIANE AGNEW

*Pursuant to a deed of duly recorded in the date 9/28/2018, Middlesex South County Registry of Deeds at Book 71681, Page 526; or Middlesex Registry District of Land Court, Certificate No. _____ Book _____ Page _____.

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

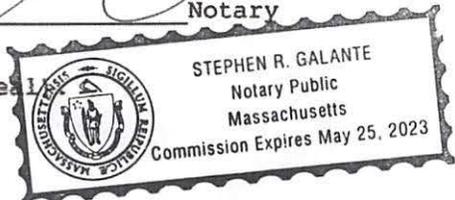
*Written evidence of Agent's standing to represent petitioner may be requested.

Commonwealth of Massachusetts, County of MIDDLESEX

The above-name THOMAS AGNEW personally appeared before me, this 26 of June, 2019, and made oath that the above statement is true.

Stephen R. Galante
Notary

My commission expires 05/25/2023 (Notary Seal)



- 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:

A literal enforcement of the ordinance would not allow the owners to create access to the basement with an egress stair and railing that meets the requirements of the building code addition.

- 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 owing to the existence of an existing bulkhead stairway which does not meet the building code egress requirements for a habitable basement.

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

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

The proposed areaway, which will extend into the side yard setback is below grade and only the required 3' high railing, which looks much like a fence, will be visible from the adjacent lot.

- 2)** 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 derogating from the intent or purpose of this ordinance because the proposed changes will not increase the size of the existing house. The overall proposed changes to the house will, in fact, reduce the mass of the building.

- * 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

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 24 Rice St Cambridge, MA 02140 (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:
The proposed new windows, deck and porch are located so that they will not diminish the privacy of any of the surrounding houses.
- 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:
There will be no increase in traffic and the egress patterns will remain the same.
- 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:
The proposed changes will not encroach on any of the surrounding houses and the bulk of the building will decrease slightly.
- 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:
The proposed renovations will enhance the existing house and by association, the surrounding 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 proposed renovations are in keeping with the character of the surrounding neighborhood.

BZA APPLICATION FORM

DIMENSIONAL INFORMATION

APPLICANT: John Lodge Architects **PRESENT USE/OCCUPANCY:** Residential
LOCATION: 24 Rice St Cambridge, MA 02140 **ZONE:** Residence B 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>	<u>2703</u>	<u>2635</u>	<u>2500</u>	(max.)
<u>LOT AREA:</u>	<u>3750</u>	<u>3750</u>	<u>5000</u>	(min.)
<u>RATIO OF GROSS FLOOR AREA</u> <u>TO LOT AREA:</u> ²	<u>.72</u>	<u>.70</u>	<u>.5</u>	(max.)
<u>LOT AREA FOR EACH DWELLING UNIT:</u>	<u>1875</u>	<u>1875</u>	<u>2500</u>	(min.)
<u>SIZE OF LOT:</u>				
WIDTH	<u>50</u>	<u>50</u>	<u>50</u>	(min.)
DEPTH	<u>75</u>	<u>75</u>	<u>100</u>	
<u>SETBACKS IN FEET:</u>				
FRONT	<u>7.2</u>	<u>7.2</u>	<u>15</u>	(min.)
REAR	<u>12.1</u>	<u>12.1</u>	<u>25</u>	(min.)
LEFT SIDE	<u>15.6</u>	<u>15.6</u>	<u>12.5</u>	(min.)
RIGHT SIDE	<u>10 / 5.8</u>	<u>10 / 5.8</u>	<u>7.5</u>	(min.)
<u>SIZE OF BLDG.:</u>				
HEIGHT	<u>25.6666</u>	<u>25.6666</u>	<u>35</u>	(max.)
LENGTH	<u>49.9</u>	<u>49.9</u>	<u>35</u>	
WIDTH	<u>28.5</u>	<u>28.5</u>	<u>30</u>	
<u>RATIO OF USABLE OPEN SPACE</u> <u>TO LOT AREA:</u>	<u>22%</u>	<u>23%</u>	<u>40%</u>	(min.)
<u>NO. OF DWELLING UNITS:</u>	<u>2</u>	<u>2</u>	<u>2</u>	(max.)
<u>NO. OF PARKING SPACES:</u>	<u>2</u>	<u>2</u>	<u>2</u>	(min./max)
<u>NO. OF LOADING AREAS:</u>	<u>0</u>	<u>0</u>	<u>0</u>	(min.)
<u>DISTANCE TO NEAREST BLDG.</u> <u>ON SAME LOT:</u>	<u>N/A</u>	<u>N/A</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.

3'w x 5'l x 3'h plywd. garbage can shed to be removed.

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'.

