

2. VARIANCE SPECIFICS

The undersigned petitions the New Bedford Zoning Board of Appeals [ZBA] to grant a VARIANCE in the manner and for the reasons set forth here under the provisions of the city's zoning ordinance to the following described premises:

APPLICATION SUMMARY (PLEASE PRINT)

SALERIO SIRVIDE I INTERIORE				
ASSESSOR'S MAP PLO	DT# 43 LO	T(S)#		
REGISTRY OF DEEDS		IGE# 2		
PROPERTY ADDRESS:				
	235 N. FRO	NT 51	•	
ZONING DISTRICT:	MUB			
OWNERINFORMATI				
	LADY OF PERP			
MAILING ADDRESS:	235 N. FRON.	r 5t		
AARBEICANI AGONI VAC	T PERSON INFORMATION			
NAME (IF DIFFERENT):	A 1 D		A part of the section
	FATHER CON		CONTRACT	,
Check one:	ONSHIP TO THE PROPERTY:	OWNER	CONTRACT OTHER VENDEE Describe	-
	F DIFFERENT'			
MAILING ADDRESS (I	F DIFFERENT):			
	100 00 2 0 2	70		
TELEPHONE #	508-99293	70-		
EMAIL ADDRESS:				
By signing below, I/we a	acknowledge that all information tany false information intention	nally provided	ein is true to the best of a	my/our knowledge. I/we
approval(s). I/we also g exterior) at reasonable	ive planning division staff and Z times and upon reasonable not Courad Sclack Signature of Ap	ice for the pur Laster	he right to access the pre pose of taking photograp	or the revocation of the emises (both interior and
approval(s). I/we also g exterior) at reasonable visual inspections.	times and upon reasonable not Cowrad Salack Signature of Ap	ice for the pur <u>Paster</u> plicant/s	ne right to access the prepose of taking photograp	or the revocation of the emises (both interior and hs and conducting other $\frac{23/2015}{\text{Date}}$
approval(s). I/we also g exterior) at reasonable visual inspections. If the applicant differs thereby authorize the interests on my/our behand presented throughounderstood this applicate	Signature of Applicant represented above an application. Furthermore, the plans submitted, unless the	plicant/s must be come d throughout the present of	pleted/signed by the property of the property	or the revocation of the emises (both interior and hs and conducting other 23/2015 Date coperty owner/s: and to represent my/our property address" above owledge having read and ited, I/we understand the



APPLICATION SPECIFICS

	FRONTAGE	DEPTH ,		, AREA in SC	Q FT
DIMENSIONS OF LOT/S:	49.46	90.44	4492	, a	
	# OF BLDGS	EXISTING SIZE	TOTAL SQ FT BY FLOOR	NUMBER OF FLOORS	TOTAL SQ. FT ENTIRE STRUCTURE
EXISTING BUILDING/S	D	_			
	# OF DWE	ELLING UNITS	# OF BED	ROOMS	
	# OF BLDGS	PROPOSED SIZE	TOTAL SQ FT BY FLOOR	NUMBER OF FLOORS	TOTAL SQ. FT ENTIRE STRUCTURE
PROPOSED BUILDING/S		12×24	288°		288°
	# OF DWI	ELLING UNITS	# OF BED	ROOMS	EXTENT OF PROPOSED ALTERATIONS
EXISTING USE OF PREMISES:	CHURCH,	/DRIVEWAY			
PROPOSED LISE OF	gARAGE				
EXPLAIN WHAT MODIFICATIONS YOU	FRONT PROPOS	SETBACK ED - 12'	<u>.</u>		
ARE PROPOSING THAT NECESSITATE THE REQUESTED	REQU	IRED - 8	20'		
VARIANCE:					

If there's a commercial use existing and/or proposed, please complete the following:

NUMBER OF EMPLOYEES HOURS OF OPERATION				<u> </u>
DAYS OF OPERATION				
HOURS OF DELIVERIES				
FREQUENCY OF DELIVERIES (Check frequency)	DAILY	WEEKLY	DAILY	WEEKLY
	MONTHLY	OTHER	MONTHLY	OTHER
re also requesting site plan review	and special perm	it/s from the pl	lanning board, pl	lease specify l



