



ZONING BOARD OF APPEALS

CITY OF NEW BEDFORD
JONATHAN F. MITCHELL, MAYOR

SUBMIT TO:
Planning Department
133 William Street
Room 303
New Bedford, MA 0274

Appeal Nr. 4210

Petition for a **VARIANCE**

Date: 10-20-15

The undersigned petitions the Board of Appeals to grant a Variance in the manner and for the reasons hereinafter set forth under the provisions of the Zoning Ordinance to the following described premises:

1. Application Information

Street Address: FARM ST

Assessor's Map(s): 39 Lot(s) 7

Registry of Deeds Book: 8192 Page: 244

Zoning District: _____

Applicant's Name (printed): JASON BRAZ

Mailing Address: 42 BUSH ST DARTMOUTH MA 02748
 (Street) (City) (State) (Zip)

Contact Information: 774-263-0077 JBRAZ45@Comcast.net
 Telephone Number Email Address

Applicant's Relationship to Property: Owner Contract Vendee Other Contractor

CITY CLERK
2015 OCT 21 P 1:40
CITY OF NEW BEDFORD, MA

List all submitted materials (include document titles & volume numbers where applicable) below:

Inspectional Services Rejection packet, deed, plot plan

By signing below, I/we acknowledge that all information presented herein is true to the best of my/our knowledge. I/we further understand that any false information intentionally provided or omitted is grounds for the revocation of the approval(s). I/we also give Planning Division staff and Zoning Board Members the right to access the premises (both interior and exterior) at reasonable times and upon reasonable notice for the purpose of taking photographs and conducting other visual inspections.

10-20-15
Date

[Signature]
Signature of Applicant

2. Dimensions of Lot(s) 40' X 178' Area 7138
 Frontage Depth Sq. Ft.

3. Number of buildings on lot 0

4. Size of existing buildings 0

5. Size of proposed buildings 34' X 24'

6. Present use of premises Vacant land

7. Proposed use of Premises single family dwelling

8. Extent of proposed alterations _____

9. Existing number of dwelling units & bedrooms 0 Proposed 1 dwelling 3 bedrooms

10. For commercial uses, please complete the following:

	Existing	Proposed
a) Number of customers per day:	_____	_____
b) Number of employees:	_____	_____
c) Hours of operation:	_____	_____
d) Days of operation:	_____	_____
e) Hours of deliveries:	_____	_____
f) Frequency of deliveries: <input type="checkbox"/> Daily <input type="checkbox"/> Weekly <input type="checkbox"/> Monthly <input type="checkbox"/> Other: _____		

11. Planning Board Site Plan Review and Special Permits:
 _____ The applicant is also requesting Site Plan Review and Special Permit(s) from the Planning Board. If so, specify below:

12. Have plans been submitted to the Department of Inspectional Services? yes

13. Has the Department of Inspectional Services refused to issue a permit? yes

14. Explain what modifications are proposed that would require the requested Variance:

Requesting relief for minimum lot size, minimum lot frontage, minimum side yard, and a pre-existing driveway which would be non conforming based on the new proposal.

15. State your hardship in accordance with Mass General Laws Chapter 40A Section 10. (Reference the attached "Required Findings For Granting a Variance").

This lot was purchased in 2006 with a foundation permit in place. The real estate crash/collapse 2 years later made constructing a new home infeasible. The owner has attempted to sell said lot numerous times with no success. The new plan includes a smaller house plan and utilizes the existing driveway on the lot. The real estate market has improved and the owner would like to improve the lot with a single family dwelling that fits into the neighborhood much better than the previously approved plan. LOT IS EXTREMELY IRREGULAR WHICH REQUIRES RECEIPT OF LOT SIZE AND SIDE DISTANCE REQUIREMENTS

16. Complete for ALL the portions for which you are requesting a Variance:

	Existing	Allowed/Required	Proposed
Lot Area (sq ft)	7138	8000	7138
Lot Width (ft)	40'	75'	40'
Number of Dwelling Units	0		1
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)			
Side Setback (ft)		10'/12'	6'
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	2		2
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			

17. Verification of Ownership. By signing this application the petitioner is stating that they have read and understand this application and the accompanying instructions and information. If petition is granted, the approvals are specific to the plans submitted, unless the Board states otherwise. Also, if granted, that the Variance must be recorded and acted upon within one year.

This section is to be completed & signed by the property owner(s):

I hereby authorize the following Applicant: JASON BRAZ

at the following address: 42 BUSH ST DARTMOUTH MA

to apply for: VARIANCE

on premises located at: FARM ST LOT 7 MAP 39

for which the record title stands in the name of: PHILIP + SUSAN MEDERIOS

whose address is: 36 BLUE BIRD LN WESTPORTMA 02790

by a deed duly recorded in the:

Registry of Deeds of County: BRISTOL Book: 8192 Page: 244

OR Registry District of the Land Court, Certificate No.: _____ Book: _____ Page: _____

I/we acknowledge that all information presented herein is true to the best of my/our knowledge. I/we further understand that any false information intentionally provided or omitted is grounds for the revocation of the approval(s). I/we also give Planning Division staff and Zoning Board Members the right to access the premises (both interior and exterior) at reasonable times and upon reasonable notice for the purpose of taking photographs and conducting other visual inspections.

