



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

BZA APPLICATION FORM

Plan No: BZA-017252-2020

GENERAL INFORMATION

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

Special Permit : _____ Variance : ✓ Appeal : _____

PETITIONER : Melissa MacDonald, Landscape Architect

PETITIONER'S ADDRESS : 16 Wyman Terrace Arlington, MA 02474

LOCATION OF PROPERTY : 39 Mt Pleasant St Cambridge, MA 02140

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

REASON FOR PETITION :

New Structure

DESCRIPTION OF PETITIONER'S PROPOSAL :

The owner seeks a variance to construct a 4x10 bike shed within the side setback and a wood pergola 15x15 with decking floor within the rear setback.

SECTIONS OF ZONING ORDINANCE CITED :

Article 5.000 Section 5.31 (Table of Dimensional Requirements).

Article 4.000 Section 4.21.H (Accessory Building).

Original Signature(s) :

Karen A Sinclair

(Petitioner(s) / Owner)

KAREN A SINCLAIR

(Print Name)

Address : 39 MT PLEASANT ST
CAMBRIDGE, MA 02140

Tel. No. : 617-461-3818

E-Mail Address : karen.a.sinclair@gmail.com

Date : 4 February 2020

BZA APPLICATION FORM**DIMENSIONAL INFORMATION**

APPLICANT: Melissa MacDonald, Landscape Architect

PRESENT USE/OCCUPANCY:

LOCATION: 39 Mt Pleasant St Cambridge, MA 02140

ZONE: Residence C-1 Zone

PHONE:

REQUESTED USE/OCCUPANCY:

		<u>EXISTING CONDITIONS</u>	<u>REQUESTED CONDITIONS</u>	<u>ORDINANCE REQUIREMENTS</u> ¹	
<u>TOTAL GROSS FLOOR AREA:</u>		3676	3676	3676	(max.)
<u>LOT AREA:</u>		5999	5999	5000	(min.)
<u>RATIO OF GROSS FLOOR AREA TO LOT AREA:</u> ²		.61	.61	.75	(max.)
<u>LOT AREA FOR EACH DWELLING UNIT:</u>		4083	4083	1500	(min.)
<u>SIZE OF LOT:</u>	WIDTH	78.08	78.08	50	(min.)
	DEPTH	78.34	78.34	50	
<u>SETBACKS IN FEET:</u>	FRONT	15	15	15	(min.)
	REAR	5	5	5	(min.)
	LEFT SIDE	5	5	5	(min.)
	RIGHT SIDE	5	5	5	(min.)
<u>SIZE OF BLDG.:</u>	HEIGHT	25/0	25/8.2	35	(max.)
	LENGTH	31.3/0	31.3/10	0	
	WIDTH	35.3/0	35.3/4	0	
<u>RATIO OF USABLE OPEN SPACE TO LOT AREA:</u>		47.3%	46.6%	30%	(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. ON SAME LOT:</u>		10	10	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.

Proposed structures:

1) Wood frame shed with clapboards and asphalt architectural shingles to match house (4'width x 10' length x 6'5" ht. in front and 8'2" ht. in rear against property line fence) and;

2) Wood pergola with wood decking floor 7" above existing grade (pergola measures 15' square x 9' ht.)

Please note that 39 Mt. Pleasant St. is part of a two unit condo (37-39 Mt. Pleasant St) with two single family buildings on a single lot. As such, the dimensional information relates to the entire lot, as requested by Sean O'Grady of Inspectional Services.

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'.

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 ANDREW SINCLAIR + KAREN A SINCLAIR
(OWNER)

Address: 39 MT PLEASANT ST. CAMBRIDGE 02140

State that I/We own the property located at 39 MT PLEASANT ST,
which is the subject of this zoning application.

The record title of this property is in the name of ANDREW SINCLAIR
and KAREN A SINCLAIR

*Pursuant to a deed of duly recorded in the date 07/25/2014, Middlesex South
County Registry of Deeds at Book 63971, Page 351; or
Middlesex Registry District of Land Court, Certificate No. _____
Book _____ Page _____.

Karen A Sinclair
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 KAREN A SINCLAIR personally appeared before me,
this 3 of Feb, 2020, and made oath that the above statement is true.

Ronald K. Hetherton Notary

My commission expires July 24, 2026 (Notary Seal).

- If ownership is not shown in recorded deed, e.g. if by court order, 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 pergola and the bike shed would be in the middle of the useable open space, which would not make the best use of the space.

- 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 useable open space on the lot is sloped so that a chunk of space is taken up with steps leading from living room doors down to garage. The remaining area outside of the setback is only 10', which is very narrow for a pergola that will serve as an outdoor living space. The bike shed would be blocking circulation if located outside of setback.

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

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

Pergola will be tucked into rear corner of site and will provide privacy for neighbors' looming, new construction multi-family, who would otherwise be looking directly onto the owners' terrace. The proposed bike shed will provide functional (easily accessible) and neat bike storage, which will encourage bike commuting by owners in lieu of driving their car.