74 Rice St.

Petitioner

192-78
FAVREAU, LOUIS, JR, A LIFE ESTATE
19 RICE ST
CAMBRIDGE, MA 02140

192-79
DEAN, AMANDA
23 RICE ST
CAMBRIDGE, MA 02140

JOHN LODGE, ARCHITECT
56 ABERDEEN AVENUE
CAMBRIDGE, MA 02138

196-21
BORRUS, DAVID N. & AMY S. BAMFORTH
126 HARVEY STREET #1
CAMBRIDGE, MA 02140

196-80
LACOURT FAMILY, LLC
30 COLLEGE AVE
SOMERVILLE, MA 02144

196-81
RODRIGUEZ - ORELLANA, MANUEL &
MARIA D. PIZZARO FIGUEROA,
MIDDLE STREET KK-14, ALTURAS DE BORINGUEN
GARDEN
RIO PIEDRAS, _ 00926

196-81
PEIRCE, SEAN R., MEEGHAN HASTINGS &
PIEMONTE PEIRCE
26 RICE ST. UNIT#2
CAMBRIDGE, MA 02140

196-81
SHAPIRO, RICHARD E.
26 RICE ST
CAMBRIDGE, MA 02140

196-120
REEM PROPERTY LLC
C/O URBANCIK, GREGORY & CHIE URBANCIK
1A HOLLIS ST
CAMBRIDGE, MA 02140

196-120
DURHAM, JOHN C.
1B HOLLIS ST., UNIT #1B
CAMBRIDGE, MA 02140

196-120
HARRINGTON, EILEEN A. & DAVID C. SPINK
3A HOLLIS ST
CAMBRIDGE, MA 02140

196-120
SITOMER, LEONARD & NANCY L. YAHANDA
3B HOLLIS ST., #3B
CAMBRIDGE, MA 02140

196-127
THOMAS CLARK, ROSALIND
C/O CLARK, BENJAMIN RUPERT
37 OLD MARLBORO RD
MAYNARD, MA 01754

196-129
CANAVAN, PETER J.
7 HOLLIS STREET
CAMBRIDGE, MA 02140

196-138
MCDONOUGH, GERALD A. & MARY ANN HART
13 HOLLIS ST
CAMBRIDGE, MA 02140

196-154
BRYANT, WILLIAM &
BARBARA PREUSSNER-BRYA
TRUSTEE OF AP MIDDLESEX REAL TY TR.
14 HAVEN RD.
MEDFIELD, MA 02052

196-155
WU LI, HONG & ZUO YUAN
22 RICE ST
CAMBRIDGE, MA 02140

196-156
DEFLUMERI, ROBERT A. JR &
CLAUDIA S. HOFFMAN
24 RICE ST
CAMBRIDGE, MA 02140

196-161
WILLIAMS, STEVEN &
GRACE WILLIAMS A LIFE ESTATE
16 RICE ST
CAMBRIDGE, MA 02140

196-162
ZHOU, PING
18-20 RICE ST UNIT #1
CAMBRIDGE, MA 02140

196-162
LEONARD, CANDICE
18-20 RICE ST. UNIT#3
CAMBRIDGE, MA 02140

196-162
GOGOLEN, CLAIRE & PETER BELL
18-20 RICE ST., #2
CAMBRIDGE, MA 02140

196-13
LEWIS, JONATHAN & ALISON GOLDBERG
14 RICE ST
CAMBRIDGE, MA 02140



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 24 Rice 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)
- 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 application is 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 June 18, 2019

Received by Uploaded to Energov

Date June 18, 2019

Relationship to project BZA 017130-2019

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>

Zoning Requirements

District	B
Max. FAR (j)	.5 / .35
Min. Lot Size	5000 S.F.
Min. Lot Area / D.U.	2500 S.F.
Min. Lot Width	50 Ft.
Min. Front Yard	15 Ft.
Min. Side Yard	7.5 Ft. / 12.5 Ft.
Min. Rear Yd. (c)	25 Ft. / 35 Ft.
Max. Hgt.	35 Ft.
Min. Open Space	40%
(j) .5 x 1st 5000 SF, 35. x Addl. SF	
(c) 25' under 100', Max. of 35' for Deeper Lots	

Total Lot Area	3,750 S.F.
Allowable FAR:	
.50 x 5,000 S.F.	1,875 S.F.
Exist. Open Space	825 S.F. - 22%

Exist. 1st Floor	1,164 S.F.
Exist. Front Porch	49 S.F.
Exist. Rear Porch	163 S.F.
Exist. 2nd Floor	1,164 S.F.
Exist. Rear Porch	163 S.F.
Exist. Total GSF	2,703 S.F.

Proposed No. of Units	2 Units	No Change
Proposed Parking Spaces	2 Spaces	No Change
Proposed Open Space	859 S.F. - 23%	

New 1st Floor	No Change
New Front Porch	No Change
New 1st Flr. Rear Porch	152 S.F. (11 S.F. less)
New 2nd Floor	No Change
New 2nd Flr. Rear Porch	95 S.F. (68 S.F. Less)
Proposed Total GSF	2,635 S.F. (79 S.F. Less)

