

# City of Cambridge

*Board of zoning appeal*

PETITION OF ~~City manager~~

re: *Board of Zoning Appeal*

Petition filed with the City Clerk

*June 11, 1984*

(all hearing to be completed 65 days from filing date with the City Clerk)

*19 days - June*

*31 days - July*

*15 days - August*

*65 days - August 15, 1984 = all hearings*

In City Council

*June 11, 1984*

Referred to the Planning Board for report

*June 11, 1984*

Planning Board Hearing

*Aug. 7, 1984*

(CITY COUNCIL must act within 90 days of the Planning Board's hearing which would be *Nov. 5, 1984*.)

*24 days August*

*30 days Sept*

*31 days Oct.*

*5 days Nov.*

*90 days = November 5, 1984*

City Council hearing published - *August 26, 1984 > Chronicle*

Hearing before the City Council

*- August 9, 1984 at 6:00 to  
Yabled in Committee on motion  
of C. Walter Sullivan*

Report to the City Council

Passed to a second reading  
published

Ready for Ordination  
. published

COMPLETION DATE:

*November 5, 1984*

*Placed on file due to expiration  
of time limit*



**PUBLIC NOTICE  
RELATIVE TO ZONING  
CITY OF CAMBRIDGE  
MASSACHUSETTS**

**Office of the City Clerk.**

Notice is hereby given that in accordance with the provisions of Chapter 40A, Section 5 of the General Laws, Tercentenary Edition and amendments thereto, that the Committee on Ordinances, comprised of the entire membership of the City Council, will hold a public hearing on Thursday, August 9, 1984 at 6:00 p.m. in the City Council Chamber, City Hall, Cambridge, Massachusetts on a petition by the Board of Zoning Appeal of the City of Cambridge to include a new Section "10.20 The Zoning Administrator". The purpose of the amendment is to establish the position of Zoning Administrator, who will be appointed by the City Manager and whose position will be in the Department of Inspectional Services. The Zoning Administrator shall have powers and duties to hear and decide applications for special permits and variances as designated within his/her authority, to grant extensions of valid variances and special permits, to grant minor amendments to valid variances and special permits, to judge and review applications for conditional relief as permitted and complete other duties as designated within the Zoning Administrator's authority. Amendments to the Zoning Ordinance are also included in this petition and relate to the authority and duties of the Zoning Administrator.

Copies of this petition are on file in the Office of the City Clerk, City Hall, Cambridge, Massachusetts.

All persons interested in this matter may appear at this time and be heard.

For the Committee,  
Councillor  
David E. Sullivan  
Chairman

(C) July 26, Aug. 2



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Councillor  
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(C) July 26, Aug. 2

348 Franklin Street  
Cambridge, Massachusetts 02139  
August 11, 1984

RECEIVED BY OFFICE OF CITY CLERK  
AUG 31 12 45 PM '84  
CAMBRIDGE, MASS.

Planning Board  
City of Cambridge

RE: Proposed amendment to the Cambridge Zoning Ordinance creating the position of Zoning Administrator and a new type of discretionary relief under the ordinance.

At the August 7, 1984 hearing on this proposed zoning change member Kennedy asked me to put my comments in writing.

On August 9, 1984, the City Council held a hearing on the same matter. At that hearing the matter was tabled in committee.

Matters raised by the public and by members of the city council at the August 9 hearing have caused me to reconsider my position on the matter.

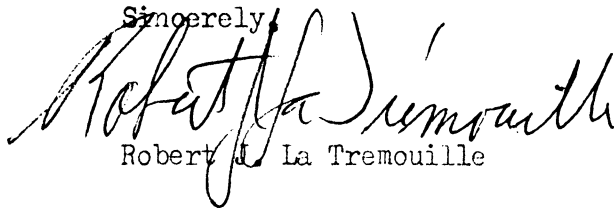
Pleased record me as opposed in principle to the creation of a Chapter 40A section 13 zoning administrator in the City of Cambridge, in addition to my objection to the numerous other changes proposed in the ordinance.

Zoning is too important to the City of Cambridge to delegate this power to an administrator.

I would suggest that the Board of Zoning Appeals resolve its caseload problem by implementing Councillor Wolf's stated opinion: the zoning law should be obeyed.