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

Both structures will provide screening similar to a privacy fence (and there is already a 6' privacy fence on the property line).

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



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MASSACHUSETTS
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831 MASSACHUSETTS AVENUE
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2020 FEB -5 PM 3:20

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OFFICE OF THE CITY CLERK
CAMBRIDGE, MASSACHUSETTS

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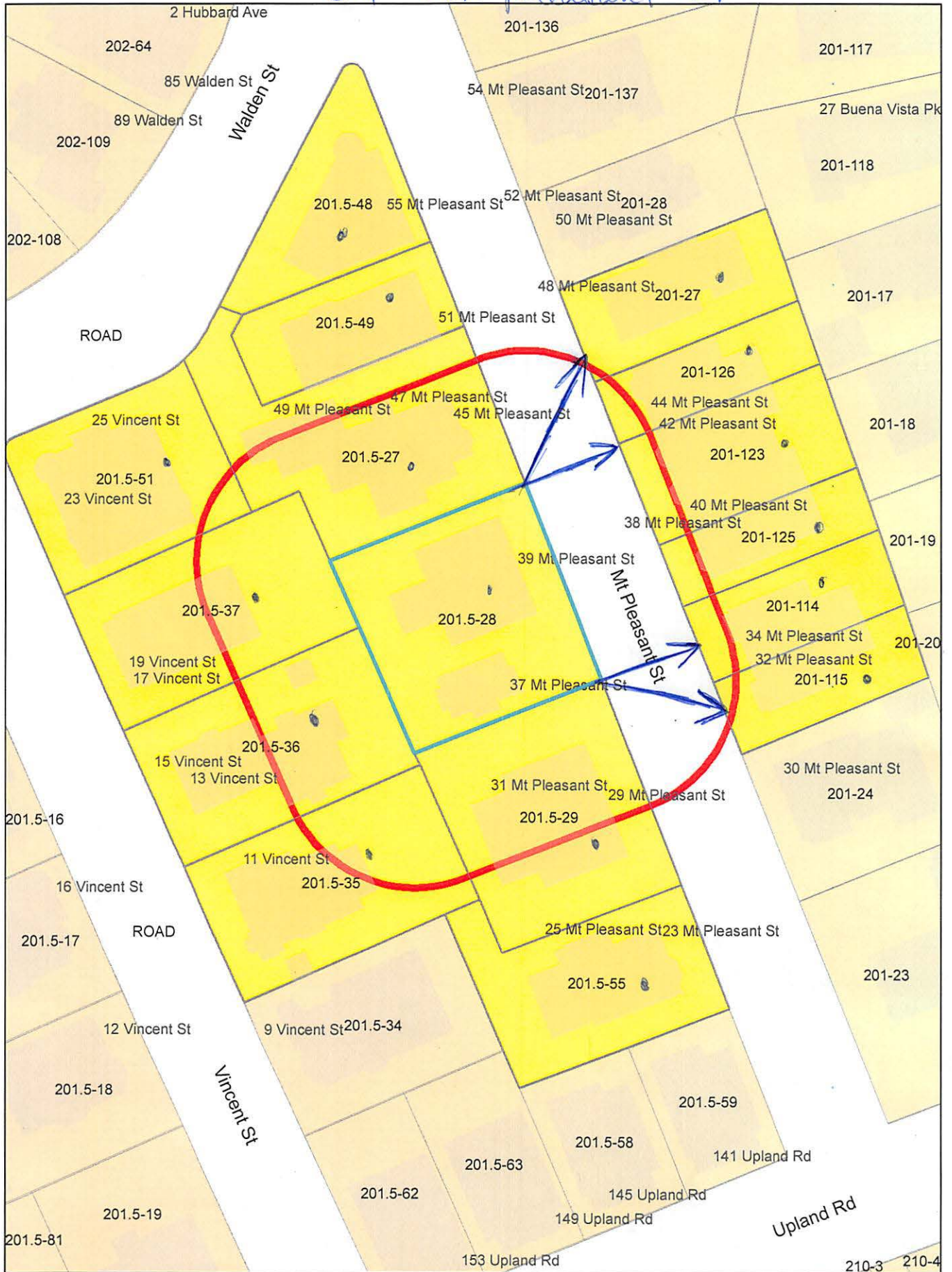
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39 Mt. Pleasant St.