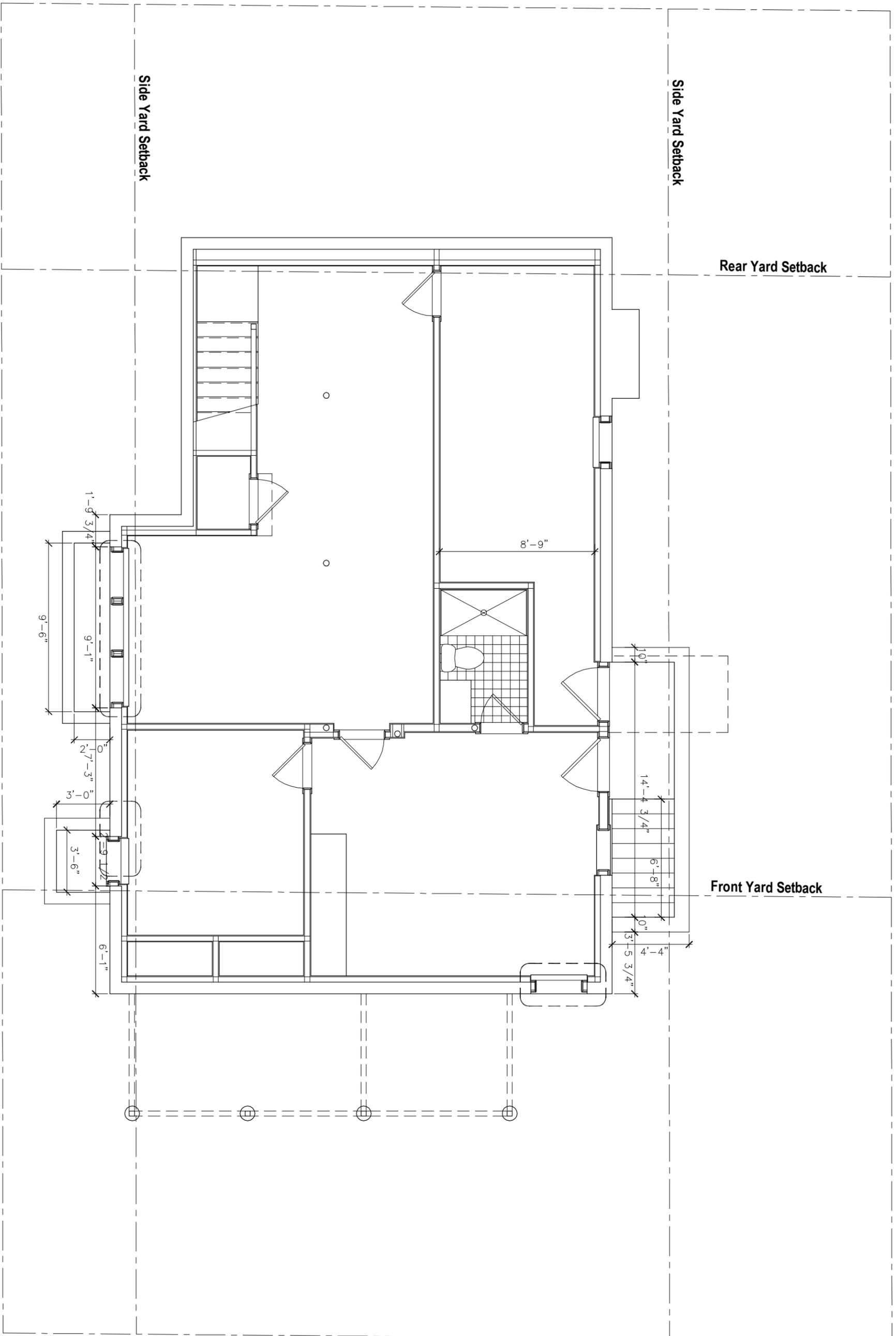
John Lodge Architects
 56 Aberdeen Ave. Cambridge, MA 02138
 T: 617.308.3037
 E: John@JohnLodgeArchitects.com

Zoning Worksheet

Project No.: 1807.01
 Date: 05.15.19
 Scale:

