

**BZA APPLICATION FORM**

**GENERAL INFORMATION**

2019 JUN 28 AM 10:55  
OFFICE OF THE CITY CLERK  
CAMBRIDGE, MASSACHUSETTS

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

Special Permit: \_\_\_\_\_ Variance: X

PETITIONER: Peter and Shirley Kuhlmann

PETITIONER'S ADDRESS: 514 Franklin St, Cambridge, MA 02139

LOCATION OF PROPERTY: 514 Franklin St, Cambridge, MA 02139

TYPE OF OCCUPANCY: Residential ZONING DISTRICT: Residence C-1

REASON FOR PETITION:

- Additions  New Structure
- Change in Use/Occupancy  Parking
- Conversion to Addi'l Dwelling Unit's  Sign
- Dormer  Subdivision
- Other: \_\_\_\_\_

DESCRIPTION OF PETITIONER'S PROPOSAL:

The proposal calls for the demolition of a dilapidated 18.5' x 18' steel garage and for the construction of a new 20' x 23' wood frame garage in its place.

SECTIONS OF ZONING ORDINANCE CITED:

Article 5.000 Section 5.31

Article \_\_\_\_\_ Section \_\_\_\_\_

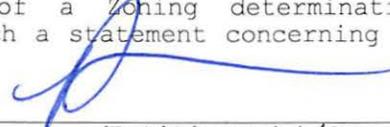
Article \_\_\_\_\_ Section \_\_\_\_\_

Applicants for a **Variance** must complete Pages 1-5

Applicants for a **Special Permit** must complete Pages 1-4 and 6

Applicants for an **Appeal** to the BZA of a Zoning determination by the Inspectional Services Department must attach a statement concerning the reasons for the appeal

Original Signature(s):

  
\_\_\_\_\_  
(Petitioner(s)/Owner)  
PETER KUHLMANN  
(Print Name)

Address:

514 FRANKLIN ST  
CAMBRIDGE MA 02139

Tel. No.:

E-Mail Address: peter.kuhlmann@gmail.com

Date: 6/27/19

**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.*

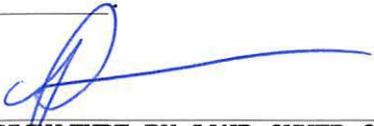
I/We Peter and Shirley Kuhlmann  
(OWNER)

Address: 514 Franklin St, Cambridge, MA 02139

State that I/We own the property located at 514 Franklin St,  
which is the subject of this zoning application.

The record title of this property is in the name of Peter and Shirley Kuhlmann

\*Pursuant to a deed of duly recorded in the date 5/17/2016, Middlesex South  
County Registry of Deeds at Book 67285, Page 30; 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 Peter Kuhlmann personally appeared before me,  
this 27<sup>TH</sup> of June, 2019, and made oath that the above statement is true.

Gary E. Miller Notary

My commission expires March 13, 2026 (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:

The existing garage, which is a steel-framed and steel-clad structure, is in poor condition and located on a slab foundation which has settled causing flooding problems. In its present state, the existing garage creates safety hazards for the owners and their small children; however, given the needs of a family the existing structure is still highly utilized. Due to the nature and physical state of the existing structure, complete replacement is the only way to address the existing deficiencies.

- 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 garage is located at the rear of an L-shaped non-conforming lot in a densely built existing neighborhood. The dimensions of the lot dictate that the proposed garage be built in the same place as the existing garage.

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

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

The proposed garage will be located on the same footprint, maintaining the existing relationship with abutting lots. It will maintain the existing number of parking spaces in a neighborhood with already fully-utilized on-street parking. The existing building, which abuts neighboring properties on three sides, has fallen into disrepair and is an eyesore.

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

The proposed structure will not materially increase the existing non-conformances on the property, whose non-conformances are typical for the neighborhood. It will provide substantially unchanged access to light and air for abutting properties, and the replacement of the existing structure will provide a superior improvement to health and safety for both the owners and neighbors.

- \* 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: Peter and Shirley Kuhlmann PRESENT USE/OCCUPANCY: Residential

