

PATRICK J. SULLIVAN **DIRECTOR**

City of New Bedford

Department of Planning, Housing & Community Development

608 Pleasant St, New Bedford, Massachusetts 02740 Telephone: (508) 979.1500 Facsimile: (508) 979.1575

STAFF COMMENTS

TO: ZONING BOARD OF APPEALS Date: November 12th, 2015

Case # 4211: **Special Permit**

> 1024 Sheffield Street (Map: 132H, Lot: 182)

Applicant: **Robert Pires**

> 936 Tradewind Street New Bedford, MA 02740

Owner: Victor and Dina Marques

> 1024 Sheffield Street New Bedford, MA 02745

Overview of Request: The petitioners have submitted an application for a **SPECIAL PERMIT** proposing to rebuild on the site of a previous nonconforming structure, destroyed by severe weather—characterized under the city ordinance as "catastrophe." The petitioner proposes to rebuild a three car garage with storage above. The property is located in a residential B [RB] zoned district.

The proposal increases the height of the building. The proposed height enlargement of the structure requires a

residential dwelling, two driveways, and a one car garage in the southeast corner. It has been brought to staff's attention that the project may require further filing with

the conservation commission due to the location of wetlands nearby.

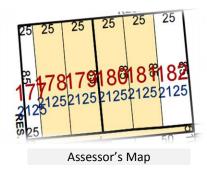
Special Permit from the Zoning Board of Appeals. 1024 Sheffield Street - destroyed **Existing Conditions:** Currently on site is a single family outbuilding (southwest corner)



Property: The subject property is a set of lots merged for zoning purposes. These include map: 132H lots: 177,178,179,180,181, and 182.

The lot measures $12,750 \pm \text{sq.}$ ft with 150' frontage on Sheffield Street and 85' in depth. It is a combination of multiple lots as shown on the Assessor's Map.

■ **Buildings:** The property has an existing single-family residential building (24′± x 30′±) in the northeast front corner, and an existing one car garage (12′± x 15±) in the southeast rear corner.



- **Building destroyed by catastrophe:** An outbuilding was previously located in the southwest rear corner of the property. The main section of the building was 50′±x25′± and two levels, approximately 15′ in height. The smaller section was one level, 15′+x30′+ approximately 6′+ in height.
- **Neighborhood:** The surrounding neighborhood is residential. The abutting properties to the rear are multi-family duplexes; on the sides and across the street are single-family homes.

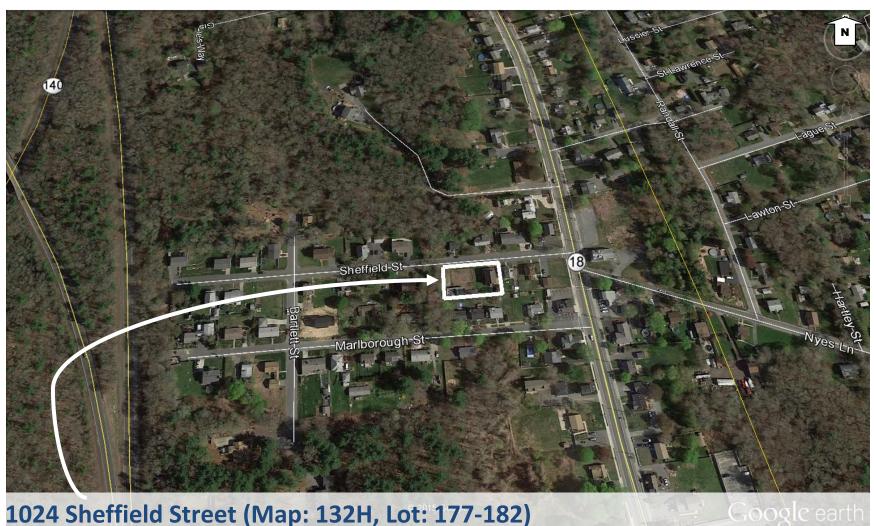
Proposal: The petitioner proposes to rebuild on the site of the destroyed outbuilding. The proposal is for a 50'x25' three car garage 29'-8 ¼" in height. The first level will have three garage doors: one 14' wide garage door opening and two 9' wide garage door openings, all with 8' opening heights (10' interior height). The second story as proposed is an open storage area with interior height ranging from 9'-13'.

The petitioner is allowed by right to rebuild a stucture of the same size as the building destroyed by catastrophe (Zoning Code Chapter 9 Section 2460-Catastrophe). The petitioner proposes to rebuild within the same footprint (50'x25') but with an increased height. Any proposed rebuilding of a preexisting non-conforming building destroyed by catastrophe, which results in a greater volume or area than what previously existed requires a special permit from the Zoning Board of Appeals. In this case the height of the building is increased. The petitioner proposes a structure with a total height of 29'-8 ¼". The previous building height was approximately 15', thus the proposed structure is just shy of double the height of what was once there.

For Board Member Consideration. The Board should take into consideration the current zoning code allows for a maximum height of 18' for accessory stuctures.

As in all Special Permit considerations, the Board must determine whether the benefit to the city and neighborhood outweighs the adverse effects of the proposed use, taking into account the characteristics of the site and of the proposal in relation to the site.

The Board may wish to note this proposal would result in two garages on site, with enough space for five cars. The site plan also shows a 30'x50' driveway in front of the proposed garage, which could accommodate an additional five parking spaces. Staff is concerned with the amount of parking requested here for a single family residential use and is similarly concerned with the intended use of such a large second floor, one which could, with the addition of some plumbing and heat, easily be converted to a residential use despite not being allowed under zoning.



1024 Sheffield Street (Map: 132H, Lot: 177-182)

NOTE: Property line is approximate; for discussion purposes, only.



1024 Sheffield Street (Map: 132H, Lot: 182) collapsed roof shown loogle earth

NOTE: Property line is approximate; for discussion purposes, only.

Imagery Date: 5/6/2015 41°42'38.83" N 70°56'03.14" W elev 135 ft eye alt 498 ft