Revisions
No. Date
1
2
3
4
5
6

**24 Rice St.
 Cambridge, MA**



Z-0

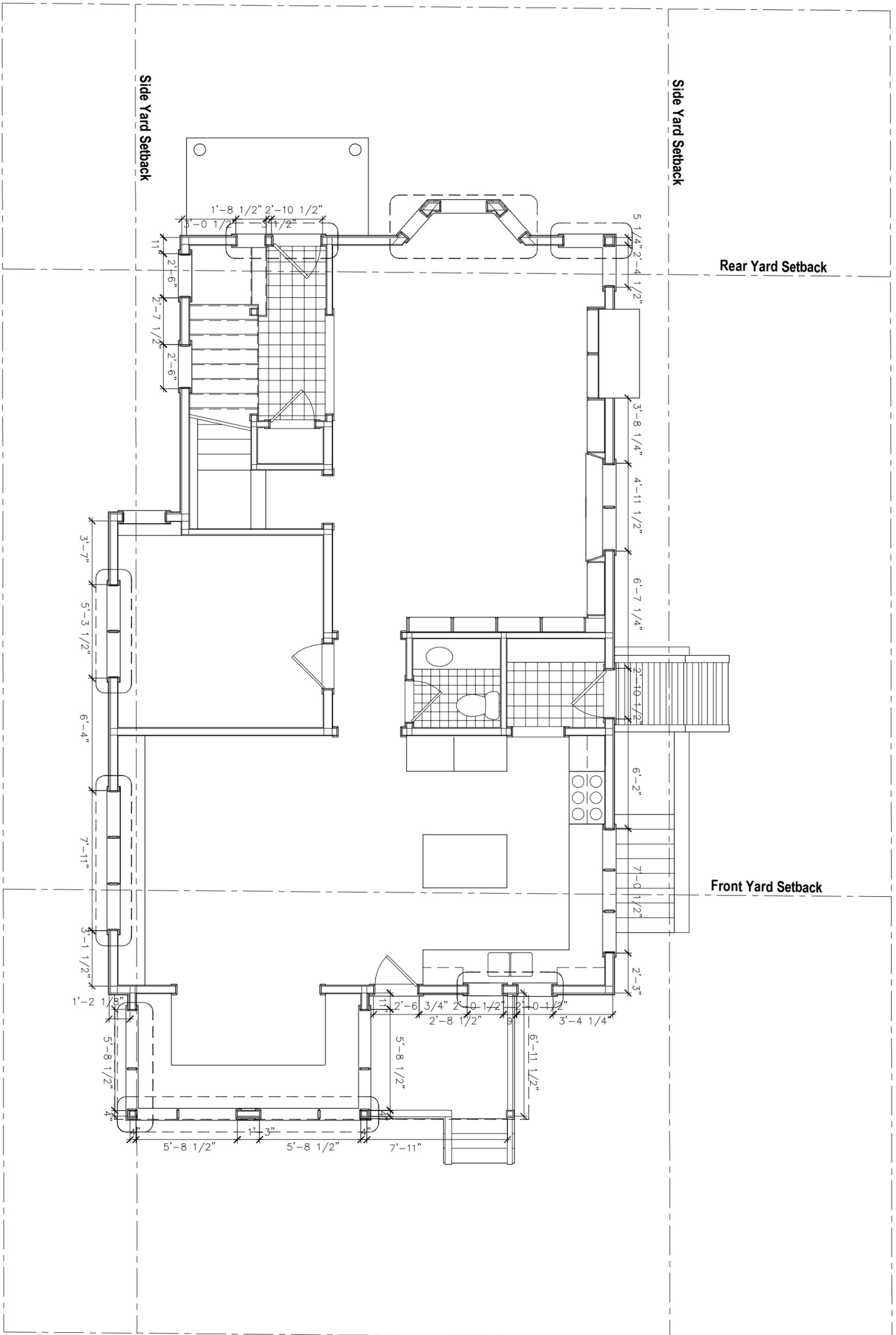
**24 Rice St.
Cambridge, MA**

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Project No.: 1807.01
Date: 04.25.19
Scale: 1/4" = 1'-0"