The purpose of the Board of Zoning Appeals is not to change the zoning established by City Council. Its purpose to relieve hardship created by special circumstances. The Board of Zoning Appeals should be looking at specific cases in light of the general purpose of the zoning ordinance. It should not be rubber-stamping agreements of abutters that it is to their common good to ignore the zoning ordinances. The case load of the board of zoning appeals will reduce if the board restricts itself to its job.

Sincerely,



Robert J. La Tremouille

cc: City Council  
Board of Zoning Appeals  
Concerned Citizens

Comm. from Robert J. LaTremouille, in opposition to the creation of a Chapter 40, Section 13 Zoning Administrator & numerous other changes proposed to said proposed ordinance amendment.

In City Council,

September 10, 1984

9/16/84

Referred  
to  
the  
PETITION

Sec. 15 Rules of Practice and Procedure

15.1 This section is adopted pursuant to Sections 12 and 13 of Chapter 40A, Massachusetts General Laws and Article 10.000, Section 10.23 of the Zoning Ordinance of the City of Cambridge.

15.2 The Board of Zoning Appeal recognizes the appointment of  
as Zoning Administrator pursuant to  
Section 13 of Chapter 40A of the General Laws.

15.3 The Board of Zoning Appeal, by majority vote, has delegated the following powers and duties to  
as Zoning Administrator:

to hear and decide requests for Special Permits, pursuant to Sections 9 and 11 of Chapter 40A of the General Laws, as the Board may decide appropriate, such as but not limited to:

- a) The extension of more restrictive dimensional regulations into a less restrictive zone up to twenty-five feet.
- b) The alteration of a single-family detached dwelling to provide one accessory apartment.
- c) The reduction of the required front yard for a dwelling constructed entirely above a commercial establishment in any Business District.
- d) The location of required accessory parking off-site under stated restrictions.
- e) The alteration of access for off-street parking including tandem parking, width and number of curb cuts, dimensional and locational standards for driveways.
- f) The alteration in the design and location of bicycle parking spaces.
- g) In a townhouse development, the alteration of the minimum dimension of usable open space, the provision of parking on-street under certain conditions and the reduction of certain planting requirements.

- h) Extension of a valid Special Permit limited as to time where no significant change in the circumstances under which the original Special Permit was granted is evidenced.

to hear and decide such requests for variances pursuant to Sections 10 and 11 of Chapter 40A of the General Laws, as the Board may decide appropriate.

15.31 The Zoning Administrator shall be empowered to grant variances from the terms of the Zoning Ordinance requiring such relief in the following circumstances:

where the City agency is directly involved and has obtained formal approval from neighborhood groups,

where the case is uncontested,

where the nature of the relief sought is minor with minimal impact on the local area,

where an existing variance limited as to time shall require renewal and no significant change in the circumstances under which the original relief was granted is evidenced.

15.4 The Board of Zoning Appeal or the Zoning Administrator shall decide whether certain land uses, additions or alterations to structures may be permitted by conditional relief or shall require a special permit or variance. All such requests for conditional relief shall be judged by their ability to comply with the following criteria:

a) The proposed use, occupancy, or construction shall not be substantially more detrimental to the local area than the condition legally existing on the subject site at the time of application.

b) All immediate abutters and all viewing abutters as determined by the Zoning Administrator, have no substantial objections.

c) In the opinion of the Zoning Administrator or Board of Zoning Appeal, the case does not require the wider notice procedures,

greater opportunity for comment and availability of diverse expertise inherent in the Special Permit/Variance public hearing process.

15.41 Requests which cannot satisfy the above criteria shall be considered at a public hearing under State mandated regulations for variances or special permits.

15.5 Applications for Special Permits, Variances or Conditional Relief shall be on forms supplied by the Inspectional Services Department. Applications shall be composed of forms and materials as required on the attached checklist.

15.51 Notice of all public hearings shall be posted, published and mailed in such form and manner and to such owners and other parties as is required by Section 11 of the Chapter 40A of the General Laws and to such other persons as the Zoning Administrator may deem affected.

15.52 Notice of all public meetings on applications for Conditional Relief shall be sent by mail to owners of immediately abutting properties and owners of properties which have a view of the subject property.