39 Mt. Pleasant St.

Petitioner

201-126
ANISIMOV, OLEG & NATALIE ANISIMOV
C/O ANDREW ANISIMOV
940 MASS AVE
CAMBRIDGE, MA 02139

201-114
LEITNER, HENRY H. & CATALINA LASERNA
32 MOUNT PLEASANT STREET
CAMBRIDGE, MA 02140

KAREN A. SINCLAIR
39 MT. PLEASANT STREET
CAMBRIDGE, MA 02140

201-27
DICKMAN, STEVEN & SHARON BOBER
48 MT PLEASANT ST
CAMBRIDGE, MA 02140

201-125
RUSSELL, MATTHEW T. &
LINDSEY MEAD RUSSELL
38 MT. PLEASANT STREET
CAMBRIDGE, MA 02140-2614

MELISSA MACDONALD
LANDSCAPE ARCHITECT
16 WYMAN TERRACE
ARLINGTON, MA 02474

201.5-29
DRANE, LANCE W. & G ELIZABETH WYLDE
31 MT PLEASANT ST
CAMBRIDGE, MA 02140-2613

201.5-37
STANFORD, VIRGINIA LOUISE
17 VINCENT ST
CAMBRIDGE, MA 02140-2618

201.5-48
ODO, DAVID R. & JANE E. KEAT
55 MT PLEASANT ST
CAMBRIDGE, MA 02140

201.5-36
13-15 VINCENT ST, LLC
15 ELLSWORTH AVE
CAMBRIDGE, MA 02140

201.5-49
DELANEY, JANE
51 MT PLEASANT ST, #1
CAMBRIDGE, MA 02140

201.5-35
GLASS, ROBERT PAYTRUST 7612
11 VINCENT ST
CAMBRIDGE, MA 02140

201.5-49
CAMPOLI, LISA M.
51 MT PLEASANT ST. #3
CAMBRIDGE, MA 02140

201.5-51
RABIEH, MICHAEL S. & LINDA C. RABIEH
23-25 VINCENT ST. UNIT#23
CAMBRIDGE, MA 02140

201.5-49
KIDDER, THALIA GAMBLE
355 CONCORD AVE. UNIT B