Complete each item that is relevant to your variance request:

and the second s	Existing	Allowed/ Reguired	Proposed
Lot Area (sq ft)			
Lot Width (ft)			
Number of Dwelling Units			
Total Gross Floor Area (sq ft)			
Residential Gross Floor Area (sq ft)			
Non-Residential Gross Floor Area (sq ft)			
Building Height (ft)			
Front Setback (ft)	NA	20'	12'
Side Setback (ft)			
Side Setback (ft)			
Rear Setback (ft)			
Lot Coverage by Buildings (% of Lot Area)			
Permeable Open Space (% of Lot Area)			
Green Space (% of Lot Area)			
Off-Street Parking Spaces			
Loading Bays			
Number of Ground Signs			
Height of Ground Sign			
Proximity of Ground Sign to Property Line			
Area of Wall Sign (sq ft)	·		
Number of Wall Signs			

3. PARCEL LEGAL DOCUMENTATION

Title Reference to Property (Attach copy of Deed, Certificate of	Title & most recent Recorded Plans showing affected lot or lots)
Is the applicant also the owner? If no, please attach the following thi	Yes No No No ree items to your application and indicate they are attached:
A notarized authorization letter this permit.	r on letterhead from the owner to tenant/buyer for application of
If the Applicant is Not the Owne A copy of the Purchase & S	er, Provide: ale Agreement or lease, where applicable.
	deeds of abutting parcels if said parcels have been held in he subject property at any time since January 1, 1976.



4. REQUIRED FINDINGS FOR GRANTING A VARIANCE

Massachusetts General Law Chapter 40A Section 10 requires the "permit granting authority" (which, in this instance is the Zoning Board of Appeals) to make <u>ALL</u> the following findings before a variance can be granted:

A

That there are circumstances relating to the soil conditions, shape or topography which especially affect the land or structure in question, but which do not affect generally the zoning district in which the land or structure is located.

ANPSCAPING

B

That due to those circumstances especially affecting the land or structure, literal enforcement of the provisions of the Zoning Ordinance or By Law would involve substantial hardship, financial or otherwise, to the petitioner or appellant.

C

That desirable relief may be granted without nullifying or substantially derogating from the intent or purpose of the Zoning Ordinance or Bylaw.

D

That desirable relief may be granted without substantial detriment to the public good.

The full text of M.G.L. Chapter 40A, Section 10 can be viewed at: http://www.mass.gov/legis/laws/mql/

Because the ZBA must be able to articulate each of these four findings in order to grant a variance, you must make your case as to WHY your application meets each of these four points. This is an extremely important question and it is recommended that you answer this VERY carefully. You may use an additional sheet if needed.

Describe any circumstances relating to soil conditions, shape or topography which especially affect the land or structure in question but that doesn't generally affect the zoning district in which your premises is located:

GRADE CHANGE NECESTRATES LOCATION

B Describe how circumstances unique to your land or structure would mean a substantial hardship to you if the city were to literally enforce the zoning ordinance:

WADICULED LANDSCAPED CLEENSPACE LOCATED IN REAR.

LOCATION BAVES CLEENSPACE

C Describe how granting you relief would not take away from the purpose of the city's zoning ordinance:

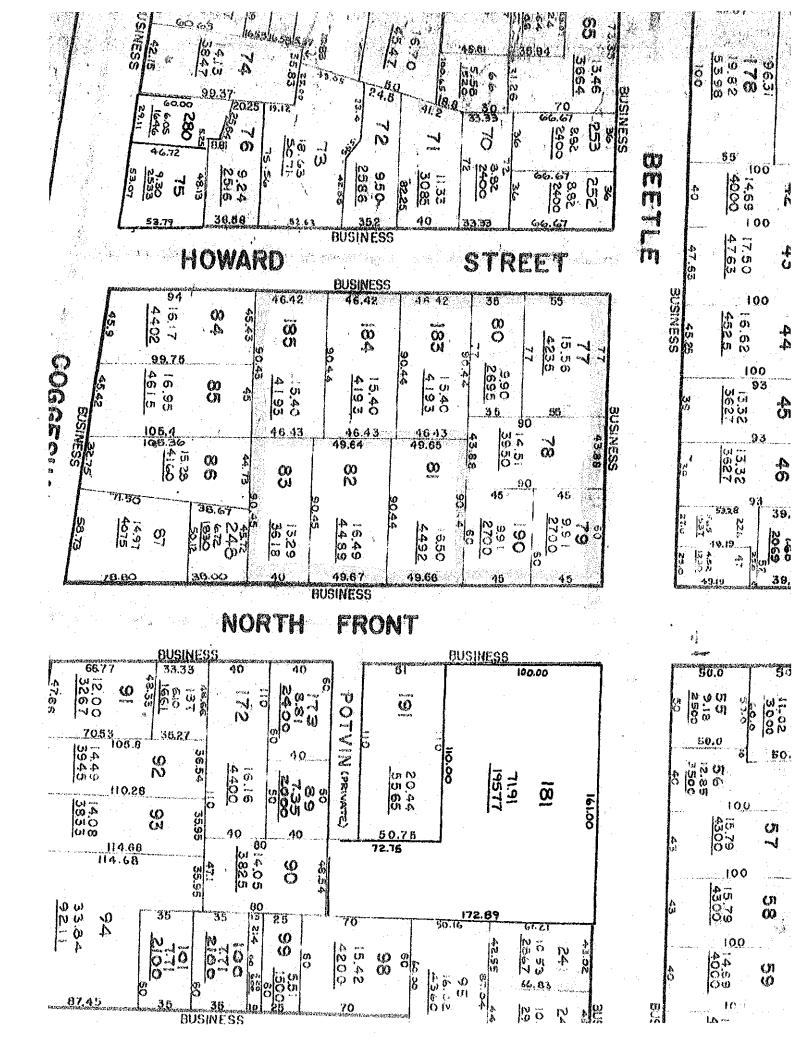
USES EXISTING DRIVEWAY + CURRUT - NO EFFELT TO

SIDENALK OF ABVITING PROPERTIES

D Describe why nobody else would be hurt if the city granted your requested zoning relief:

TOES NOT NEGATIVELY IMPACT SURLOWDING AREA. ABUTING

LOTS ALE NED IN COMMON ONNESHIP + STRUCTURE SUREENED BY



Commonwealth of Massachusetts

Bristol as New Bedford August 21, 1925 Then personally appeared the above named William F.Turner Treasurer and acknowledged the foregoing instrument to be the free act and deed of said Corporation before me Joseph A.Gauthier Justice of the Peace. My Commission expires May 3,1929.

Received and recorded Aug. 29,1925 at 11 hrs and 55 min A.M

Attest:

James P. McCaohan Register

KNOW ALL MEN BY THESE PRESENTS that I, Melina Bouvier

11950

Bouvier et ali

to

Roman Catholic Bishop of Fall Rive

of New Bedford Eristol County, Massachusetts widow, Ovila and Hermina Boucher individually and as Trustees under the will of Joseph A.Bouvier late of said New Bedford by power conferred in said will and every other power for consideration paid grant to the Roman Catholic Bishop of Fall River a corporation sole located in Fall River in said County of Bristol with warranty covenants a certain lot of land in said New Bedford and bounded and described as follows:-

Beginning at a point in the south line of Beetle Street sixty feet west of the west line of North Front Street; Thence westerly in said south line of Beetle Street forty three and 88/100 (43.88) feet; thence southerly ninety feet to land now or late of Frank J.Kildea; thence easterly in line of said Kildea land forty three and 88/100 (43.88) feet; and thence northerly ninety feet to the place of beginning containing fourteen and 5/100 (14.05) square rods more or less. Being the same premises conveyed to Joseph A.Bouvier by deed of William Weeks dated April 11 1900 and recorded with the Bristol County (S.D.) Registry of Deeds book 209 pages 300-301.

Subject to the 1925 taxes.

Witness our hands and seals this 29th day of Aug. 1925.

2-\$5 Int. Rev.Stamps

Melina Bouvier (L.S.)

Cancelled 8/29/25 M B

Hermina Boucher (L.S.)