MEMORANDUM

To: City Council, Committee on Ordinances

From: Hugh Russell

Date: 8/9/84

Re: Proposed Zoning Administrator Amendment

The number of zoning cases has increased in recent years from approximately 60/year to over 100/year, causing a 3-4 month backlog in hearing cases. This is a result of additional regulations, including institutional uses, parking, accessory apartments, and fast-order foods; better enforcement of the ordinance; and the vigorous development climate. The backlog is undesirable and many individuals and companies are hurt by having to wait to be heard. This is particularly unfortunate for uncontested cases, which comprise approximately half of the total.

To date, the BZA has responded to this problem by holding longer hearings (often over 4 hours, and recently one 7-1/2 hour session ending at 2:30 AM) and holding hearings every three weeks, rather than monthly. We have considered additional measures to accommodate the increased workload:

- More frequent hearings
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The best alternative seems to be the Zoning Administrator, because it does not make unreasonable demands on the members of the Zoning Board, does not limit the rights of citizens to be heard on zoning cases, does not require any change in the planning policy of the city, and establishes an expedited formal procedure for granting relief in non-controversial cases.

The Board of Zoning Appeal has endorsed the proposed zoning amendment before you and requests your approval of this proposal at this time and when the matter comes before the Council.

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CITY OF CAMBRIDGE, MASSACHUSETTS

# PLANNING BOARD

CITY HALL ANNEX, 57 INMAN STREET, CAMBRIDGE 02139

## Notice of a Public Hearing

The Planning Board of the City of Cambridge will hold a public hearing on Tuesday, August 7, 1984 at 7:30 p.m. in the Community Development Department Conference Room, 3<sup>rd</sup> Floor, 57 Inman Street, Cambridge, Ma. on a petition by the Board of Zoning Appeal of the City of Cambridge to amend the Zoning Ordinance of the City of Cambridge to include a new Section "10.20 The Zoning Administrator." The purpose of the amendment is to establish the position of Zoning Administrator, who will be appointed by the City Manager and whose position will be in the Department of Inspectional Services. The Zoning Administrator shall have powers and duties to hear and decide applications for special permits and variances as designated within his/her authority, to grant extensions of valid variances and special permits, to grant minor amendments to valid variances and special permits, to judge and review applications for conditional relief as permitted and complete other duties as designated within the Zoning Administrator's authority. Amendments to the Zoning Ordinance are also included in this petition and relate to the authority and duties of the Zoning Administrator.

Copies of this petition are on file in the Office of City Clerk, City Hall, Cambridge, Ma. Questions concerning this petition may be addressed to Elizabeth Ware at 498-9034.

ANNE M. THOMAS  
ATTORNEY-AT-LAW  
19 WYMAN STREET  
ARLINGTON, MASSACHUSETTS 02174  
(617) 646-1147

August 3, 1984

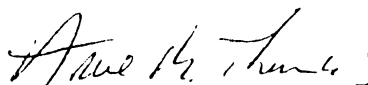
Committee on Ordinances  
Cambridge City Council  
City Hall  
Cambridge, MA 02139

RE: Petition of the Board of Zoning Appeal  
to include a new section 10.20 providing  
for a Zoning Administrator as well as amendments to  
the Zoning Ordinances relative to the authority  
and duties of the zoning administrator

Dear Committee Members:

As a private attorney who has brought many petitions before the Board of Zoning Appeals over the past nine years, I would like to speak in favor of the above petition. Under the present system, the Board of Zoning Appeals is obliged to spend a great deal of time on matters which are insignificant, unopposed, and for which relief in favor of the petitioner is clearly going to be granted. Spending time on these matters means that the more uncertain or controversial cases must be dealt with in the midst of a crowded docket, with issues frequently being discussed late into the night. People are fatigued, witnesses leave, and it is not a good situation all around. I have the greatest respect for the Board of Zoning Appeal's ability to meet its statutory obligations under these conditions and feel that it could do an even better job, with less strain, if the proposed amendment were adopted. It will, of course, be extremely important to appoint someone like Richard Horgan to the new position, who is knowledgeable, courteous, pays attention to details, and is willing to work out a solution which complies with the Ordinance and is also satisfactory to the petitioning party. In my experience, the Board of Zoning Appeal has always been an impartial, but friendly, administrative body, and I feel the Zoning Administrator must function similarly for the new position to be successful.

