

# **CITY OF CAMBRIDGE**

BOARD OF ZONING APPEAL

831 Massachusetts Avenue, Cambridge MA 02139 2024 JUN 11 PM 1:33

617-349-6100

# **BZA Application Form**

BZA Number: 273812

### **General Information**

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

Special Permit:

Variance: X

Appeal:

PETITIONER: JEMTAK Realty LLC C/O Theo. A. Papas

PETITIONER'S ADDRESS: 888 Mass Ave., Cambridge, MA 02139

LOCATION OF PROPERTY: 888 Massachusetts Ave , Cambridge, MA

TYPE OF OCCUPANCY: Management Office

**ZONING DISTRICT:** Residence C-2B Zone

#### **REASON FOR PETITION:**

/Change in Use/Occupancy/ /Conversion to Additional Dwelling Units/

#### **DESCRIPTION OF PETITIONER'S PROPOSAL:**

Requesting relief in decreease in Lot area per dwelling unit from exisiting 198 sf/dwelling Unit to proposed 195 sf/dwelling Unit (ordinance requirement is 600 sf/dwelling).

#### SECTIONS OF ZONING ORDINANCE CITED:

Section: 5.31 (Table of Dimensional Requirements). Article: 5.000

- Section: 5.26 (Conversion). Article: 5.000
- Article: 8.000 Section: 8.22.3 (Non-Conforming Structure).
- Article: 10.000 Section: 10.30 (Variance).

Original Signature(s):

(Petitioner (s) / Owner)

ioner (s) / J... HEO. PAPAS (Print Name) MASS AVE

Address: Tel. No. E-Mail Address:

978-764-5237 theopapas@verizon.net

Date: 6/11/24

### 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/WeTHEO. A. PAPAS
Address: 888 MASS. AVE, CAMBRIDGE MADJI39
State that I/We own the property located at
which is the subject of this zoning application.
The record title of this property is in the name of JEMTAK REALTY LLC
*Pursuant to a deed of duly recorded in the date $\overline{JUNE3204}$ Middlesex South County Registry of Deeds at Book <u>65493</u> , Page <u>355</u> ; or
Middlesex Registry District of Land Court, Certificate No
Book Page 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
The above-name Theo A. Papas personally appeared before me, this $14^{c}$ of $May$ , 20, 24, and made oath that the above statement is true.
Notary
My commission expires 10-06-202 (Notary Sea Notary Public, Commonwealth of Massachusetts My Commission Expires October 6, 2028

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

(ATTACHMENT B - PAGE 3)

#### WINDOWSKI NEEDEND - LAAR BOTTENIA AND

to be claphored by **ORBR, s**igned balace a netury and recurd to the observed by the second by **ORBR**, scale of Scale 9 Appended.

and the second s <u>i sela in del 10 seconda en daredare equina editada editada areas</u> APR CONSC. and the state of the state of the second and the state of the Ling 1 12 - 1 then out algoriganized do eithe process of - dates and Habit (11- 1 1964) cast of a strengther which to been a strengther the standard and the second standard an obset he water and wanted and adaptive dated of its a Court water the state Bage Bage 2 - N. 200 ht here to the control where entry ANDERED SECTOR (SAMPLES OF SECTION OF ACTION deraustient ad you terrativided anterration of University architect. To esculate anarchite Carmanawaashh wa Messarhurstor, Cuanty 27 ных вальных был знарал ул технологор g<mark>ij zi skonost, svado s</mark>is ječe čeo ebon kor <u>je ječe</u> i <u>logi je spo</u> slav 5.1588 (.east) \_\_\_\_\_ e, apo ya 32 ano joseb behasis an anedi sis ni julanemo 41

tert in erstence, package include door are nit to bet

#### **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:

Not applicable.

The hardship is owing to the following circumstances relating to the soil conditions, shape or
 b) 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:

Not applicable.

#### C) DESIRABLE RELIEF MAY BE GRANTED WITHOUT EITHER:

1) Desirable relief may be granted without substantial detriment to the public good for the following reasons:

Without detriment to the public good - one additional Cambridge Residential studio apartment would be of service to the public.

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

Exisitng occupied space (managment office) converted to residential studio apartment.