LOCATION: 514 Franklin St, Cambridge, MA 02139 ZONE: Residence C-1

PHONE: \_\_\_\_\_ REQUESTED USE/OCCUPANCY: Residential

	<u>EXISTING</u> <u>CONDITIONS</u>	<u>REQUESTED</u> <u>CONDITIONS</u>	<u>ORDINANCE</u> <u>REQUIREMENTS</u> <sup>1</sup>	
TOTAL GROSS FLOOR AREA:	<u>1672</u>	<u>1800</u>	<u>2289</u>	(max.)
LOT AREA:	<u>3052</u>	<u>3052</u>	<u>5000</u>	(min.)
RATIO OF GROSS FLOOR AREA TO LOT AREA: <sup>2</sup>	<u>.55</u>	<u>.59</u>	<u>.75</u>	(max.)
LOT AREA FOR EACH DWELLING UNIT:	<u>3052</u>	<u>3052</u>	<u>1500</u>	(min.)
SIZE OF LOT:				
WIDTH	<u>28'</u>		<u>50'</u>	(min.)
DEPTH	<u>86'</u>		<u>86'</u>	
Setbacks in Feet:				
FRONT	<u>8.1'</u>	<u>8.1'</u>	<u>10'</u>	(min.)
REAR	<u>35.5'</u>	<u>35.5'</u>	<u>20'</u>	(min.)
LEFT SIDE	<u>1.4'</u>	<u>1.4'</u>	<u>7.5'</u>	(min.)
RIGHT SIDE	<u>6.2'</u>	<u>6.2'</u>	<u>7.5'</u>	(min.)
SIZE OF BLDG.:				
HEIGHT	<u>11.4'</u>	<u>14'</u>	<u>35'</u>	(max.)
LENGTH				
WIDTH				
RATIO OF USABLE OPEN SPACE TO LOT AREA: <sup>3</sup>	<u>59%</u>	<u>56%</u>	<u>30%</u>	(min.)
NO. OF DWELLING UNITS:	<u>1</u>	<u>1</u>	<u>2</u>	(max.)
NO. OF PARKING SPACES:	<u>2</u>	<u>2</u>	<u>1/2</u>	(min./max)
NO. OF LOADING AREAS:	<u>0</u>	<u>0</u>	<u>N/A</u>	(min.)
DISTANCE TO NEAREST BLDG. ON SAME LOT:	<u>17'</u>	<u>XXX</u>	<u>10'</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.

The proposed garage is located behind a 2 story wood frame single family house.

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'.



514 Franklin St.

Petitioner

120-1  
SETO, TOBY KAM-YEE &  
SHERRY HY CHEN YUNG-MOU CHEN  
27 GOODMAN HILL RD  
SUDBURY, MA 01776

120-2  
LIANG, STEPHEN  
30 BAY STREET  
CAMBRIDGE, MA 02139

120-3  
KUHLMANN, PETER & SHIRLEY KUHLMANN  
514 FRANKLIN ST  
CAMBRIDGE, MA 02139

121-30  
RUMBLEY, SARAH & RAY LI  
21-23 BAY ST. UNIT 21A  
CAMBRIDGE, MA 02139

120-17-37  
509 FRANKLIN STREET, LLC  
C/O INFANTE PROPERTY MANAGEMENT  
600 WORCESTER RD. SUITE 502  
FRAMINGHAM, MA 01702

121-30  
PEELER, KATHERINE RATZAN &  
CRANDALL PEELER  
21-23 BAY ST. UNIT 23  
CAMBRIDGE, MA 02139

120-84  
84 1/2 KINNAIRD ST LLC  
170 PURITAN RD  
SWAMPSCOTT, MA 01907

120-85  
TYLER, MORRIS,  
II & BNY MELLON, N.A., TRUSTEES  
84 KINNAIRD ST  
CAMBRIDGE, MA 02139

120-89  
MEYERS, JOSHUA & JEREMY FARO  
498 FRANKLIN ST  
CAMBRIDGE, MA 02139

120-90  
NADIS, STEVEN J.  
500 FRANKLIN ST  
CAMBRIDGE, MA 02139

121-62  
KAPTCHUK, TED & JOYCE P. SINGER  
524 FRANKLIN ST  
CAMBRIDGE, MA 02139

121-83  
WILSON, DANIEL G. & TERRI M. TURNER  
31 BAY ST  
CAMBRIDGE, MA 02139

120-5  
WITT, MICHAEL J. & JAMES R. MESSINEO  
504 FRANKLIN ST., #1  
CAMBRIDGE, MA 02139

120-5  
HALVERSON, COREY & MIN ZENG  
508 FRANKLIN ST., UNIT #3  
CAMBRIDGE, MA 02139

120-5  
FAST, EVA  
506 FRANKLIN ST., UNIT #2  
CAMBRIDGE, MA 02139

120-15  
CARLINER, HANNAH  
82 KINNAIRD ST. UNIT#1  
CAMBRIDGE, MA 02139

120-15  
RINGLER, SUSAN J.,  
TR. THE SUSAN J. RINGLER LIV TRUST  
82 KINNAIRD ST., #2  
CAMBRIDGE, MA 02139

121-30  
QUIN, MINGYAO KATHY  
21-23 BAY ST. UNIT 21  
CAMBRIDGE, MA 02139



# City of Cambridge

MASSACHUSETTS

## BOARD OF ZONING APPEAL

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

2019 JUL 19 AM 10:50  
OFFICE OF THE CITY CLERK  
CAMBRIDGE, MASSACHUSETTS

### Board of Zoning Appeal Waiver Form

The Board of Zoning Appeal  
831 Mass Avenue  
Cambridge, MA 02139

RE: Case # BZA-07147-2019

Address: 514 Franklin St.

Owner,  Petitioner, or  Representative: Peter Kuhlmann  
(Print Name)

Hereby waives the Petitioner's and/or Owner's right to a Decision by the Board of Zoning Appeal on the above referenced case within the time period as required by Section 9 or Section 15 of the Zoning Act of the Commonwealth of Massachusetts, Massachusetts General Laws, Chapter 40A, and/or Section 6409 of the federal Middle Class Tax Relief and Job Creation Act of 2012, codified as 47 U.S.C. §1455(a), or any other relevant state or federal regulation or law.