CAMBRIDGE, MA 02138

201.5-51
WALLEY, CHRISTINE J. &
CHRISTOPHER C. BOEBEL
23-25 VINCENT ST. UNIT#25
CAMBRIDGE, MA 02140

201.5-55
MCMAHON, JEFFREY H.,
TRUSTEE THE JEFFREY H. MCMAHON REV TR.
25 MT PLEASANT ST
CAMBRIDGE, MA 02140

201-123
ALBRIGHT, ADAM C.
40-42 MT PLEASANT ST., #3
CAMBRIDGE, MA 02140

201-123
NORRIS, ANNE-ELIZABETH M. & TRACI A. LOGAN
40-42 MT PLEASANT ST., #2
CAMBRIDGE, MA 02140

201-123
VIGODA, ROBERT A.,
TRUSTEE 42 MOUNT PLEASANT ST
P.O. BOX #4610
PORTSMOUTH, NH 03802

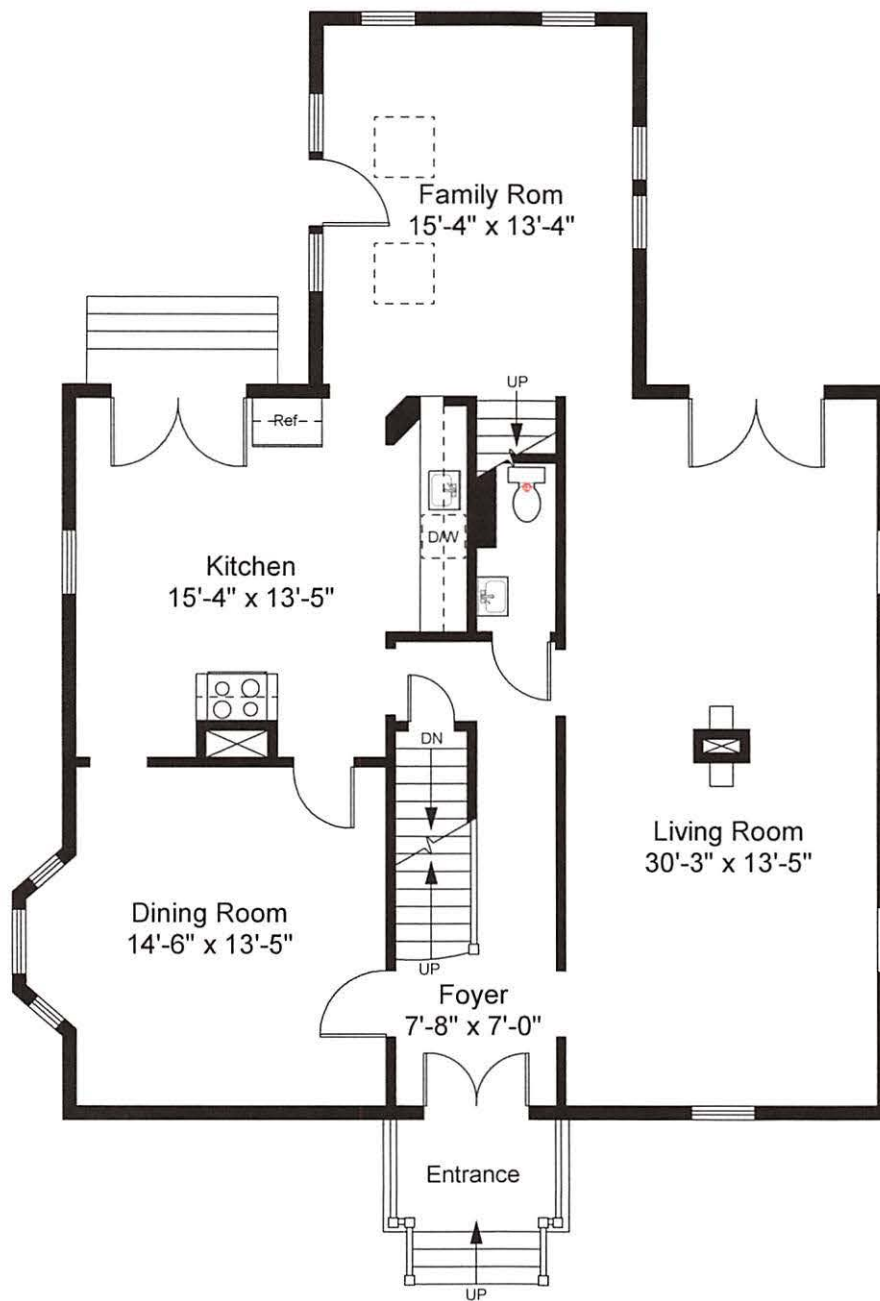
201-123
PARKIN, LAURA
40-42 MT PLEASANT ST, #4
CAMBRIDGE, MA 02140

201.5-28
SINCLAIR, ANDREW & KAREN A. SINCLAIR
39 MT PLEASANT ST.
CAMBRIDGE, MA 02140

201.5-28
HOYT, REED W & CAROLYN B. HOYT
37 MT PLEASANT ST
CAMBRIDGE, MA 02140

201-115
LASERNA, CATALINA & HENRY H. LEITNER
32 MT. PLEASANT ST.
CAMBRIDGE, MA 02140

201.5-27
45 MOUNT PLEASANT STREET, LLC
267 NORFOLK ST
CAMBRIDGE, MA 02139



39 Mt. Pleasant Street
Cambridge, MA 02140

First Floor Plan
Ceiling Height = 8'-6"



Scale 1/8" = 1'-0"

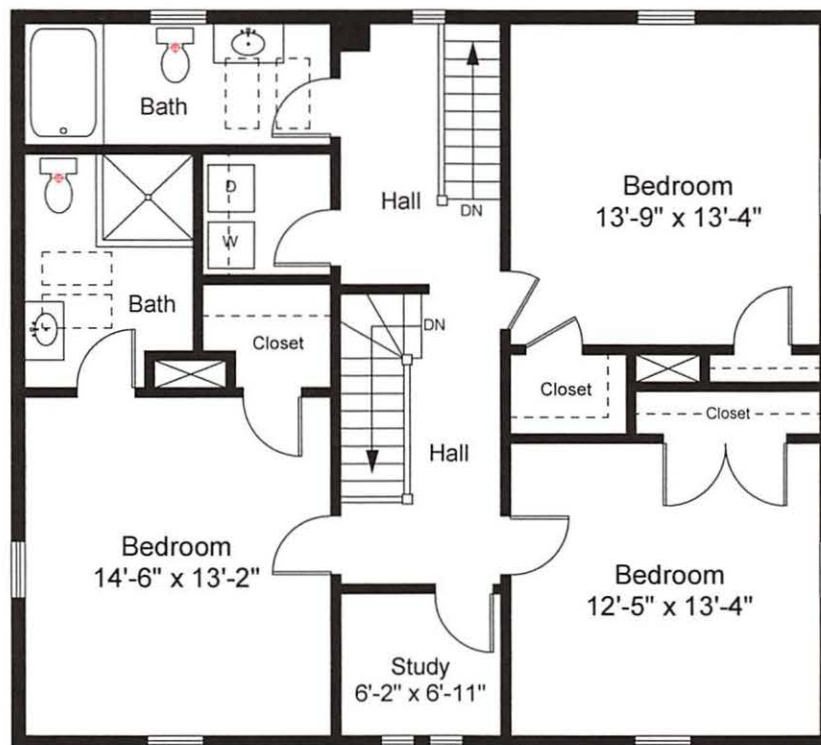
1



Completed: June, 2008

Note: Dimensions are not
guaranteed and are provided
for informational purposes only.