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

#### **BZA Application Form**

#### **DIMENSIONAL INFORMATION**

## Applicant: JEMTAK Realty LLC

Location: 888 Massachusetts Ave , Cambridge, MA

Phone:

978-764-5237

 Present Use/Occupancy: Management Office

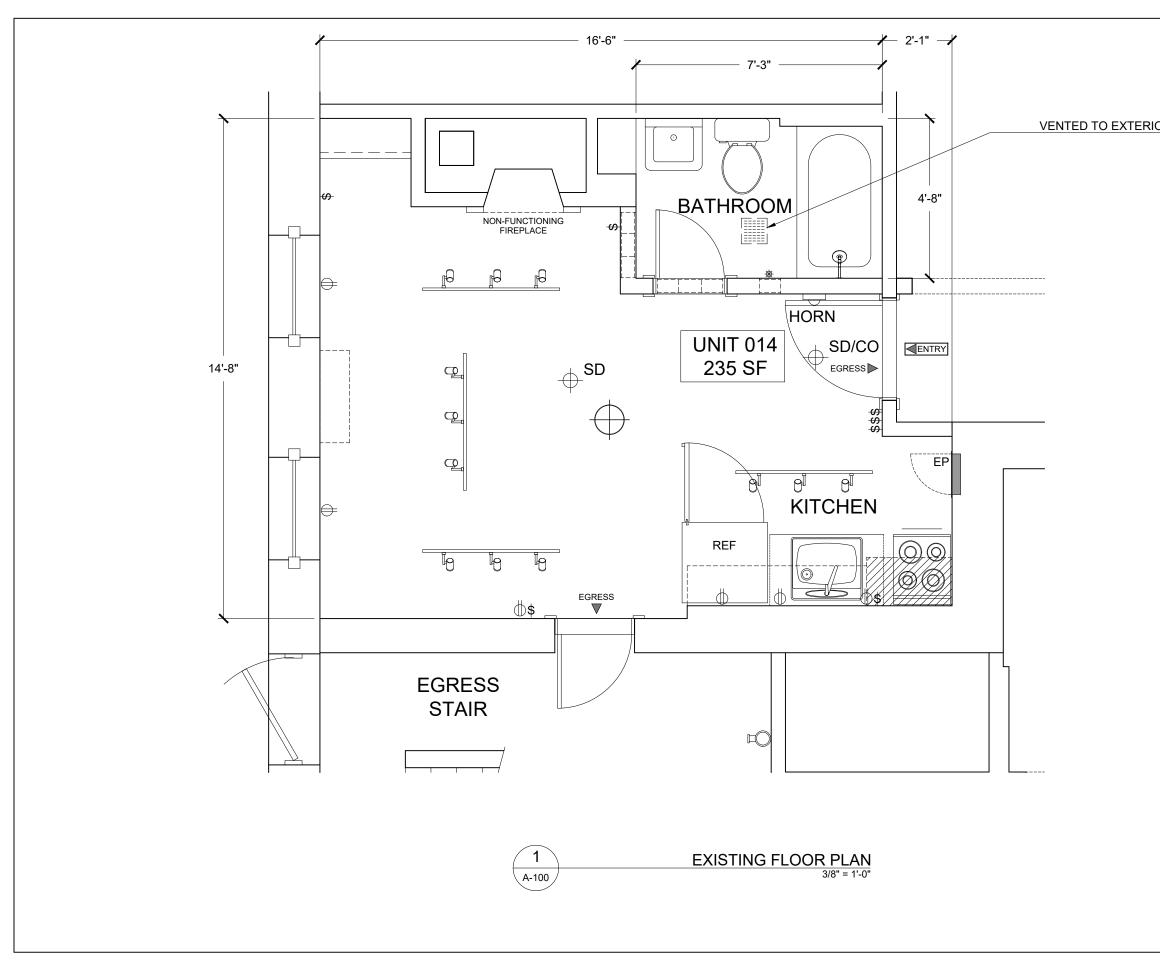
 Zone:
 Residence C-2B Zone

 Requested Use/Occupancy:

 residential studio apartment #14

 in Multi-family Building

		Existing Conditions	Requested Conditions	<u>Ordinance</u> <u>Requirements</u>	
TOTAL GROSS FLOOR AREA:		45,591 sf	45,591 sf	19,766 sf - maximum allowable	(max.)
LOT AREA:		11,295 sf	11,295 sf	5,000 sf minimum - compliant	(min.)
RATIO OF GROSS FLOOR AREA TO LOT AREA: <sup>2</sup>		4.04	4.04 no change- presently non- conforming	1.75 maximum allowable	
LOT AREA OF EACH DWELLING UNIT		198.16 sf/dwelling unit-presently non- conforming	194.74 sf/dwelling unit	600 sf/dwelling unit	
SIZE OF LOT:	WIDTH	77.6'	77.6' - no change	50' compliant	
	DEPTH	136.17'	137.17' - no change	n/a	
SETBACKS IN FEET:	FRONT	48.33' to centerline Mass Ave; 15.1' front of bowfront to property line	48.33' to centerline Mass Ave; 15.1' front of bowfront to property line	35.75' - minimum	
	REAR	9.7' - closest point	9.7' - closest point- no change - presently non-conforming	35.75' - minimum	
	LEFT SIDE	4.2' - closest point	4.2' - closest point	 34.69' - minimum	
	RIGHT SIDE	3.6' closest point	3.6' closest point - no change - presently non-conforming	34.69' - minimum	
SIZE OF BUILDING:	HEIGHT	74.1'	74.1' - no change - presently non- conforming	45' - maximum	
	WIDTH	99.33'	99.33' - no change	n/a	
	LENGTH	68.9'	68.9 '- no change - compliant	50'- minimum	
RATIO OF USABLE OPEN SPACE TO LOT AREA:		10.2% (333.8'+395.9'+424.7 ')/11295'	10.2% (333.8'+395.9'+424.7')/ 11295' - no change - presently non- conforming	15% - minimum	
NO. OF DWELLING UNITS:		57 - presently non- conforming	58 - non-conforming	19 (11,295/600)	
NO, OF PARKING SPACES:		0	0	0	
NO. OF LOADING AREAS:		0	0	 0	
DISTANCE TO NEAREST BLDG. ON SAME LOT		no additional buildings on the same lot	no additional buildings on the same lot		



<u>OR</u>	MAXWELL ARCHITECTS, LLC	Architecture Space Planning Space Planning Project Management Somerville, Massachusetts 02144 (617) 666-4557 FAX (617) 666-4557 FAX Copyrgh0 2024b) Maxwell Achitect. LC Mirghts reserved
		MAJESTIC & REGENT APARTMENTS 884-888 MASSACHUSETTS AVENUE CAMBRIDGE, MA 02139
	PROJECT	
	SCALE:	<b>A-100</b> AS NOTED 05.06.2024



current zoning informatior	ר:
----------------------------	----

Zone: C-2B				
Zoning Ordinace, City Of Cambridge, Article 5 Effective Date: May 12, 2008				
Setbacks	Side Yard 74.09+98.5/5=34.5'	Front Yard 10' Minimum	Rear Yard 74.09+72.0/4=36.5'	
	Statutory		Calculated	
Lot Size Minimum	34,200 Sq. Ft.	57 Units x 600 Sq. Ft.	11,158.1 +/- Sq. Ft.	
Floor Area Maximum	1.75	<u>6,700.5 x 6</u> 11,158.1	3.6	
Low Width Minimum	50'		77.6'	
Open Space Useable	15%		10%	
Structure Height 45'		Roof Elev 189.85 - Mean Grade 115.76	74.1'	

#### Cambridge Public Library-Main Cambridge Arts Council Gallery Cambridge Cambr

NOT TO SCALE

locus & record owner:

Jemtak Realty Trust 884-888 Massachusetts Avenue Cambridge, Massachusetts 02139

PID: 119-82 Deed Book 13665, Page 70 Plan Book 173, Plan 8

# legend:

	Traffic Control, Parking Meter, Double
	Traffic Control, Parking Meter, Single
	Traffic Control, Sign, Small
TRIPLE	Trees, Deciduous, 06
	Trees, Deciduous, Triple
	Utilities, Fire Hydrant
$\oplus$	Utilities, Gas Gate
$\square$	Utilities, Misc Handhole
S	Utilities, Sewer Manhole
$\bigcirc$	Utilities, Telecom Manhole
$\bigotimes$	Utilities, Water Gate

Curbs, Granite Curb

# notes:

 The Site Detail, And Surface Improvements Depicted Hereon Were Obtained From A Partial Field Survey Conducted On July 9, 2008 By David Gosselin + Associates.

2. The Purpose Of This Plan Is To Provide A Plot Plan Of Land Which Illustrates This Surveyors Interpretation Of Existing Locus Improvements, Observable Monuments, Witness Testimony, All Obtainable Plans And Deeds Of Record, And Any Other Plans And Deeds Which May Affect The Locus Property At The Time And Date Of The Partial Field Survey.

 This Plan Does Not Show Any Unrecorded Or Unwritten Easements Which May Exist. A Reasonable And Diligent Attempt Has Been Made To Observe Any Apparent, Visible Uses Of The Land; However, This Does Not Constitute A Guarantee That No Such Easements Exist.