Date: 7/19/19

[Signature]  
Signature

**Pacheco, Maria**

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**From:** Pacheco, Maria  
**Sent:** Friday, July 19, 2019 9:52 AM  
**To:** peter.kuhlmann@gmail.com  
**Subject:** 514 Franklin Street - BZA-017147-2019  
**Attachments:** 514 Franklin St. Waiver Form.pdf

Hi Peter,

Per your request, I have removed the above address from the August 15<sup>th</sup> BZA meeting to our September 12<sup>th</sup> meeting.

Please sign the attached waiver and email it back to me ASAP.

Thanks,  
Maria

## Pacheco, Maria

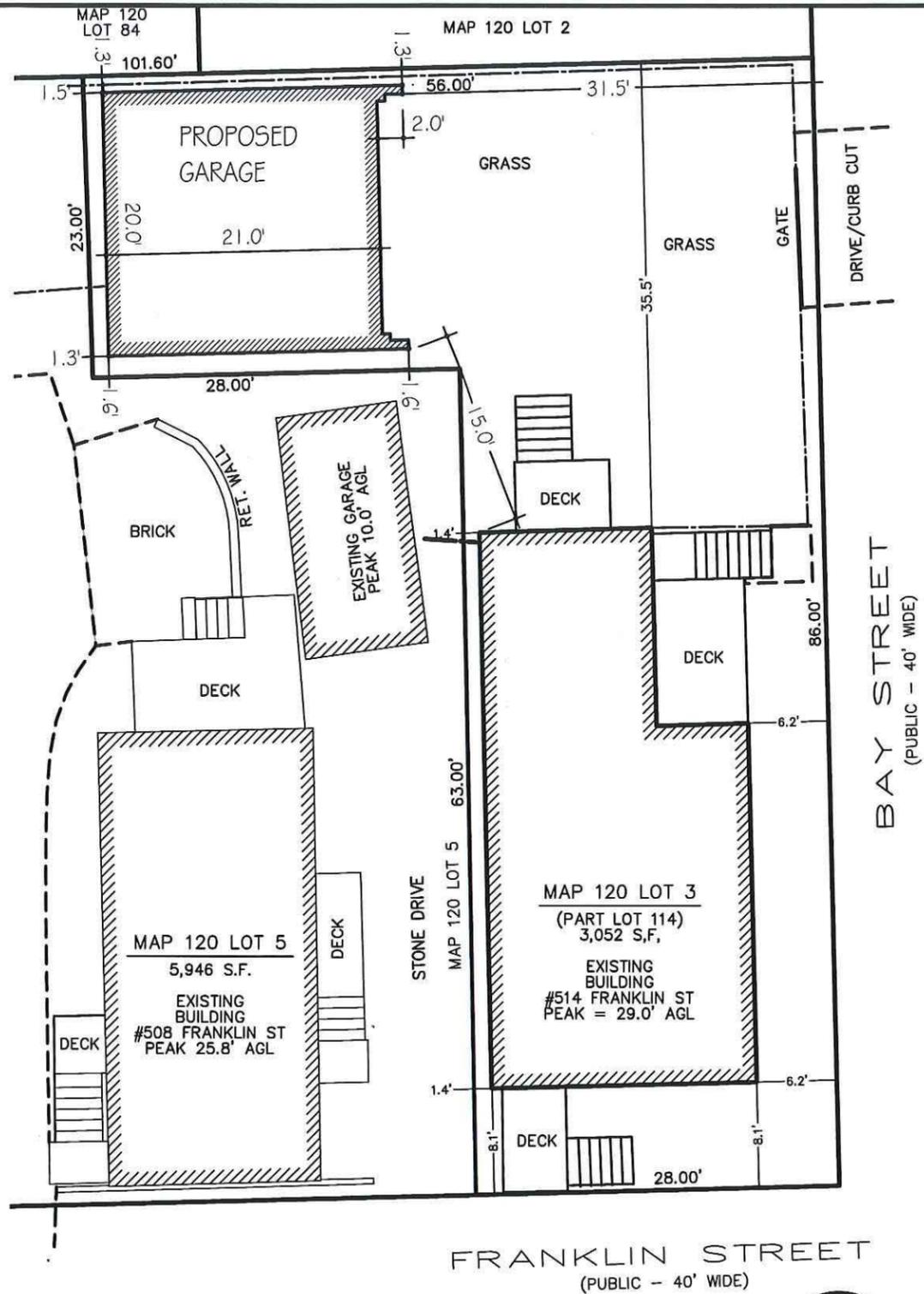
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**From:** Peter Kuhlmann <peter.kuhlmann@gmail.com>  
**Sent:** Friday, July 19, 2019 9:47 AM  
**To:** Pacheco, Maria  
**Subject:** Variance Waiver