Ovila Boucher

(L.S.)

Commonwealth of Massachusetts

Bristol as New Bedford Aug. 29,1925 Then personally appeared the above named melina Bouvier and acknowledged the foregoing instrument to be her free act and deed before me Emile Auger Justice of the Peace.

My commission expires June 21,1928.

Received and recorded Aug. 29,1925 at 11 hrs and 56 min A.M.

Attest:

James P. McCrohan Register

We, Jan Filachowski and Alexandra Filachowski both of New Bedford Bristol County, Massachusetts for consideration paid grant to the Roman Catholic Bishop of Fall River a corporation sole of Fall River in said County of Bristol with warranty covenants the land in said New Bedford with the buildings thereon bounded and described as follows, viz;

Beginning at the northeast corner of said lot in the west line of

11951

true copy of instrument as recorded in

Bristol County

Filachowski et ux

to

Roman Catholic Bishop of Fall River.

27

North Front Street ninety (90) feet south of the south line of Beetle Street thence southerly in saidwest line of North Front Street fortynine and 66/100 (49.66) feet to land formerly owned by Beetle and Smith: thence westerly ninety and 44/100 (90.44) feet; thence northerly forty-nine and 65/100 (49.65) feet; thence easterly ninety and 44/100 (90.44) feet to the place of beginning.

Containing sixteen and 49/100 (16.49) square rods more or less. being the same premises conveyed to us by Louis Bolduc by deed dated Nov.15,1919 and recorded in Bristol County S.D. Registry of Deeds book 488 page 337.

We, Jan Filachowski and Alexandra Filachowski husband and wife release to said grantee all rights of curtesy dower homestead and other interests therein.

Witness our hands and seals this 29th day of August 1925.

J.P.Doran to both

John Filachowski

2-\$5 Int. Rev.Stamps

Alexandra X Filachowski (L.S.)

Cancelled 8/29/25 J F

Commonwealth of Massachusetts

Bristol as New Bedford August 29,1925 Then personally appeared the above named Jan Filachewski and acknowledged the foregoing instrument to be his free act and deed before me James P. Doran Justice of the Peace. My commission expires Sept. 20,1927.

Received and recorded Aug. 29, 1925 at 11 hrs and 57 min A.M.

James P. McCaohan Register

11954 Robitaille to Jarry

I,Louis J.Robitaille holder of a mortgage from Roman Rusinoski and Apolonia Rusinoski to me dated July 11,1925 recorded with Bristol County (S.D.) Registry of Deeds Book 616 Page, 464-5 assign said mortgage and the note and claim secured thereby to Odilon Jarry. Witness my hand and seal this twenty-eighth day of August 1925.

Louis J.Robitaille (L.S.)

Commonwealth of Massachusetts

Bristol ss New Bedford August 28,1925 Then personally appeared the above named Louis J.Robitaille and acknowledged the foregoing instrument to be his free act and deed before me Emile Auger Justice of the Peace. My commission expires June 21,1928.

Received and recorded Aug. 29,1925 at 12 hrs and 15 min P.H.

Attest: James P. Mc Crohan Register

11955 Santos to Ventura

I. Victoria R. Santos of New Bedford holder of a mortgage by Maria Ventura to me dated September 13,1923 recorded with Bristol County (S.D.) Registry of Deeds Book 571 Page 357 and Maria Ventura owner of the equity of redemption of the mortgaged premises agree each for her self her heirs and representatives and assigns that the time provided in said mortgage for payment of the principal sum now secured thereby namely, Eleven hundred (\$1100) dollars is hereby extended to March 13, 1926 and the A true copy of memorinas recorded in Bristol County (S.D.) Registry of Deeds



City of New Bedford

REQUEST for a CERTIFIED ABUTTERS LIST

This information is needed so that an official abutters list as required by MA General Law may be created and used in notifying abutters. You, as applicant, are responsible for picking up and paying for the certified abutters list from the assessor's office (city hall, room #109).