4. This Plan Is Not A Boundary Retracement Survey. Angles And Distances Pertinent To Boundary Information Are Based Upon Record Locus Information And Existing Monumentation. Further Examination Is Required And Reccomended.

5. The Basis Of Bearings, Azimuths, And The North Arrow Shown Hereon Is Land Court Case 19775-A, Dated July, 1951.

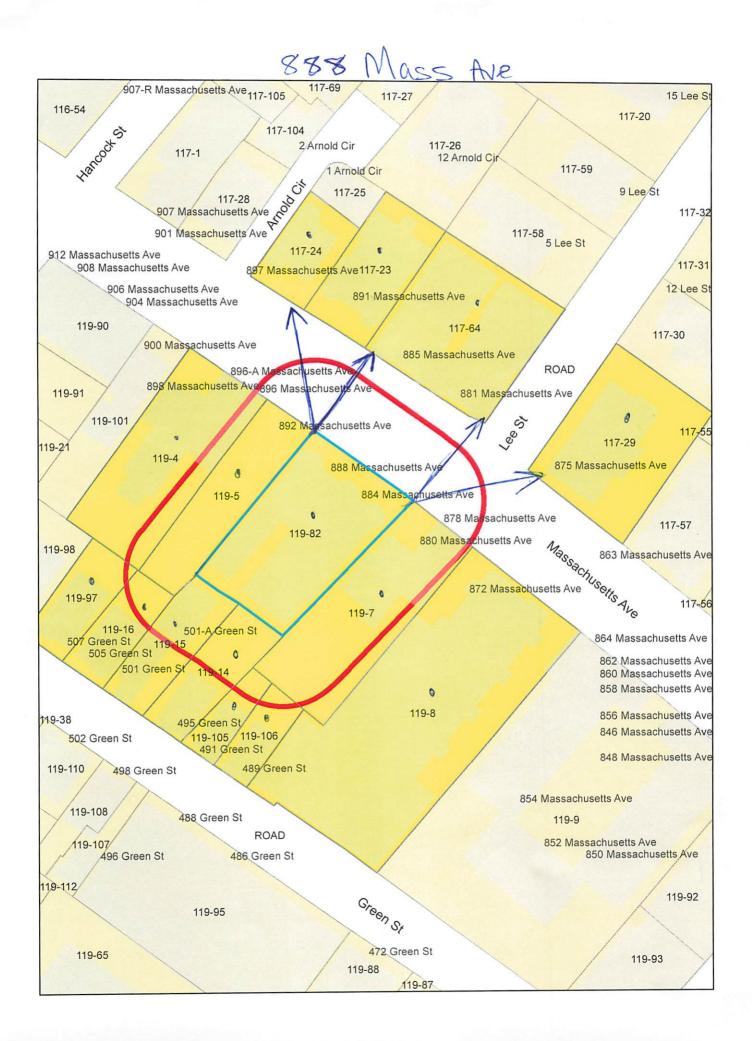
6. This Plan And Survey Were Prepared Using Conventional Survey Methods. A Sokkia Set 330R-3 Total Station Was Used Having An Accuracy Of 3" And 3 PPM.

 All Improvements Shown Hereon Have Been Spatially Fixed To A Locational Tolerance Of Not More Than 1/10th Of The Plan Scale. Positional Tolerance Does Not Exceed Allowable Error.

8. All Improvements Located Hereon Are Referenced To The Existing Buildings As Herein Delineated.

l In Accordance With The ce Of Land Surveying In The				•	l <b>ot plan of land</b> Cated in			
				cambridge, r	cambridge, massachusetts			
				(middlesex county)				
				prepared for				
Date				thayer + associates				
				scale: 1"=10'	date: july 23, 2008			
					12 eliot street			
					cambridge, massachusetts			
S					(617) 876-4700			
					www.dg-pls.com			
				David Gosselin + Assoc.	sheet no. 1 of 1			
ON	BY	CHK'D	LOOK FOR EMBOSSED SEAL	professional land <mark>surveyors</mark>	© DAVID GOSSELIN + ASSOCIATES, 2008			





117-24 897 MASSACHUSETTS AVENUE, L.L.C C/O ERIC MANKIN 7 MARSH ST BELMONT, MA 02478

117-29 SULTAN, JACQUES, TRUSTEE OF EIGHT SEVEN REALTY TRUST 38 PEQUOSSETTE RD BELMONT, MA 02478

117-29 SOUSSOU, HELEN M. & MARTHA L. WALTHER, C/O 875 MASS AVE REALTY TRUST ATTN: JAQUES SULTAN 38 PEQUOSSETT RD BELMONT ST, MA 02478