Maria,

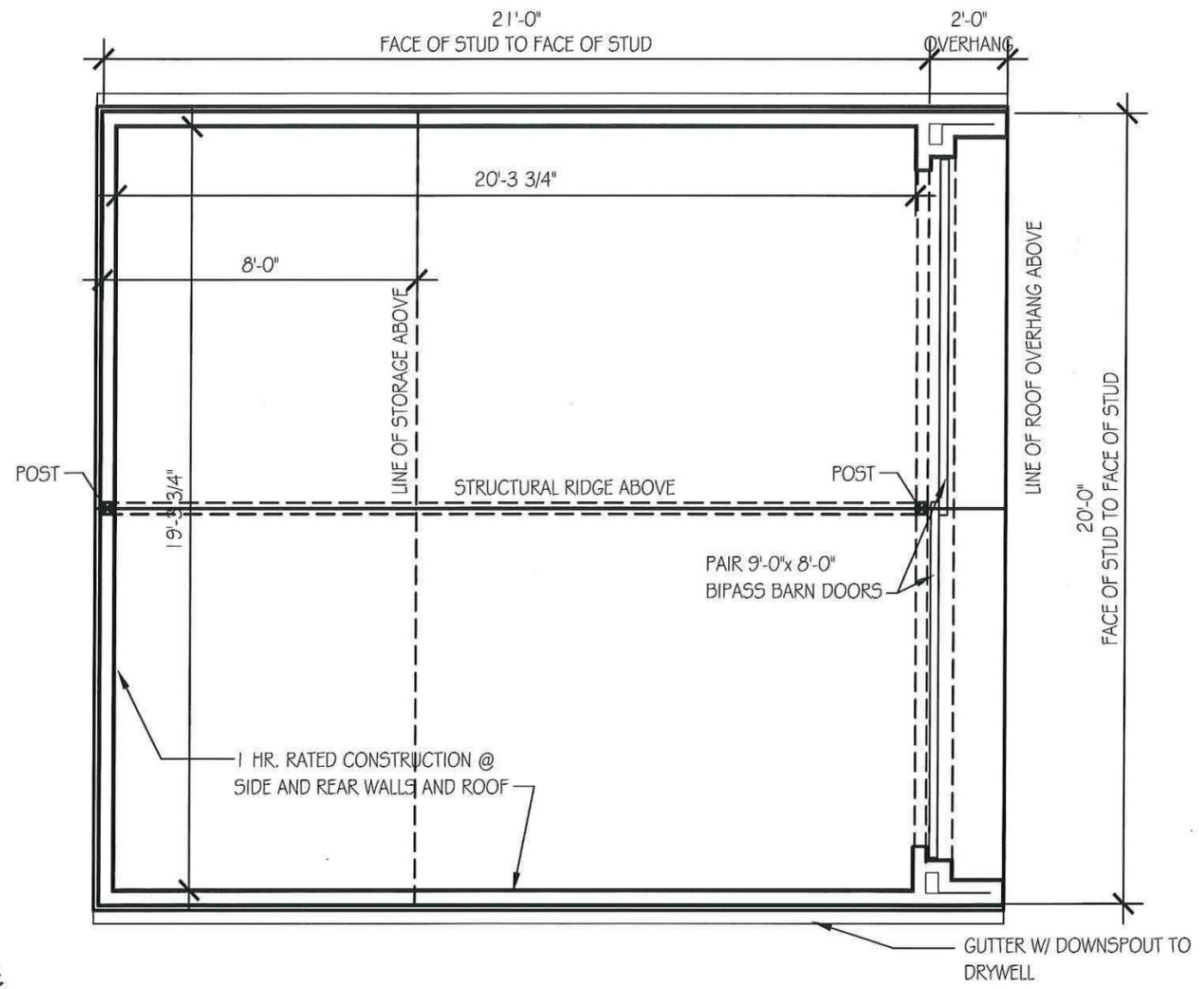
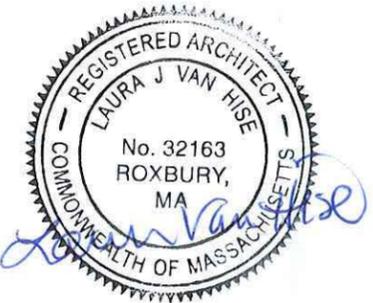
Thanks for making the change to accommodate our vacation schedule. Please send me the waiver and I will get it back to you ASAP.

Pete



PROPOSED SITE PLAN

1" = 12'-0"



PROPOSED GARAGE FLOOR PLAN

1/4" = 1'-0"