Yours very truly,

  
Anne M. Thomas

AMT/afm

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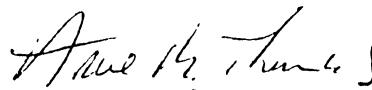
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Councillor David E. Sullivan  
Chairman.

6/17  
PM

zoning Administrator

L. D. Hutton, C. W. Kelly - Chubing, C. W. Sullivan

Mr. Russell Chm of BOZA

Mr. Hargrett

Richard R. Hargrett, employee of Inspection  
Service -

Mr. Russell volume work from 60 to 100  
per year -

Unable to handle all of problems -  
so quickly no profits -

Mr. Hargrett

create Admin Committee in BOZA -  
establish rules and procedure of  
case to be heard -

BOZA would refer cases to ~~Board~~

zoning Admin -

PH within prohibit creating lot  
status

no knowledge of any city long then

PH no special point man of BOZA

622 for many examples Board people -  
BOD can't use limited forums on

Smaller issues -

- A formal summary of the discussion

- formal  
EPS Comm has to impose restraints -

PH in some cases

EPS you are proposing revoke grant of  
authority

What reliefs entitled to conditional  
relief

→ PH part of  
Special provision for Comm dividend  
Let boards for open an option  
Be quite part of your  
Modern form structure additions

628 PM Mr Parcell speaks

Mr Parcell - BOD would delegate even -  
by types - and is referred  
to BOD for proper forms

629  
p. 29

Revised by BWH - 14 Aug -  
BWH would like policy director

OK We are getting too many requests  
for showcases

Bdly should try to conform -  
We are too much reducing requests

630 BH - people have not been

as they will come - in with

more -

4 stars

Chadley Can you spell out the duties  
standards will be low -

Mr. P. has drafted a set of rules  
to be followed by family also

A copy to all CC has at 6/5/04

BH will reduce budget to 55%  
in answer to Chadley -

BH No new employees - would need to  
make some effort use of his  
time in any means in possible  
BH Card Guarantee Chart - Problem  
of security

637 18 SD  
15 NE  
8 SD

640 On suppl of petition  
Jordan Longbery

Wrote writ was 5 to 8 months  
from BSA to add to payroll  
Wrote some documents (proceedings)  
about the state  
All documents will be there -  
Bank check accomplished w/ it  
Any real increase in cost to  
the city

Custom McBryde in form  
15 of bank

143 Offshore  
Port of Commerce  
248 Draper St

Costs or more than I relief which  
is not covered by others

Proposals of BIA  
BIA presents itself with  
Control Department work  
I need to structure - this  
change would change from Prop  
etc. Mid Case Problems  
with resources

643  
page 1  
I will re wrap of  
conditional Policy Change  
QD Held for RIT and MRB -

331-337  
MWRAD  
001  
Share Kennedy  
Market  
H. Ambrose Air Area - Possible  
could suffer with Direct Power  
for one person  
Can't get from mid from  
Act - which spills out for  
Shing H. re business proposal  
I replace employees

6:55  
PM

Keep in open Summit -  
Summit don't require motion  
only properly owned abutments.

Mr. Strong II -

6:58  
PM

Paul Rivers  
355 Value Inc

Mr. Conner Case Strong modified

What about tenants

95% cases - for insurance

Insurer will take away some  
of the amount

What is a non-Casebook Case

Drill Case - if only 25 cases

per category - Mr. Conner

requires if unable to

do the job

112/1009 State Law by Pils V  
to get terms secondary  
→ to tenants - protect  
→ against the papers

112 3330 Pilsner Street  
Pilsner protect street work  
to admit effects

115/1000 Club House of Pilsner  
Horgan and Pilsner  
again

OPS Land relief 10.2-6-  
section - seems to be one  
section grant of power  
to B125 from the land  
All work done well from  
B124

PH Some section of Pilsner  
joining - 1-5 Pilsner  
rent includes them

708

624 864 L Dan

2 set back of game plan

649 - Many part

~~649~~ 649 649 649

649 649 649 649

can be appeared - reconsidered

649 649 649 649

649 649 649 649

649 649 649 649

649 649 649 649

NR up papers

193  
PN

C.M.F. - Don't forget  
writing to delegated  
Best not w/ summary  
research and motivation