119-97 ROOSTAIE MEHRDAD 24 BRIDGE STREET NEEDHAM HEIGHTS, MA 02494

117-64 MOSKOW, ABRAHAM & MICHAEL B. MOSKOW, TRUSTEES OF NEWTOWNE TRUST 2 PARK SQUARE, ROOM 407 BOSTON, MA 02116-3912

119-8 CAMBRIDGE TOWER CORPORATION 872 MASS AVE CAMBRIDGE, MA 02139

117-29 SUDER, RICHARD NING JIANMEI FAN 8 AVERY PATH NEWTON, MA 02459

117-29 SCHIFF, KAREN AND STEVEN VARGA-GOLOVCSENKO, TRS. OF K & S REALTY TRUST 875 MASSACHUSETTS AVE UNIT 3/5 CAMBRIDGE, MA 02139

117-23 MAHOGANY, LLC ATTN: STEPHEN WOLFBERG 1010 MEMORINAL DR 17A CAMBRIDGE, MA 02138

119-105 DINSMORE, ROBERTA 10 FLORENCE STREET CAMBRIDGE, MA 02139-3205

#### 117-29 WEST CAMBRIDGE SCIENCE PARK, LLC C/O JACOUES SULTAN

888 Mass Are

C/O JACQUES SULTAN 38 PEQUOSETTE RD. BELMONT, MA 02478

117-29 VANGER, MARK H., TR. OF SAVOY OFFICE REALTY TRUST 32 GRAY STREET CAMBRIDGE, MA 02138

119-106 NOYES, DAPHNE B. TRUSTEE OF DAPHNE B. NOYES TRUST 489 GREEN ST UNIT 1 CAMBRIDGE, MA 02139

117-29 MACKENZIE SCOTT III & MARCELLA W TRS MACKENZIE FAMILY REVOCABLE TRUST 20 HARRIS RD MEREDITH , NH 03253

119-106 MALHOTRA, PRAVEEN & NEHA DHARNI 2 PRESCOTT PL BEDFORD, MA 01730

119-15 CAMPBELL, IRENE 501 GREEN ST CAMBRIDGE, MA 02139

117-29 VARGA-GOLOVCSENKO, STEVEN KAREN SCHIFF 38 MOON HILL RD LEXINGTON, MA 02421

117-29 LEONE, JAMES P. & SUSAN H. GERE 875 MASS AVE. SUITE 24 CAMBRIDGE, MA 02139

119-5 SUN LIFE ASSURANCE CO OF CANADA C/O BENTALL KENNEDY (U.S) LP P.O BOX 92129 SOUTHLAKE, TX 76092

117-29 SEGAL, DAVID TR. OF 875 MASS. AVE RETAIL CONDO TR. 424 LANGLEY RD. NEWTON , MA 02459

titure

119-82 JEMTAK REALTY LLC C/O THEO A. PAPAS 888 MASSACHUSETTS AVE CAMBRIDGE, MA 02139

119-16 WHEELER, SYLVIA J. , TRUSTEE THE RECKHOW REAL ESTATE HOLDING TR 305 HARVARD ST CAMBRIDGE, MA 02139

117-29 NEUWALDER PROPERTIES, LLC 20 BONNER AVE SOMERVILLE, MA 02143

117-29 VANGER, MARK H., TR OF SAVOY OFFICE REALTY TRUST 875 MASS AVE, SUITE 31 CAMBRIDGE, MA 02139

119-4 TOPALIAN, MARGUERITE & CHARLES KALAJIAN C/O VIRGINIA NAJARIAN TOPKAL REALTY TRS 65 AZALEA RD WALTHAM, MA 02452-7996

117-29 NEUWALDER PROPERTIES, LLC 20 BONNER AVE SOMERVILLE, MA 02143

117-29 BRIDGER, LLC 259 MASSACHUSETTS AVE ARLINGTON, MA 02474

119-7 MASSACHUSETTS AVE 876-880 LLC 40 GLENHAVEN RD. WEST ROXBURY, MA 02132

119-14 MOSS, KATHERINE F. & KATHRYN PORTLE 495 GREEN ST CAMBRIDGE, MA 02139

119-106 BARRY, III, EUGENE F. & GUITY VALIZADEH 489 GREEN ST UNIT 2 CAMBRIDGE, MA 02139