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MAP# 93	LOT(S)# 8 (
ADDRESS:	11 5 -
23	5 N. FRONT ST
OWNIERINFORIVIE	NOIT
NAME: OUR	LADY OF PERPETUAL HELP CHURCH
MAILING ADDRESS	S:
235	No FRONT ST.
APPLICANT/CONT	ACT PERSON INFORMATION
NAME (IF DIFFERE	
	2 CONRAD BALLACH
MAILING ADDRESS	G (IF DIFFERENT):
235	No. FEDNT ST. N.B.
TELEPHONE #	508 992- 9378
EMAIL ADDRESS:	OLPH RECTORY NBC GMAIL. COM.
REASON FOR THIS	REQUEST: Check appropriate
L/~+	RD OF APPEALS APPLICATION
	OARD APPLICATION
	ON COMMISSION APPLICATION
	OARD APPLICATION
OTHER (Pleas	se explain):

Once obtained, the Certified List of Abutters must be attached to this Certification Letter.

This sheet is NOT part of your ZBA application but you will need to submit this form to the Planning Division Room 303 in City Hall, 133 William Street. You, as applicant, are responsible for picking up and paying for the certified abutters list from the assessor's office (city hall, room #109).

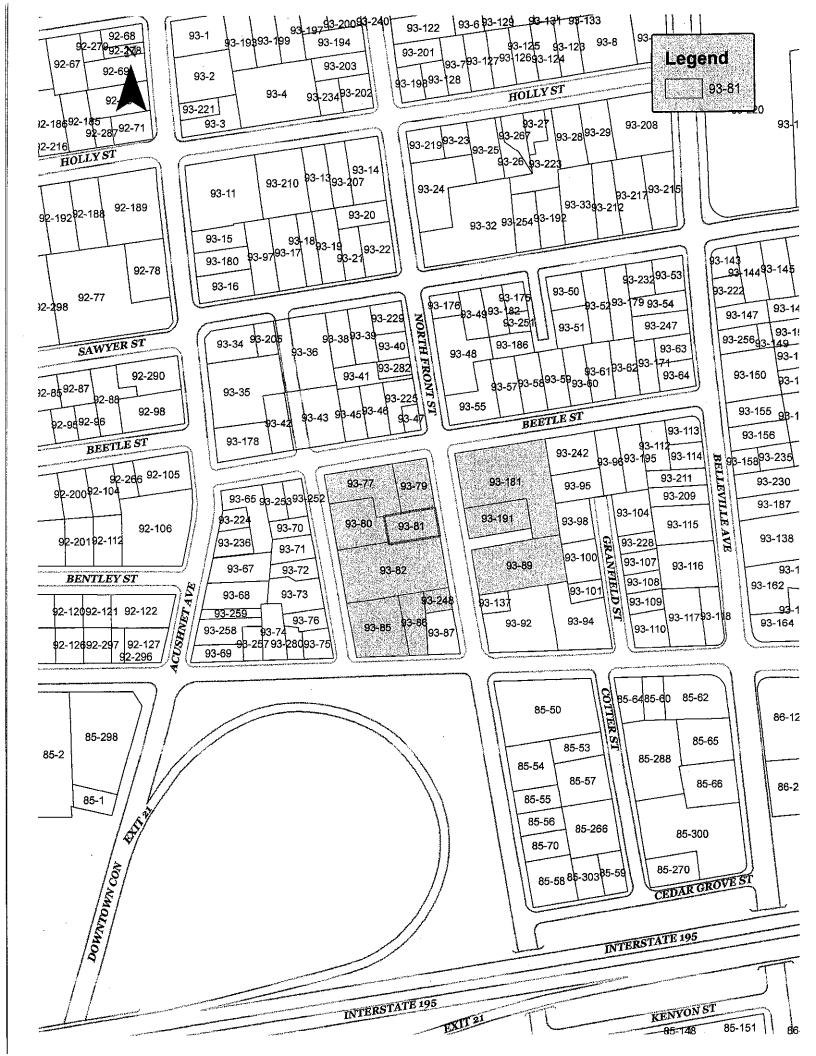
Official Use Unity
As Administrative Assistant to the City of New Bedford's Board of Assessors, I do hereby certify that the names and
addresses as identified on the attached "abutters list" are duly recorded and appear on the most recent tax.
CARLOS A. AMANO CONFERENCE 11/23/2018
Printed Name Signature Date

November 23, 2015 Dear Applicant,

Please find below the List of Abutters within 300 feet of the property known as <u>235 N. Front Street (93-81)</u>. The current ownership listed herein must be checked and verified by the City of New Bedford Assessor's Office. Following said verification, the list shall be considered a Certified List of Abutters.