NEW ENGLAND
FLOOR PLANS
& PHOTOGRAPHY
(800) 328-0217



Second Floor Plan
Ceiling Height = 8'-4"

39 Mt. Pleasant Street
Cambridge, MA 02140



Scale 1/8" = 1'-0"

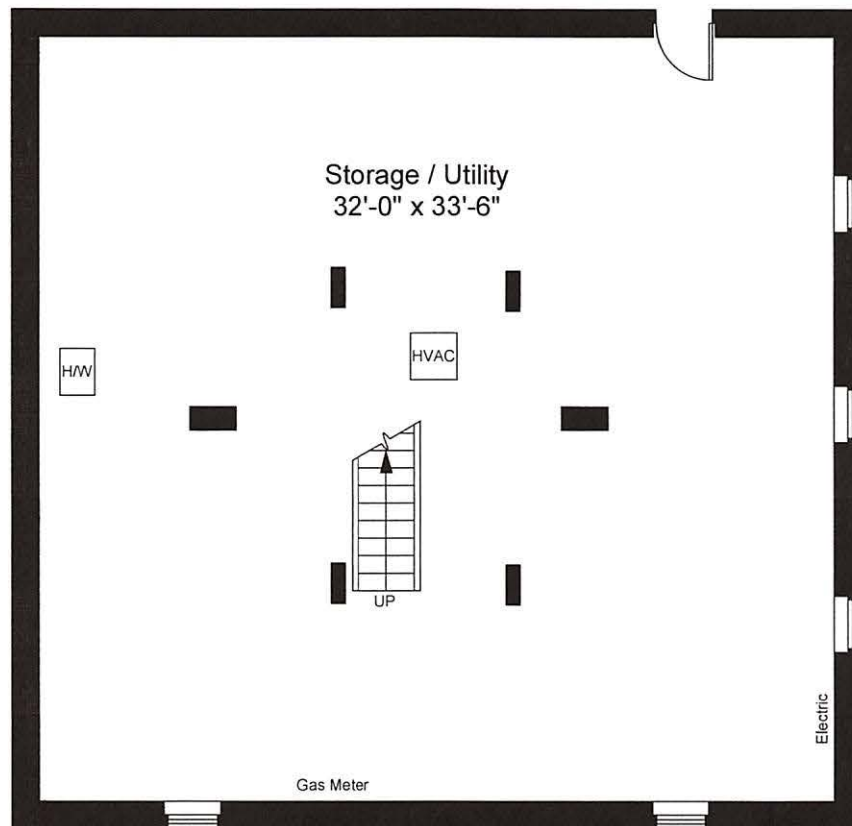
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Completed: June, 2008

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NEW ENGLAND
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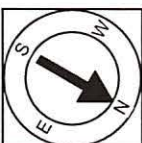
Basement Floor Plan
Ceiling Height = 6'-6"

39 Mt. Pleasant Street
Cambridge, MA 02140



Scale 1/8" = 1'-0"