→ Topic - Non-Linear Law  
w/ little impact

CD to develop papers of BR  
do devises for work  
The papers we give up  
further central research

Make BR research could be  
revised

C Indicate to reality  
applicable where they  
over all on the

C Against groups - impose  
direct of power

728 CWTJ Tuller with the bank  
Morton Grand 200

Quoffe  
CWTJ  
CDJ

Adjusted at 9 2/3%

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MEMORANDUM

To: City Council, Committee on Ordinances

From: Hugh Russell

Date: 8/9/84

Re: Proposed Zoning Administrator Amendment

The number of zoning cases has increased in recent years from approximately 60/year to over 100/year, causing a 3-4 month backlog in hearing cases. This is a result of additional regulations, including institutional uses, parking, accessory apartments, and fast-order foods; better enforcement of the ordinance; and the vigorous development climate. The backlog is undesirable and many individuals and companies are hurt by having to wait to be heard. This is particularly unfortunate for uncontested cases, which comprise approximately half of the total.

To date, the BZA has responded to this problem by holding longer hearings (often over 4 hours, and recently one 7-1/2 hour session ending at 2:30 AM) and holding hearings every three weeks, rather than monthly. We have considered additional measures to accommodate the increased workload:

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The best alternative seems to be the Zoning Administrator, because it does not make unreasonable demands on the members of the Zoning Board, does not limit the rights of citizens to be heard on zoning cases, does not require any change in the planning policy of the city, and establishes an expedited formal procedure for granting relief in non-controversial cases.

The Board of Zoning Appeal has endorsed the proposed zoning amendment before you and requests your approval of this proposal at this time and when the matter comes before the Council.

MEMORANDUM

To: City Council, Committee on Ordinances

From: Hugh Russell

Date: 8/9/84

Re: Proposed Zoning Administrator Amendment

The number of zoning cases has increased in recent years from approximately 60/year to over 100/year, causing a 3-4 month backlog in hearing cases. This is a result of additional regulations, including institutional uses, parking, accessory apartments, and fast-order foods; better enforcement of the ordinance; and the vigorous development climate. The backlog is undesirable and many individuals and companies are hurt by having to wait to be heard. This is particularly unfortunate for uncontested cases, which comprise approximately half of the total.

To date, the BZA has responded to this problem by holding longer hearings (often over 4 hours, and recently one 7-1/2 hour session ending at 2:30 AM) and holding hearings every three weeks, rather than monthly. We have considered additional measures to accommodate the increased workload:

- More frequent hearings
- Limiting testimony at hearings (we now allow all who wish to speak full opportunity to express their views) so we could hear more cases per hearing
- Amendments to the ordinance to permit more subdivisions and renovations to non-conforming buildings as a matter of right
- Granting non-controversial cases by default by not scheduling hearings within the mandated time period
- Delegating BZA authority in non-controversial cases to a Zoning Administrator

The best alternative seems to be the Zoning Administrator, because it does not make unreasonable demands on the members of the Zoning Board, does not limit the rights of citizens to be heard on zoning cases, does not require any change in the planning policy of the city, and establishes an expedited formal procedure for granting relief in non-controversial cases.

The Board of Zoning Appeal has endorsed the proposed zoning amendment before you and requests your approval of this proposal at this time and when the matter comes before the Council.

RECEIVED BY  
OFFICE OF CITY CLERK

June 8, 19 84

Cambridge,  
JUN 11 3 52 PM '84

To the Honorable, the City Council of the  
City of Cambridge: CAMBRIDGE, MASS.

The undersigned respectfully pray

the Zoning Ordinance of the City of Cambridge be amended as follows:

In Section 6.436, after the words, "the Board of Zoning Appeal" insert the words, "or the Zoning Administrator." Delete the words, "a special permit" and substitute the words, "conditional relief."

In Section 6.441, paragraph (g) after the words, "the Board of Zoning Appeal" insert the words, "or the Zoning Administrator." Delete the words, "a special permit" and insert the words, "conditional relief" in their place. Delete the words, "or (b)" and insert the words, "(b) or (c)."

In Section 6.494, after the words, "The Board of Zoning Appeal" insert the words, "or the Zoning Administrator." Delete the words, "by special permit" and insert the words, "by conditional relief."