10-20-15

Date

Philly Medeiros

Signature of Land Owner (If authorized Trustee, Officer or Agent, so identify)

APPENDIX

- (1) Owner's/Landlord's Name Phillip Medeiros
- (2) Title Reference to Property _____

(Attach copy of Deed, Certificate of Title & most recent Recorded Plans showing affected lot or lots)

- (3) If the Applicant is Not the Owner, Provide:
1. Notarized authorization letter from owner to tenant or buyer for application for this permit, on letterhead.
 2. Copy of Purchase & Sale Agreement or lease, where applicable.
 3. Copy of the deed or deeds of abutting parcels if said parcels have been held in common ownership with the subject property at any time since January 1, 1976.

Phillip Mederios
36 Bluebird Ln
Westport MA 02790

To whom it may concern,

I Phillip Mederios allow Jason Braz of 42 Bush St in Dartmouth to apply for a variance on my behalf for the construction of a single family dwelling on Map 39 Lot 7 Farm St in New Bedford MA.


Thank you, Phillip Mederios



SWORN before me on
this 20th day of Oct. 2015



FLAVIAN M. LAFLEUR
NOTARY PUBLIC
Commonwealth of Massachusetts
My Commission Expires
January 23, 2020



QUITCLAIM DEED

KNOW ALL MEN BY THESE PRESENTS that I, CAROLE ANN A. LAWRENCE, OF NEW BEDFORD, BRISTOL COUNTY, MASSACHUSETTS, IN CONSIDERATION OF THE PAYMENT OF \$ ^{EIGHTY FIVE THOUSAND} 85,000.00, GRANT TO PHILIP + SUSAN MEDEIROS OF 497 ALLEN STREET, NEW BEDFORD, BRISTOL COUNTY, MASSACHUSETTS, WITH QUITCLAIM COVENANTS ALL OF MY RIGHT, TITLE, AND INTEREST IN AND TO THE LAND IN SAID NEW BEDFORD, BRISTOL COUNTY, MASSACHUSETTS, MORE PARTICULARLY BOUNDED AND DESCRIBED ON EXHIBIT "A" ATTACHED HERETO AND INCORPORATED HEREIN BY REFERENCE.

FOR TITLE, SEE DEED OF FRANK F. ZALENSKI A/K/A FRANK S. ZALENSKI DATED MARCH 30, 1990, AND RECORDED IN THE BRISTOL COUNTY (S.D.) REGISTRY OF DEEDS BOOK 2472, PAGE 65.

TITLE NOT EXAMINED BY PREPARER OF THIS DEED.

WITNESS my hand and seal this 03rd day of June 2006.

Carole Ann A. Lawrence
Carole Ann A. Lawrence

COMMONWEALTH OF MASSACHUSETTS

Bristol, as

JUNE 3 2006

Then personally appeared the above name Carole Ann A. Lawrence and acknowledged the foregoing instrument to be of her free act and deed, before me.

[Signature]
Notary Public,
My commission expires

MARK P. MORRIS
Notary Public
Commonwealth of Massachusetts
My Commission Expires
June 11, 2010

REG OF DEEDS
REG #07
BRISTOL S.

06/20/06 11:28AM
MASSCHUSETTS
30000.00
FEE \$57.50
CRCH \$387.50

REQUEST FOR CERTIFIED LIST OF ABUTTERS

Replace this page with a copy of the Certified List of Abutters, once obtained.

The applicant shall complete the request form below, and submit to Planning Department, City Hall, 133 William Street, Room 303, so that a list may be created for use by the applicant.

I, Carol Medeiros, Administrative Assistant to the Board of Assessors of the City of New Bedford, 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.

Date: 10-20-15

SUBJECT PROPERTY:

MAP 39 LOT 7

LOCATION FARM ST

OWNER'S NAME PHILLIP + SUSAN MEDERIOS

MAILING ADDRESS 36 BLUEBIRD LN WESTPORT MA 02790

CONTACT PERSON JASON BRAZ

TELEPHONE NUMBER 774-263-0077

REASON FOR REQUEST: Variance / ZBA

CITY CLERK'S OFFICE
NEW BEDFORD, MA
2015 OCT 21 P 1:30
CITY CLERK

PLANNING

OCT 20 2015

DEPARTMENT

October 20, 2015

Dear Applicant,

Please find below the List of Abutters within 300 feet of the property known as South Side Farm St (39-7) 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.