**Basement Plan -
Zoning**

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



Z-1

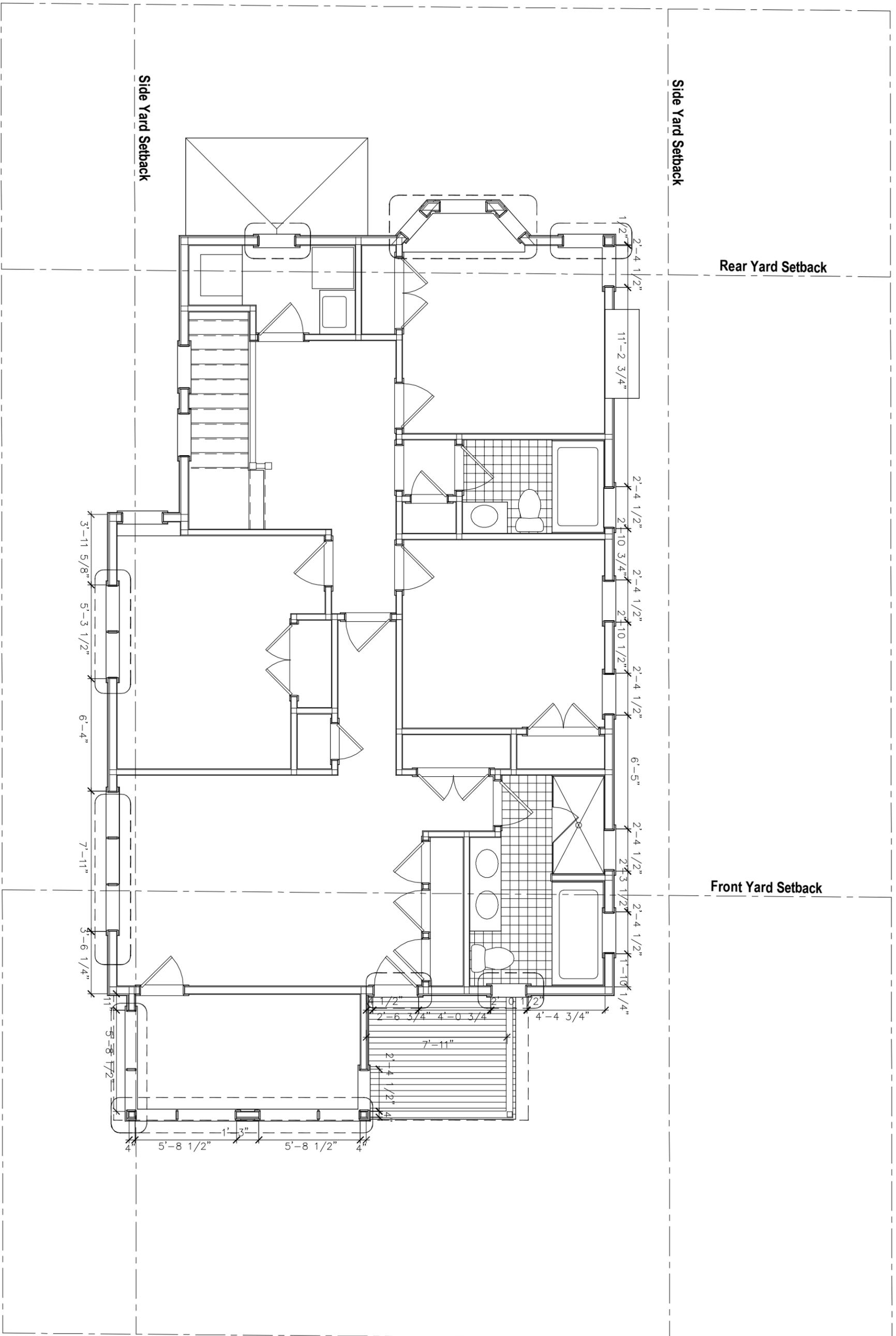
**24 Rice St.
Cambridge, MA**

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Project No.: 1807.01
Date: 04.25.19
Scale: 1/4" = 1'-0"

**1st Floor Plan -
Zoning**

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



Z-2

**24 Rice St.
Cambridge, MA**

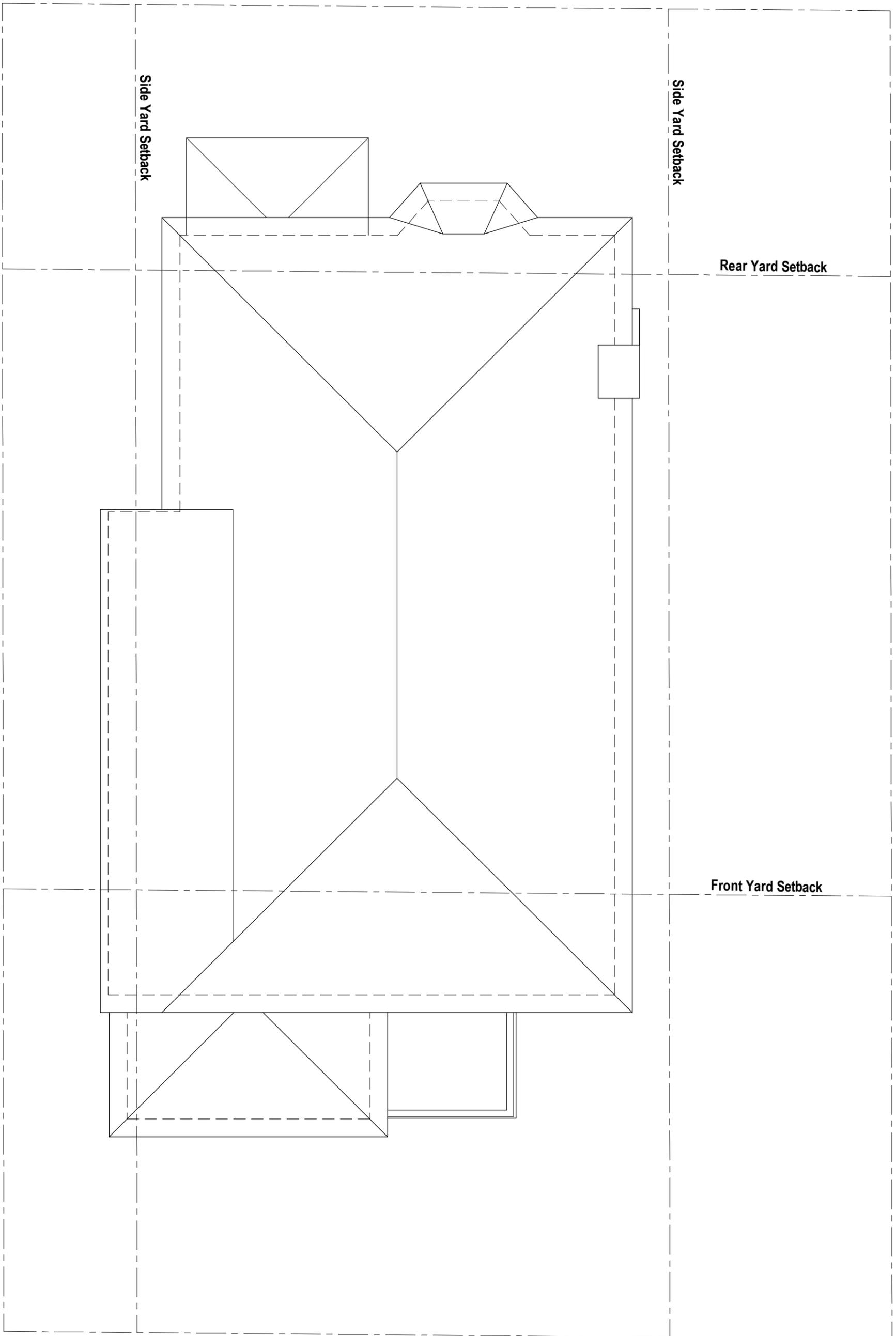
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Revisions