3



Completed: June, 2008

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NEW ENGLAND
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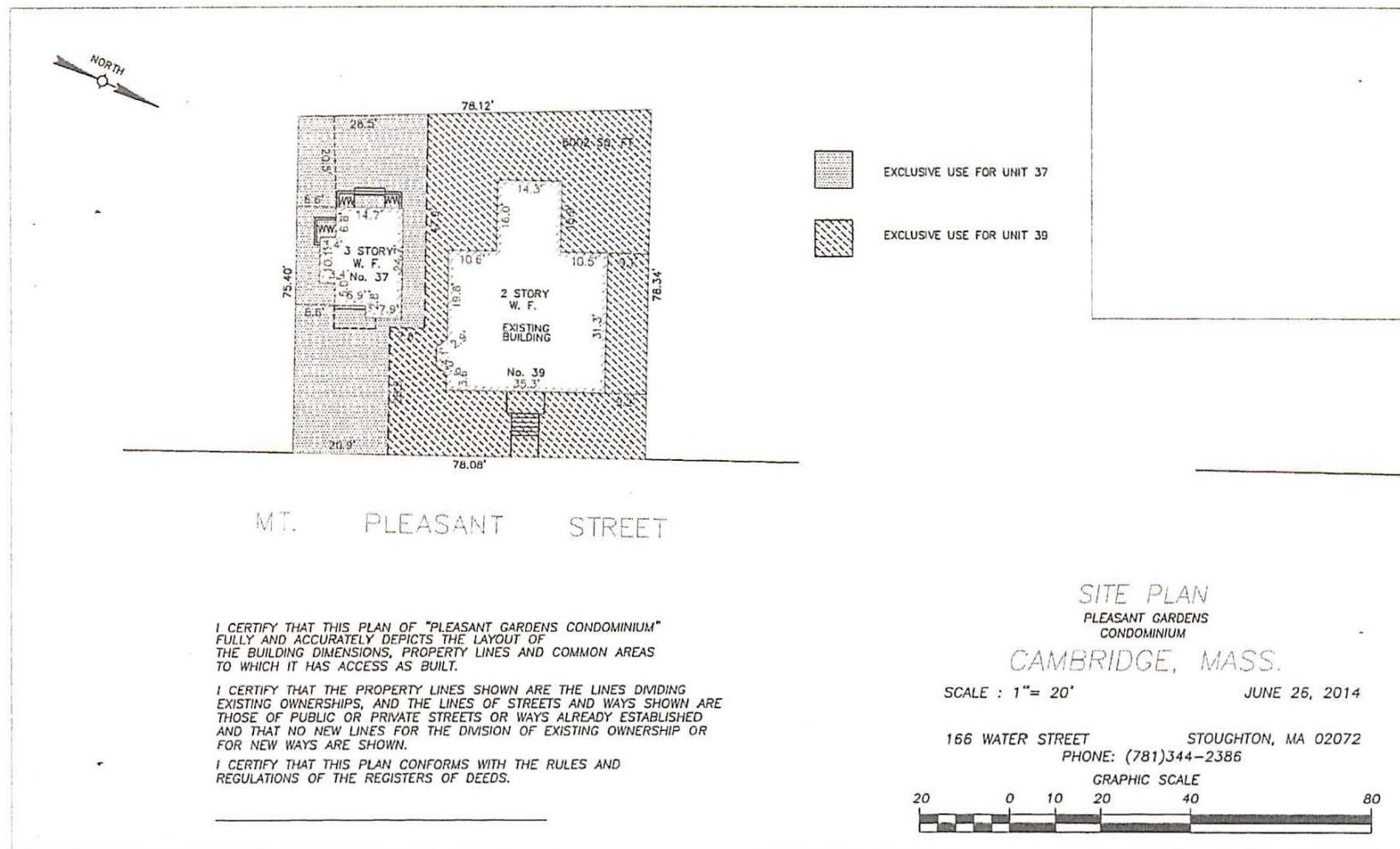
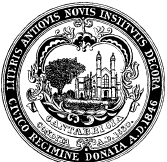
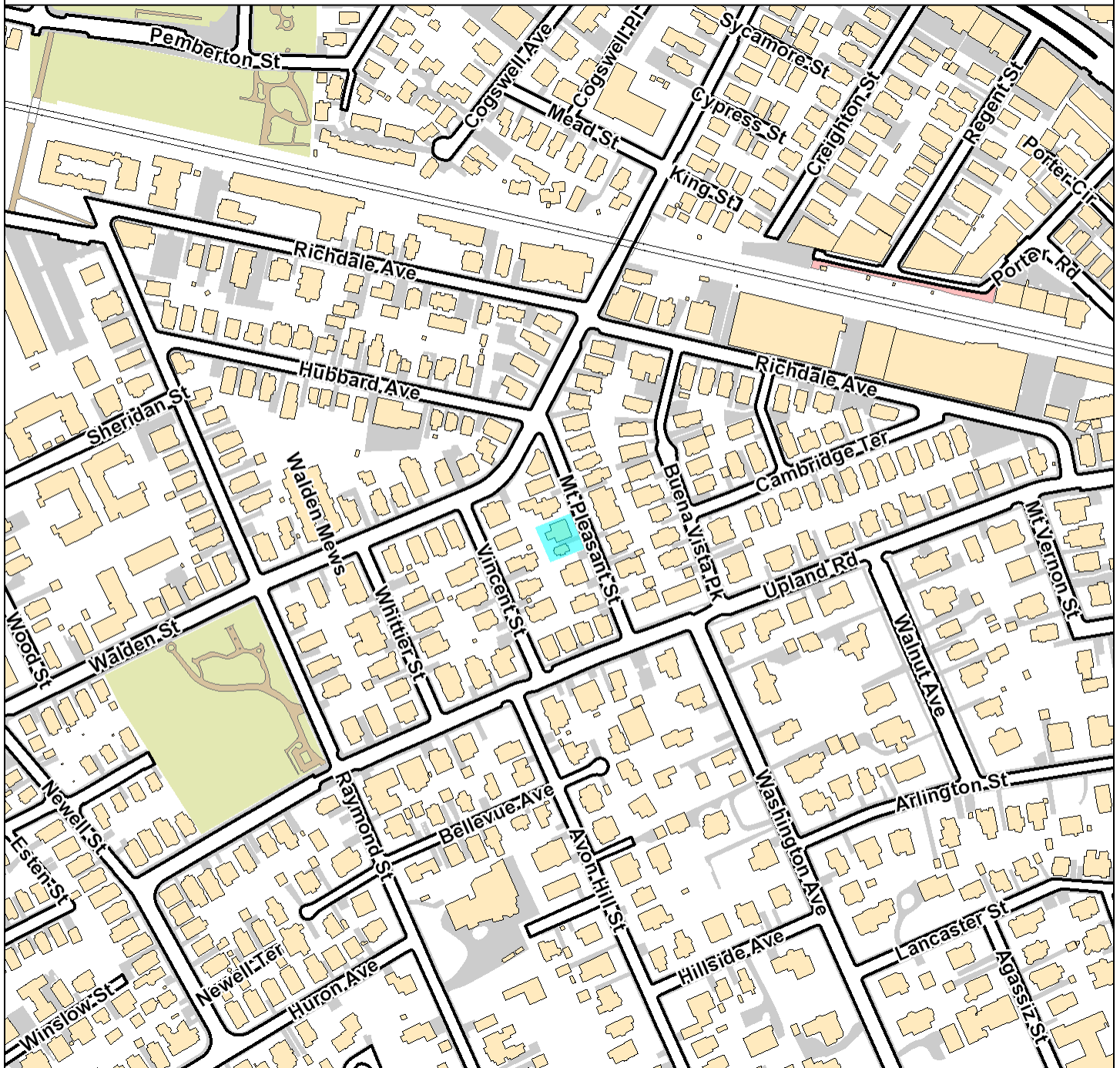