Parcel	Location	Owner and Mailing Address
34-65 <i>NS</i>	GRAPE ST	BEDARD JOSEPH A JR, BEDARD SUSAN J 191 GRAPE STREET NEW BEDFORD, MA 02740
34-7	490 ALLEN ST <i>-492</i>	MCDOWELL RICKETSON P, MCDOWELL GEORGIANNA S 359 MAPLE STREET NEW BEDFORD, MA 02740
34-9	472 ALLEN ST	MOSHER JOHN P, MOSHER KELLY C 472 ALLEN ST NEW BEDFORD, MA 02740
34-97	14 BROWNELL ST	CANEIRA LUCILIO J, CANEIRA MARIA E 14 BROWNELL STREET NEW BEDFORD, MA 02740
34-69	484 ALLEN ST	CABRAL NELSON M, DEMELO KELLY A 484 ALLEN ST NEW BEDFORD, MA 02740
39-376	34 BROWNELL ST	MACHADO KENNETH, BALL JUDITH E 34 BROWNELL ST NEW BEDFORD, MA 02740
34-62	9 WINTER ST	FONSECA MARIA CLARA, 9 WINTER STREET NEW BEDFORD, MA 02740
34-64	193 GRAPE ST	SILVA HORACIO, SILVA MARIA F 193 GRAPE ST NEW BEDFORD, MA 02740
34-88	10 BROWNELL ST	CABRAL ELIANE S, 10 BROWNELL STREET NEW BEDFORD, MA 02740
34-67	7 WINTER ST	BRANCHAUD STEVEN A, BRANCHAUD ANNE K 7 WINTER ST NEW BEDFORD, MA 02740
39-6	390 FARM ST	PONTE DAVID W, 390 FARM ST NEW BEDFORD, MA 02740
39-455	28 BROWNELL ST <i>-30</i>	THATCHER DAVID M, 28 BROWNELL STREET NEW BEDFORD, MA 02740
39-472	487 ALLEN ST	ROSELUS FRANTZ, ROSELUS JACQUELINE D 487 ALLEN ST NEW BEDFORD, MA 02740

+ → Peltaner

October 20, 2015

Dear Applicant,

Please find below the List of Abutters within 300 feet of the property known as 1669 Acushnet Ave (103-292) 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.

Parcel	Location	Owner and Mailing Address
39-8	473 ALLEN ST	LOPES LOURENCO A, LOPES STELLA C 473 ALLEN STREET NEW BEDFORD, MA 02740
39-405	24 BROWNELL ST -26	SILVA ERIC A, SILVA MELISSA 24 BROWNELL STREET NEW BEDFORD, MA 02740
39-7 NS	ALLEN ST	MEDEIROS PHILIP A, MEDEIROS SUSAN M 36 BLUEBIRD LANE WESTPORT, MA 02790
39-314	561 ALLEN ST	CITY OF NEW BEDFORD, BETSY B WINSLOW SCHOOL 131 WILLIAM ST NEW BEDFORD, MA 02740
39-459	382 FARM ST	VIEIRA MARIA J, 382 FARM ST NEW BEDFORD, MA 02740
39-460	374 FARM ST	PONTE DAVID S, 374 FARM ST NEW BEDFORD, MA 02740
39-363	389 FARM ST -391	SILVA RANDALL P, SILVA DAPHNEY M 131 SAPPHIRE DRIVE MOORESVILLE, NC 28117
39-9	467 ALLEN ST	DAVIS GORDON J, DAVIS SHEILA L 467 ALLEN ST NEW BEDFORD, MA 02740
39-364	383 FARM ST -385	NOVICK ALAN S, 7 WOODLAWN RD. NO. DARTMOUTH, MA 02747
39-361	395 FARM ST -397	BRAULT TROY D., 397 FARM STEET 395 NEW BEDFORD, MA 02740
39-328	390 BEDFORD ST	CARRANCHO ROBERTO C, CARRANCHO NATALIA 390 BEDFORD STREET NEW BEDFORD, MA 02740



4210

DEPARTMENT SIGN-OFF SHEET

ZONING BOARD OF APPEALS SPECIAL PERMIT REVIEW

<u>DEPARTMENT</u>	<u>COPIES</u>	<u>SIGNATURE</u>	<u>DATE</u>
BOARD MEMBERS CITY HALL, ROOM 303	5	<i>[Signature]</i>	10/21/15
CITY PLANNING CITY HALL, ROOM 303	1	<i>[Signature]</i>	10/21/15
CITY CLERK (Original) CITY HALL, ROOM 118	1	<i>Stephanie Mearns</i>	10/21/15
CITY SOLICITOR CITY HALL, ROOM 203	1	<i>Amor Quinn</i>	10-21-15
INSPECTIONAL SERVICES CITY HALL, ROOM 308	1	<i>Maria Jaqueiro</i>	10/21/15
PUBLIC INFRASTRUCTURE 1105 SHAWMUT AVENUE	1	<i>Sharon Andrade</i>	10-21-15
CONSERVATION COMMISSION CITY HALL, ROOM 304	1	<i>Sarah Potts</i>	10/21/15
FIRE DEPARTMENT 868 PLEASANT STREET	1	<i>Caryn Pedro</i>	10/21/15