Project No.: 1807.01
Date: 04.25.19
Scale: 1/4" = 1'-0"

**2nd Floor Plan -
Zoning**

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



Z-3

**24 Rice St.
Cambridge, MA**

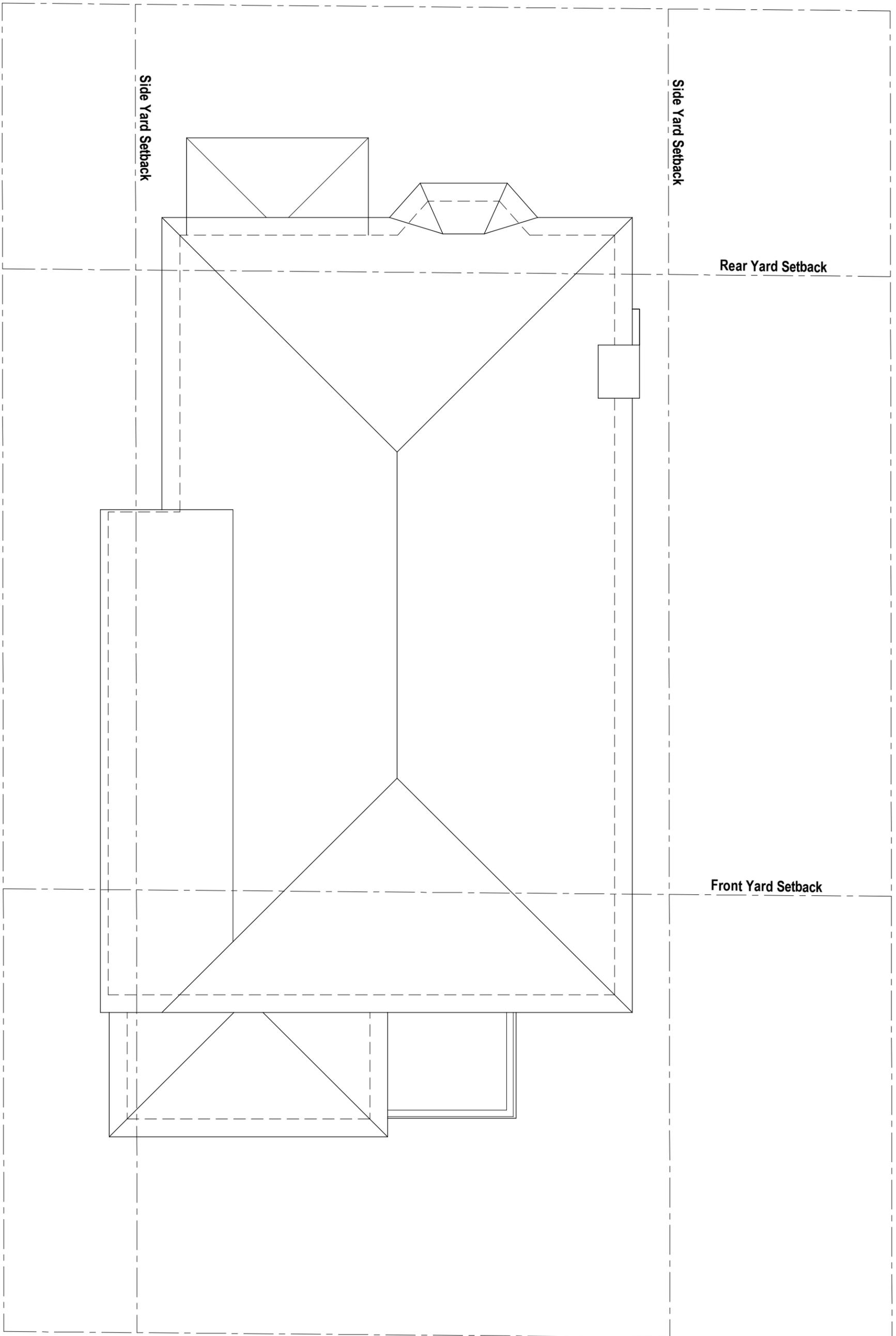
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Revisions

Project No.: 1807.01
 Date: 04.25.19
 Scale: 1/4" = 1'-0"

**Roof Plan -
Zoning**

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



Z-3

**24 Rice St.
Cambridge, MA**

No.	Date
1	
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6	

Project No.: 1807.01
Date: 04.25.19
Scale: 1/4" = 1'-0"