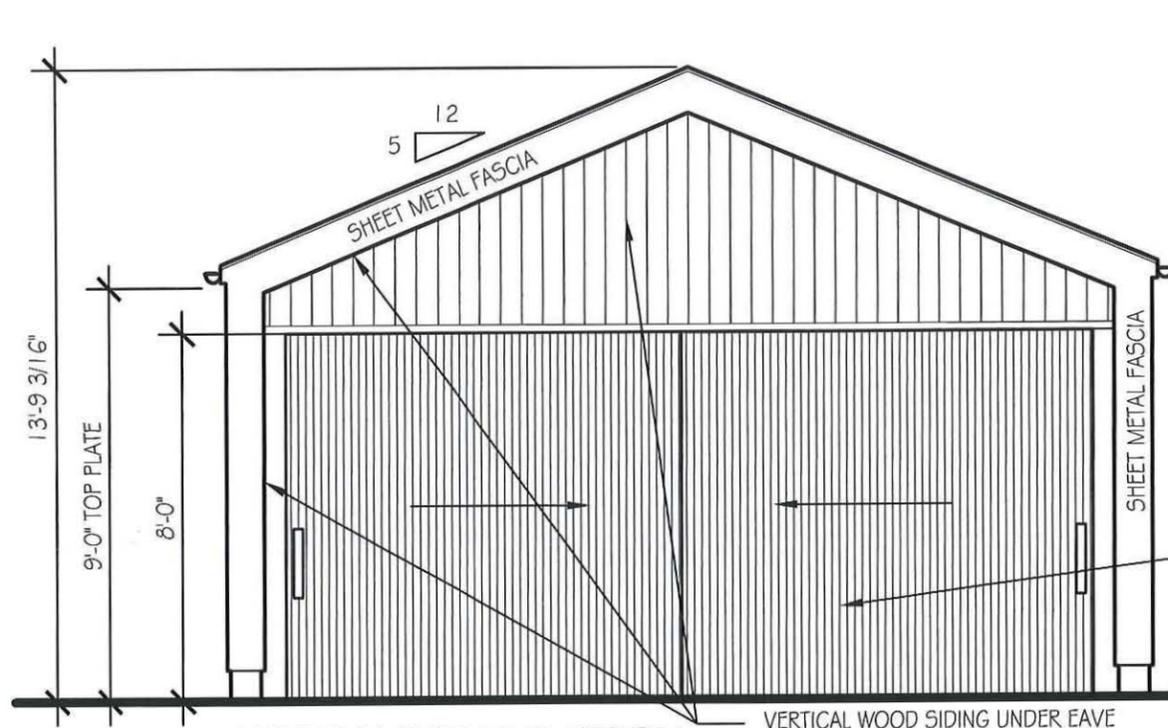


COPLEY ARCHITECTURE STUDIO  
LAURA J VAN HISE, ARCHITECT  
6 COPLEY ST. ROXBURY, MA 02119  
857-207-2731

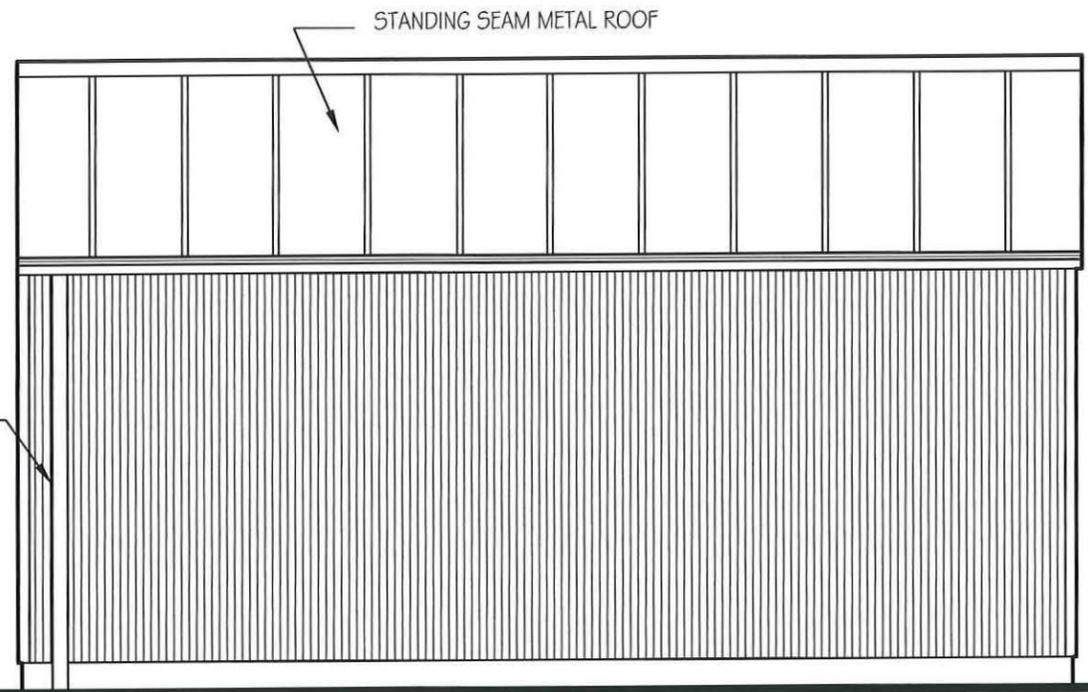
SCALE: AS NOTED  
DATE: 27 JUNE 2019  
DRAWN: LVH  
PROJECT: 1904

SITE PLAN & FLOOR PLAN  
ZONING BOARD OF APPEALS SHEET 1 OF 2

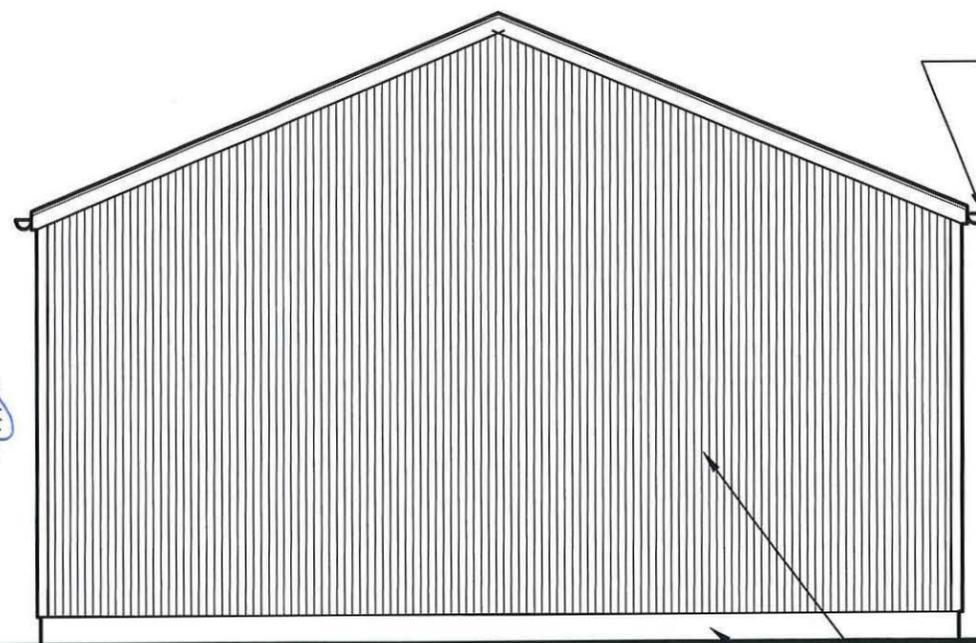
KUHLMANN RESIDENCE GARAGE  
514 FRANKLIN STREET  
CAMBRIDGE, MA 02139



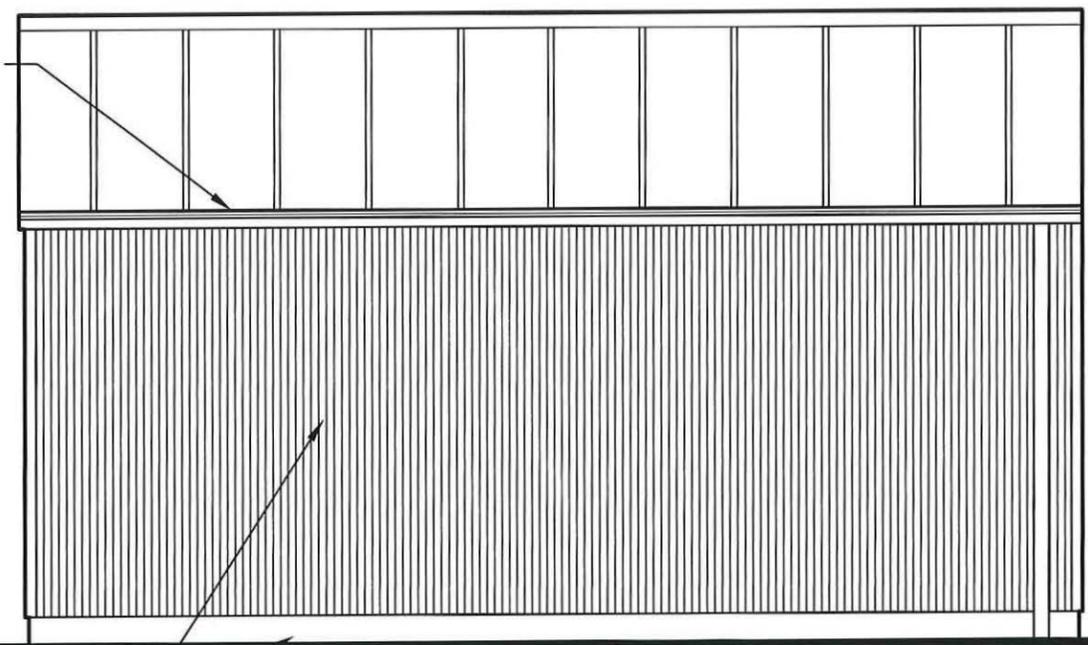
NORTHWEST ELEVATION