Exhibit A

[Handwritten signature]



City of Cambridge
Massachusetts

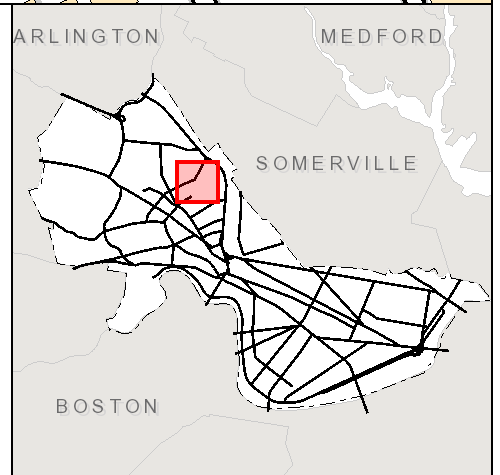
1" = 305 ft

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www.cambridgema.gov/gis

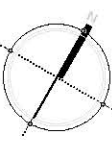
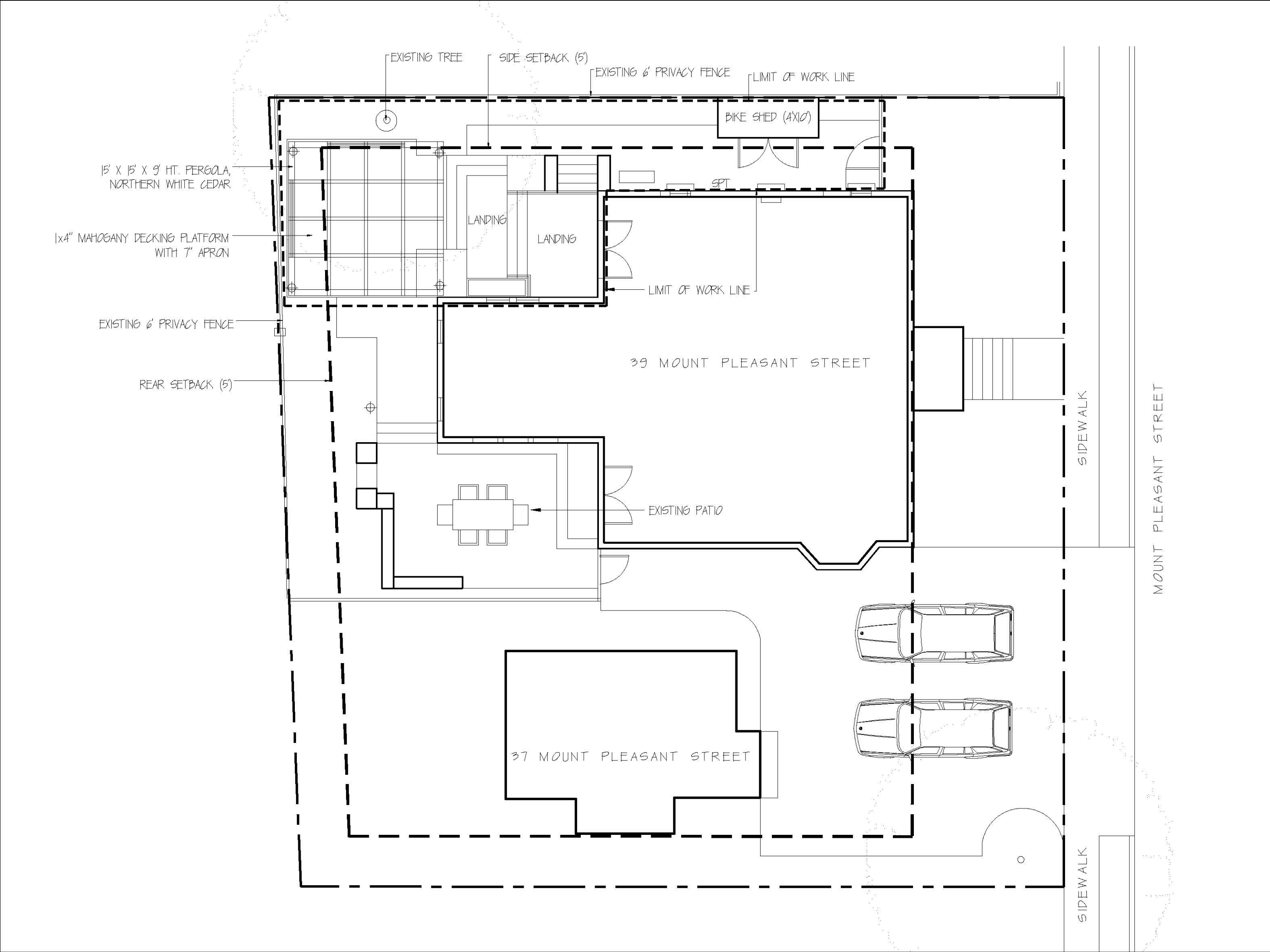