**Roof Plan -
Zoning**

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



① Existing East Elevation



② Proposed East Elevation

No.	Date	Revisions
1		
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6		



① Existing South Elevation



② Proposed South Elevation

Z-5

**24 Rice St.
Cambridge, MA**

No.	Date
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Revisions

Project No.: 1807.01
Date: 05.15.19
Scale: $\frac{1}{8}'' = 1'-0''$

**South Elevation -
Zoning**

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



① Existing West Elevation



② Existing West Elevation

No.	Date	Revisions
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6		



① Existing North Elevation



② Existing North Elevation

Z-7

**24 Rice St.
Cambridge, MA**

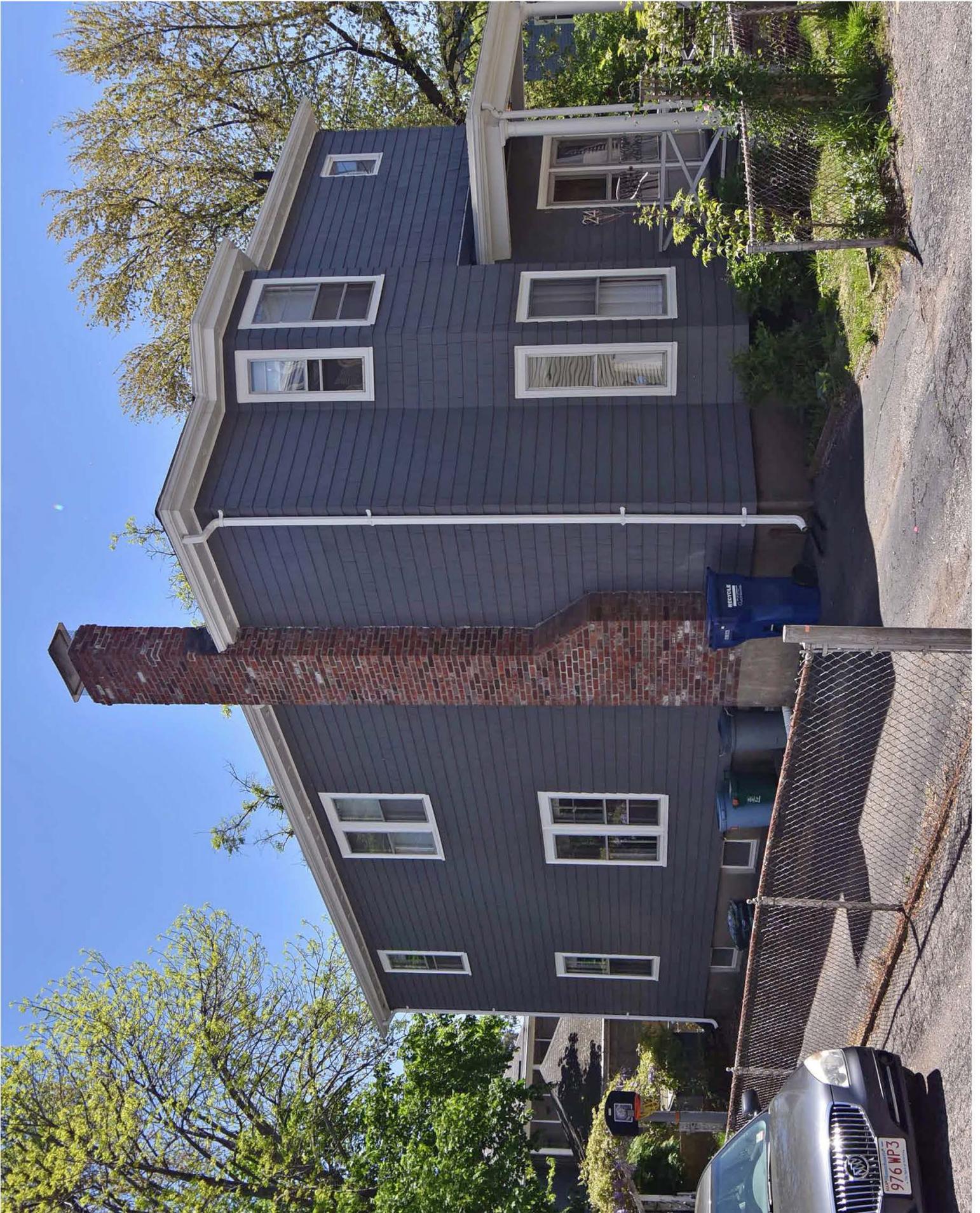
No.	Date	Revisions
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2		
3		
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6		

Project No.: 1807.01
Date: 04.25.19
Scale: $\frac{1}{8}'' = 1'-0''$

**North Elevation -
Zoning**

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









I CERTIFY THAT THIS PLAN WAS MADE FROM AN INSTRUMENT SURVEY ON THE GROUND ON THE DATE OF APRIL 1, 2019 AND ALL STRUCTURES ARE LOCATED AS SHOWN HEREON.