SOUTHWEST ELEVATION



SOUTHEAST ELEVATION



NORTHEAST ELEVATION



COPLEY ARCHITECTURE STUDIO  
 LAURA J VAN HISE, ARCHITECT  
 6 COPLEY ST. ROXBURY, MA 02119  
 857-207-2731

SCALE: 1/4" = 1'-0"  
 DATE: 27 JUNE 2019  
 DRAWN: LVH  
 PROJECT: 1904

PROPOSED ELEVATIONS

ZONING BOARD OF APPEALS SHEET 2/2

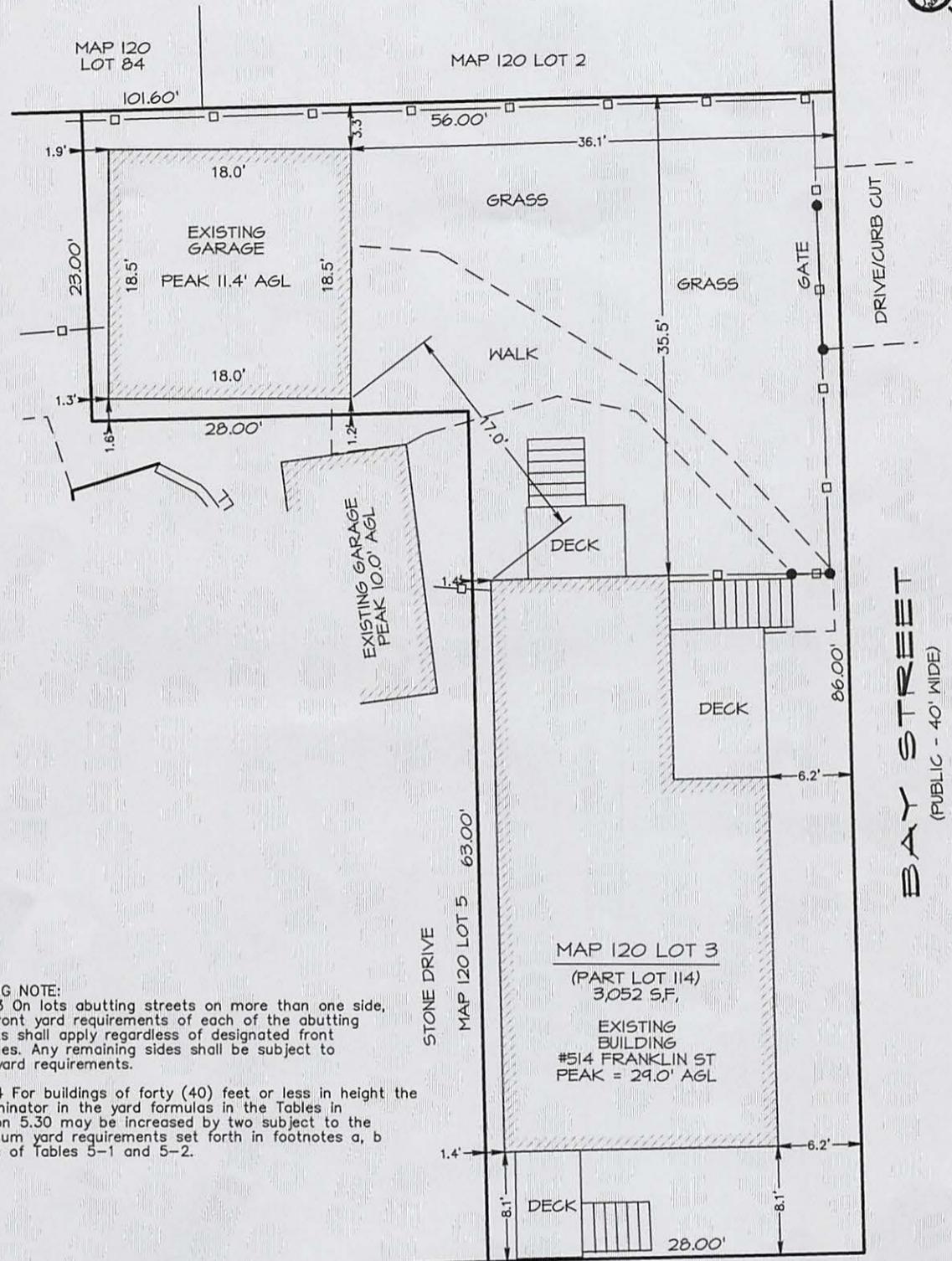
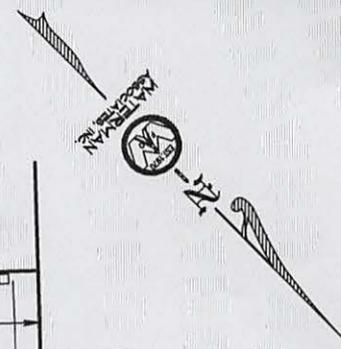
KUHLMANN RESIDENCE GARAGE

515 FRANKLIN STREET

CAMBRIDGE, MA 02139



124

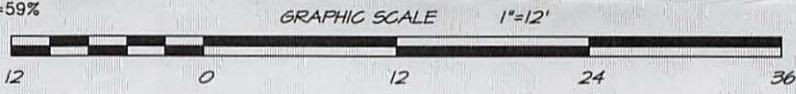


**ZONING NOTE:**  
 5.24.3 On lots abutting streets on more than one side, the front yard requirements of each of the abutting streets shall apply regardless of designated front lot lines. Any remaining sides shall be subject to side yard requirements.  
 5.24.4 For buildings of forty (40) feet or less in height the denominator in the yard formulas in the Tables in Section 5.30 may be increased by two subject to the minimum yard requirements set forth in footnotes a, b and c of Tables 5-1 and 5-2.