In Section 8.22, delete paragraph (a) and substitute in place thereof the following: "In an Office, Business or Industrial district, the Board of Zoning Appeal may grant a special permit for the enlargement (but not the alteration) of a non-conforming use providing any such enlargement is not further in violation of the dimensional requirements in Article 5.000 or the off-street parking and loading requirements in Article 6.000."

In Section 8 22, paragraph (c) after the word, "Residence" insert the words, "Office, Business, or Industrial." Delete the words, "may grant a special permit for" and insert the words, "or the Zoning Administrator may permit by conditional relief."

In Section 8.22, delete paragraph (d) and substitute in place thereof the following: "The Zoning Administrator may permit the addition to a non-conforming one-, two-, or three-family dwelling which will further violate the yard, height and floor area ratio requirements of Article 5.000, provided that such addition does not extend beyond the existing story immediately below it or above the existing roof line."

In Article 10.000, after Section "10.10 The Board of Zoning Appeal", insert a new designation, "10.20 Zoning Administrator." Renumber subsequent Sections, "Appeals," "Variances," "Special Permits," "Repetitive Petitions" as Sections "10.30," "10.40," "10.50" and "10.60" respectively.

In Article 10.000, Section 10.13, after paragraph (c), add a new paragraph, "(d)" which shall read as follows: "To designate which types of requests for variances, special permits, or amendments or extensions thereto it shall be within the authority of the Zoning Administrator to decide."

After paragraph (d), add a new paragraph "(e)" which shall read as follows: "To grant conditional relief where authorized by the Zoning Ordinance." After paragraph (e) add a new paragraph "(f)" which shall read as follows: "To hear and decide appeals from decisions of the Zoning Administrator in accordance with Section 13 of Chapter 40A."

After Section 10.17, insert a new Section "10.20 The Zoning Administrator" which shall read as follows:

SECTION 10.20 ZONING ADMINISTRATOR

10.21 There shall be a Zoning Administrator, whose position shall be established in accordance with Section 13 of Chapter 40A of the General Laws (and all amendments thereto). The Zoning Administrator shall be appointed by the City Manager under Section 104 of the Plan E Charter and shall function within the Administration of the Commissioner of Inspectional Services.

10.211 The Zoning Administrator shall have the qualifications set forth in the zoning administrator position description on file with the Department of Inspectional Services.

10.22 The purpose of this ordinance is to reorganize zoning functions under the aegis of the Department of Inspectional Services, to aid in alleviating the backlog of administrative zoning cases, to permit more expeditious hearing of certain zoning petitions, and to allow the Planning Board and Board of Zoning Appeal to concentrate on more complex zoning issues.

10.23 Power and Duties

The Zoning Administrator shall have the following powers and duties:

To hear and decide applications for such special permits as are designated within the Zoning Administrator's authority by the Rules of Practice and Procedure of the Board of Zoning Appeal and the Zoning Ordinance;

to hear and decide applications for such variances as are designated within the Zoning Administrator's authority by the Rules of Practice and Procedure of the Board of Zoning Appeal and the Zoning Ordinance;

to grant extensions of valid variances or special permits which have been granted by the Board of Zoning Appeal or Zoning Administrator;

to grant minor amendments to valid variances or special permits which have been granted by the Zoning Administrator or the Board of Zoning Appeal;

to review and judge applications for conditional relief as permitted by Section 10.26 of the Zoning Ordinance;

to adopt such rules of practice and procedure subject, to Board of Zoning Appeal's approval, as are deemed necessary to carry into effect the provisions of this Ordinance.

10.24 Applications

All applications made to the Zoning Administrator shall be in writing on forms prescribed by the Zoning Administrator and shall contain the specifics of the relief requested and supporting statements. All applications shall be accompanied by such plans and other information as the Zoning Administrator shall deem necessary. Submittal requirements and hearing and meeting procedures shall be contained in the Board of Zoning Appeal Rules of Practice and Procedure.

10.25 Hearings

The Zoning Administrator shall consider any appeal for a variance or special permit at a public hearing. Notice of such public hearings shall be provided in the manner specified in Section 11 of Chapter 40A of the General Laws. A record of all such hearings shall be kept.