- Rail
- Building Footprints
- Paved Surfaces
 - Paved Roads
 - Bridges
 - Unpaved Roads
 - Unpaved Parking
 - Sidewalks
 - Driveways
 - Alleys
 - Other Paved Surface
 - Public Footpath



LEGEND

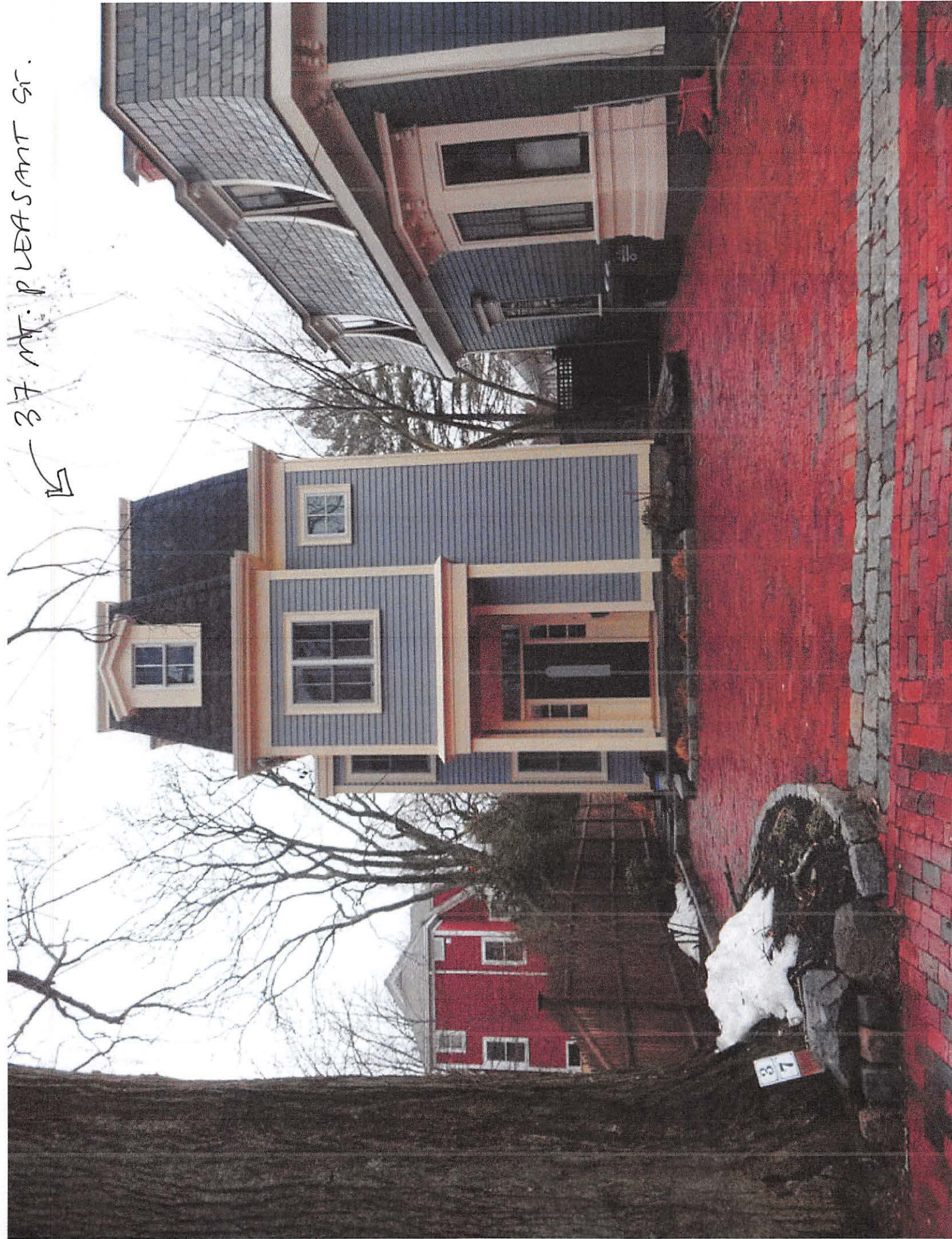
- EXISTING EVERGREEN TREE
- EXISTING DECIDUOUS TREE
- EXISTING SHRUB
- PROPOSED EVERGREEN TREE
- PROPOSED DECIDUOUS TREE
- PROPOSED EVERGREEN SHRUB
- PROPOSED DECIDUOUS SHRUB
- PERENNIAL
- ORNAMENTAL GRASS or FERN
- SPIGOT
- DOWNSPOUT
- PROPOSED LIGHT FIXTURE
- PROPERTY LINE
- SETBACK LINE
- LIMIT OF WORK LINE



39 Mt. Pleasant St.



37 Mt. Pleasant St.





← BIKE
SHED
LOCATION



← PERGOLA
LOCATION