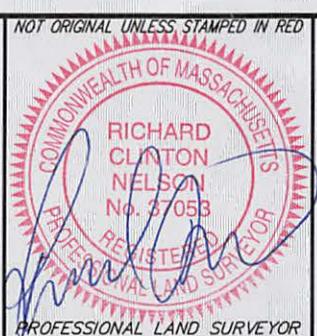
ZONING DISTRICT C-1

MAX FLOOR AREA RATIO:	0.75	
MIN. LOT SIZE	5000	3052
MIN LOT AREA/D.U.	1500	3052
MIN LOT WIDTH	50	28.0'
FRONT SETBACK:	H+L/6 (MIN 10')	18.5+11.4/6=4.98' use 10'min
SIDE SETBACK:	H+L/7 (MIN 7.5')	18.0+11.4/7=4.2' use 7.5min
SIDE SETBACK:	H+L/7 (MIN 7.5')	18.0+11.4/7=4.2' use 7.5min
MAX HEIGHT:	35	11.4'
MINIMUM PRIV OP. SP TO LOT AREA:	30%	1290+515/3052=59%

**FRANKLIN STREET**  
 (PUBLIC - 40' WIDE)



**WATERMAN ASSOCIATES**  
 F.O. WATERMAN AND ASSOC, INC.  
 2 WISTERIA WAY  
 CANTON, MA 02021  
 (781)-401-0711



**CERTIFIED PLOT PLAN**  
 OF LAND IN  
**CAMBRIDGE, MA**

OWNER: PETER KUHLMANN  
 514 FRANKLIN STREET  
 CAMBRIDGE, MA

DATE: Feb 27, 2017 SCALE: 1"=12'

DEED: BK 55256 PG 44 PLAN: Wadsworth 1853

**Cambridge Zoning  
Board of Appeals**

**514 Franklin St. Garage  
Peter and Shirley Kuhlmann**

**Existing conditions 514 Franklin garage:**

Angle Iron frame building with sheet metal siding and corrugated metal roof.

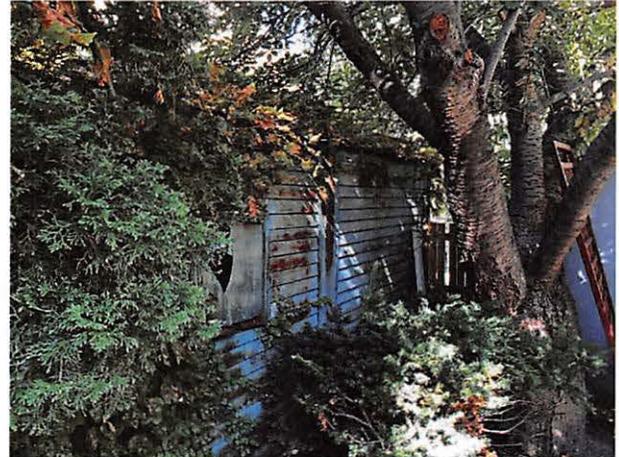


**Front View:**

Faces rear yard of 514 Franklin.

Opening faces Bay Street.

No existing door. Exterior in poor condition.



**Side View:**

Facing 508 Franklin.

Significant rust on roof and siding.

Missing window.



**Roof Condition @ Eave:**

Separation from both wall & support structure

Significant corrosion due to rust.



**Wall Condition @ Rear Wall:**

Support angle iron and metal siding bent outward.

**COPLEY ARCHITECTURE STUDIO**

LAURA J VAN HISE, ARCHITECT

6 COPLEY ST. ROXBURY, MA 02119

COPLEYARCHSTUDIO@COMCAST.NET

857-207-2731

**Cambridge Zoning  
Board of Appeals**

**514 Franklin St. Garage  
Peter and Shirley Kuhlmann**



**Wall Condition @ Exterior:**

Metal siding rusted.

Grade above higher than base of metal siding.



**Wall Condition @ Interior**

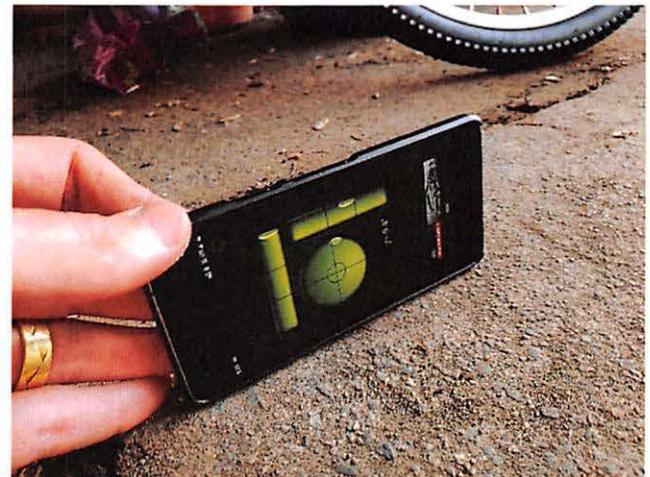
Angle iron structure in direct contact with grade.

Soil entering structure below bottom of metal siding above slab.



**Slab Condition:**

Significant spalling. Uneven surface.



**Slab Condition:**

Existing slab slopes at greater than 9 degrees from front to back of garage.

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