10.251 Any application or petition filed with the Zoning Administrator which has not been decided on within thirty-five days of the date of filing shall be deemed denied.

10.252 Decisions

Every decision of the Zoning Administrator involving a request for a variance or special permit shall be by determination. Each such determination shall be filed with the documents pertaining thereto in the office of the Department of Inspectional Services. Copies of each determination shall be filed simultaneously in the Offices of the City Clerk, the Planning Board and the Board of Zoning Appeal. Periodic meetings shall be held between the Board of Zoning Appeal and the Zoning Administrator for coordination of activities of the Zoning Administrator with general policy direction.

10.26 Conditional Relief

The Zoning Administrator or the Board of Zoning Appeal may decide whether certain land uses, additions or alterations to structures as set forth in the Board of Zoning Appeal Rules of Practice and Procedure shall require a Special Permit, a Variance or may be permitted as Conditioned Relief. The Board of Zoning Appeal or the Zoning Administrator shall base such decisions on criteria established in the Board of Zoning Appeal's Rules of Practice and Procedure. All requests for conditional relief shall be made on forms prescribed by the Zoning Administrator or the Board of Zoning Appeal.

10.261 Conditional Relief Meetings

The Zoning Administrator shall consider all requests for conditional relief at an open meeting. A record of all such meetings shall be kept. Notice of such meetings shall be as prescribed in the Zoning Administrator Section of the Rules of Practice and Procedure of the Board of Zoning Appeal.

10.27 Decisions and Findings

Every decision or finding of the Zoning Administrator involving a request for conditional relief shall be by determination. Each such

determination shall be filed with any documents pertaining thereto in the Office of the Department of Inspectional Services. Copies of each resolution shall be filed simultaneously with the Board of Zoning Appeal and the Office of the City Clerk.

10.28 Reconsideration

Any party who believes that the Zoning Administrator's decision was based on errors of fact can make a written request within fourteen days of the Zoning Administrator's decision for a review of the decision specifying the alleged errors. The Board of Zoning Appeal, following review of the record, may take such action as it deems necessary. This may include an additional hearing before the Zoning Administrator and/or a revision to the original decision.

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Any person aggrieved by a decision, finding or order of the Zoning Administrator, whether or not previously a party to the proceedings, or any municipal office or board, may appeal to the Board of Zoning Appeal as provided in Section 14 of Chapter 40A, within thirty days after the decision of the Zoning Administrator has been filed in the Office of the City Clerk.

In Section 11.13 after the words, "The Board of Zoning Appeal," insert the words, "or the Zoning Administrator."

RECEIVED BY  
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Cambridge,  
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In Section 11.13 after the words, "The Board of Zoning Appeal," insert the words, "or the Zoning Administrator."



CITY OF CAMBRIDGE  
INTEROFFICE CORRESPONDENCE

To City Council Members

Date July 19, 1984

From Joseph E. Connarton *J.E.C.*  
Deputy City Clerk

Reference

Subject

Ordinance Committee meeting.

This is to inform you that the Chairman of the Committee on Ordinances has scheduled public hearings on Thursday, August 9, 1984 in the City Council Chamber as follows:

- 5:30 p. m. Petition of Lois Doerr, et al to rezone land on Concord Avenue and Birch Street from Residence B to Industry A-1.
- 6:00 p. m. Petition of the Board of Zoning Appeal to include a new section 10.20 providing for a Zoning Administrator as well as amendments to the Zoning Ordinances relative to the authority and duties of the zoning administrator.

Your kind attention in this matter will be greatly appreciated.

PUBLIC NOTICE  
RELATIVE TO ZONING**City of Cambridge**

MASSACHUSETTS

Office of the City Clerk.

Notice is hereby given that in accordance with the provisions of Chapter 40A, Section 5 of the General Laws, Tercentenary Edition and amendments thereto, that the Committee on Ordinances, comprised of the entire membership of the City Council, will hold a public hearing on Thursday, August 9, 1984 at 6:00 p. m. in the City Council Chamber, City Hall, Cambridge, Massachusetts on a petition by the Board of Zoning Appeal of the City of Cambridge to include a new Section "10.20 The Zoning Administrator". The purpose of the amendment is to establish the position of Zoning Administrator, who will be appointed by the City Manager and whose position will be in the Department of Inspectional Services. The Zoning Administrator shall have powers and duties to hear and decide applications for special permits and variances as designated within his/her authority, to grant extensions of valid variances and special permits, to grant minor amendments to valid variances and special permits, to judge and review applications for conditional relief as permitted and complete other duties as designated within the Zoning Administrator's authority. Amendments to the Zoning Ordinance are also included in this petition and relate to the authority and duties of the Zoning Administrator

Copies of this petition are on file in the Office of the City Clerk, City Hall, Cambridge, Massachusetts.