Please note that multiple listed properties with identical owner name and mailing address shall be considered duplicates, and shall require only 1 mailing. Additionally, City of New Bedford-Owned properties shall not require mailed notice.

<u>Parcel</u>	<u>Location</u>	Owner and Mailing Address
93-80	70 HOWARD ST	ROMAN CATHOLIC BISHOP OF, FALL RIVER
		NORTH FRONT ST
		NEW BEDFORD, MA 02746
93-85	279 - 281	T MONTES REALTY, LLC,
	COGGESHALL	267 COGGESHALL STREET
	ST	NEW BEDFORD, MA 02745
93-82	235 N FRONT ST	ROMAN CATHOLIC BISHOP OF, FALL RIVER OLOPH
		NORTH FRONT ST
		NEW BEDFORD, MA 02746
93-181	34 BEETLE ST	CENTRO LUZO AMERICANO CLB, INC.
		34 BEETLE ST
		NEW BEDFORD, MA 02746
93-191	236 N FRONT ST	ROMAN CATHOLIC BISHOP OF, FALL RIVER
		NORTH FRONT ST
		NEW BEDFORD, MA 02746
93-79	247 N FRONT ST	ROMAN CATHOLIC BISHOP FR, C/O REV. GORCZYKA TRESS"
		235 NO FRONT ST
		NEW BEDFORD, MA 02746
93-248	223 N FRONT ST	MARTINHO ANTONIO J "TRUSTEE", A M REALTY TRUST
		267 COGGESHALL ST
		NEW BEDFORD, MA 02746
93-86	NS	BURGO SANDRA "TRUSTEE", T MONTES NOMINEE TRUST
	COGGESHALL	267 COGGESHALL ST
	ST	NEW BEDFORD, MA 02746
93-89 4	N FRONT ST	ROMAN CATHOLIC BISHOP OF, FALL RIVER
	1	NORTH FRONT ST
		NEW BEDFORD, MA 02746
93-81	235 N FRONT ST	ROMAN CATHOLIC BISHOP OF, FALL RIVER OLPH
		235 NORTH FRONT ST
	ļ	NEW BEDFORD, MA 02746
93-77	HOWARD ST	ROMAN CATHOLIC BISHOP OF, FALL RIVER OLPH
て	~	235 NORTH FRONT ST
		NEW BEDFORD, MA 02746







Coly G. Now Bolford ZBA VARIANCE APPLICATION

CASE # 4244

1. SUBMITTAL CHECKLIST

Have you included		Planning staff review finds
Yes No		Yes No
≱□	A Completed and Signed Application	X \square
	An Existing Conditions Site Plan, drawn to a scale not less than 1 inch: 40 feet, identifying positioning of existing structures must be provided. Your site plan must show footprint and dimensions of rear, front and side distances between structure(s) and boundary lines.	X D
内口	A <u>Proposed Site Plan</u> showing all proposed alterations or additions with side, front and rear set property lines identified.	
	Sub-Division Plans if Applicable.	MA
	A <u>Certified Abutter's List</u> prepared by planning staff and certified by the Assessor's Office.	
abla	<u>Plot Plan</u> as provided through Department of Inspectional Services or through the Assessor's Office (in person or online through parcel lookup).	
W \square	Filing Fee in check form made payable to the City of New Bedford.	
	Copy of <u>Building Permit Rejection</u> Packet (Containing Rejected Building Permit and all information submitted with Building Permit Application)	□
M \square	Owner's Verification including owner's signature and parcel deed for all involved parcels.	1
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This is page 1 of your ZBA Application BUT YOU DO NOT NEED 11 COPIES OF IT; just the original is enough.

Please remove the instruction pages when submitting your completed application packet but keep this as your first page.