ACCORDING TO THE FEDERAL EMERGENCY MANAGEMENT AGENCY (FEMA) MAPS, THE MAJOR IMPROVEMENTS ON THIS PROPERTY FALL IN AN AREA DESIGNATED AS

ZONE: X
 COMMUNITY PANEL: 25017C0419E
 EFFECTIVE DATE: 06/04/2010

REFERENCES:
 OWNERS OF RECORD:
 THOMAS AGNEW
 ARIANE AGNEW
 124 RICE STREET
 CAMBRIDGE, MA 02140

DEED: BK 71681; PG 526
 BK 7351; PG 43
PLAN: PL BK 6; PL 17
 PL BK 29; PG 13
 BK 326; PG 11
 PL 1948 #1454
 PL 1981 #1173
 PL 1985 #1619
 PL 2007 #1027
 2248-F
 13763-A

LCC: 2248-F
 13763-A

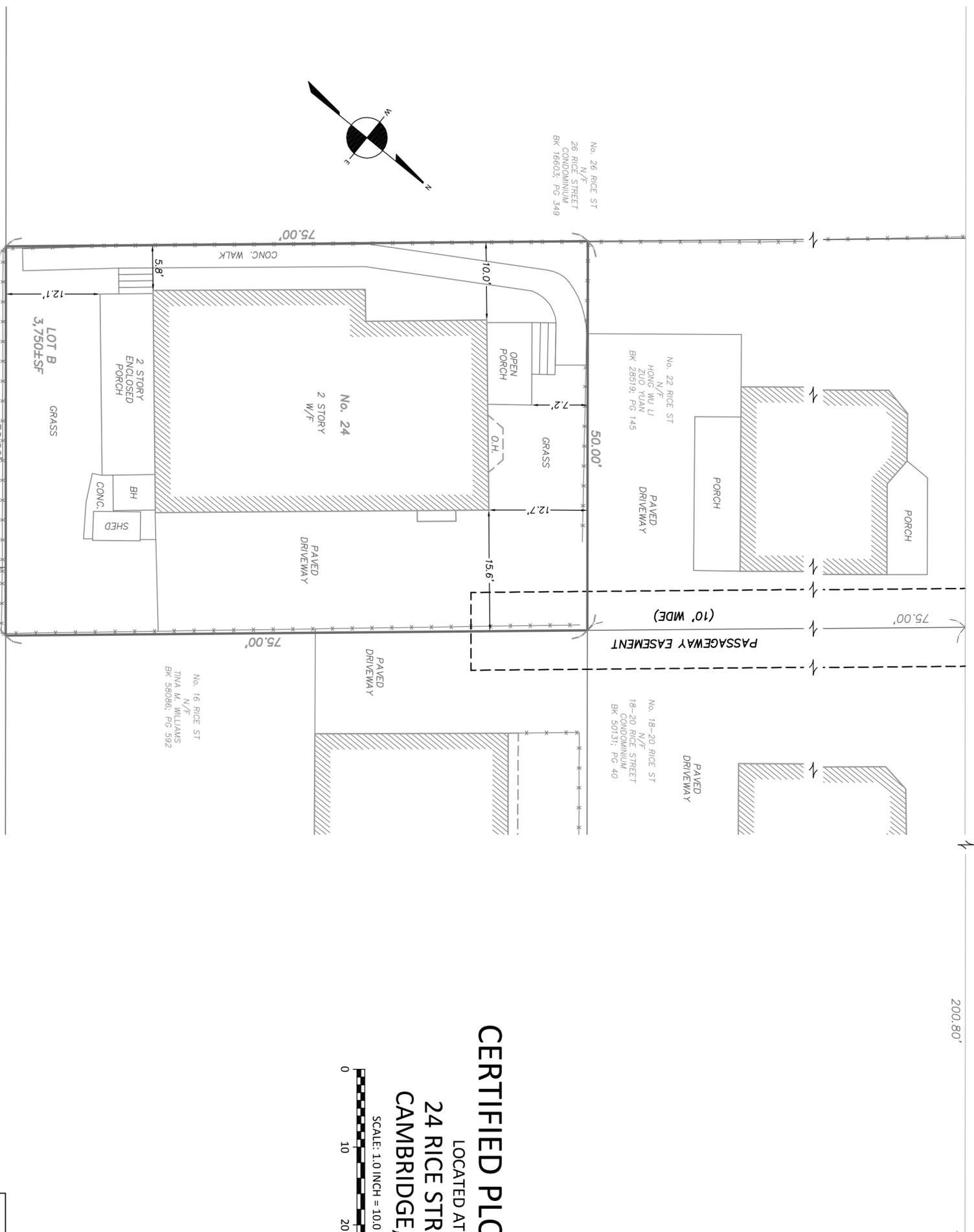
NOTES:
 PARCEL ID: 196-156
 ZONING: B

RICE STREET



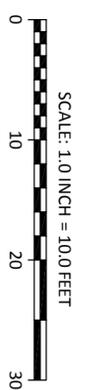
BOSTON
SURVEY, INC.
 UNIT G-4 SHIPWAY PLACE
 CHARLESTOWN, MA 02129
 (617) 242-1313

MASSACHUSETTS AVENUE



CERTIFIED PLOT PLAN

LOCATED AT
24 RICE STREET
CAMBRIDGE, MA



FIELD:	MO
DRAFT:	JCY, RAP
CHECK:	GCC
DATE:	04/01/19
JOB #	19-00107