All persons interested in this matter may appear at this time and be heard.

For the Committee,

Councillor David E. Sullivan  
Chairman.

After paragraph (d), add a new paragraph "(e)" which shall read as follows: "To grant conditional relief where authorized by the Zoning Ordinance." After paragraph (e) add a new paragraph "(f)" which shall read as follows: "To hear and decide appeals from decisions of the Zoning Administrator in accordance with Section 13 of Chapter 40A."

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RECEIVED BY  
OFFICE OF CITY CLERK

June 8,

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Cambridge,  
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City of Cambridge: CAMBRIDGE, MASS.

The undersigned respectfully pray

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**PETITION**

**of** .....

**for** .....

**No.** .....

.....19

**In City Council, 19:**

**Referred to the Committee on**

**Attest:**

**City Clerk.**

**ANNE M. THOMAS**  
**ATTORNEY-AT-LAW**  
19 WYMAN STREET  
ARLINGTON, MASSACHUSETTS 02174  
(617) 646-1147

August 3, 1984

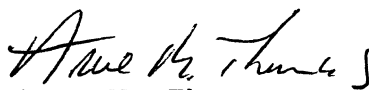
Committee on Ordinances  
Cambridge City Council  
City Hall  
Cambridge, MA 02139

RE: Petition of the Board of Zoning Appeal  
to include a new section 10.20 providing  
for a Zoning Administrator as well as amendments to  
the Zoning Ordinances relative to the authority  
and duties of the zoning administrator

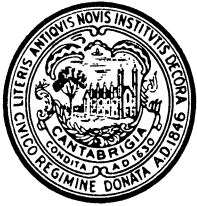
Dear Committee Members:

As a private attorney who has brought many petitions before the Board of Zoning Appeals over the past nine years, I would like to speak in favor of the above petition. Under the present system, the Board of Zoning Appeals is obliged to spend a great deal of time on matters which are insignificant, unopposed, and for which relief in favor of the petitioner is clearly going to be granted. Spending time on these matters means that the more uncertain or controversial cases must be dealt with in the midst of a crowded docket, with issues frequently being discussed late into the night. People are fatigued, witnesses leave, and it is not a good situation all around. I have the greatest respect for the Board of Zoning Appeal's ability to meet its statutory obligations under these conditions and feel that it could do an even better job, with less strain, if the proposed amendment were adopted. It will, of course, be extremely important to appoint someone like Richard Horgan to the new position, who is knowledgeable, courteous, pays attention to details, and is willing to work out a solution which complies with the Ordinance and is also satisfactory to the petitioning party. In my experience, the Board of Zoning Appeal has always been an impartial, but friendly, administrative body, and I feel the Zoning Administrator must function similarly for the new position to be successful.

Yours very truly,

  
Anne M. Thomas

AMT/afm



CITY OF CAMBRIDGE

CAMBRIDGE, MASSACHUSETTS 02139  
Tel. 498-9011

EXECUTIVE DEPARTMENT  
ROBERT W. HEALY  
City Manager

June 11, 1984

To the Honorable, the City Council:

Enclosed please find copy of a petition requesting the amendment of the Zoning Ordinance of the City of Cambridge. This proposed amendment has the support of the Board of Zoning Appeal.

Very truly yours,

Robert W. Healy  
City Manager

RWH/mbf  
Enc.

Agenda Item Number Eight

0-43

Re: proposed amendment to the Zoning Ordinances  
Re: the Board of Zoning Appeal.

11/5/84 - Placed on file  
due to expiration of  
time limit

Copies sent to Ordinance  
Committee & Planning  
Board 6/14/84 dl

In City Council,

June 11, 1984

6/11/84  
Report to the  
Planning  
Board  
AND  
Ordinance Committee