



CITY OF NEW BEDFORD
JONATHAN F. MITCHELL, MAYOR

DEPARTMENT OF INSPECTIONAL SERVICES
133 WILLIAM STREET - ROOM 308
NEW BEDFORD, MA 02740

New Bedford Comprehensive Zoning Code Review

Code of Ordinances – Chapter-9

15 Junior Street – PLOT: 44 – LOT: 375 – ZONED DISTRICT: RA

Variance Required from the Zoning Board of Appeals

Zoning Code Review as follows:

Variance

❖ SECTION

- **2200 – Use Regulations**
- **2210 – General**
- **2220 – Applicability**
- **2230 – Table of Use Regulations (Appendix-A -Animals or head of poultry, not exceed to exceed one animal or head of poultry per one thousand (1,000) square feet of the net area of the lot.)**
- **2700 – Dimensional Regulations**
- **2710 – General**
- **2720 – Table of Dimensional Requirements (Appendix-B – Side Yard)**
- **2750 – Yards in Residence Districts**
- **2755 – Side Yards**

IX. HOMEOWNER LICENSE EXEMPTION

Supplement #1

The current exemption for "homeowner" was extended to include owner-occupied dwellings of two units or less and to allow such homeowners to engage an individual for hire who does not possess a license, provided that the owner acts as supervisor. (State Building Code Section 110.5)

DEFINITION OF HOMEOWNER:

Person(s) who own a parcel of land on which he/she resides or intends to reside, on which there is, or is intended to be, a one to two family dwelling, attached or detached structures accessory to such use and/or farm structures. A person who constructs more than one home in a two-year period shall not be considered a homeowner. Such "homeowner shall submit to the Building Official, on a form acceptable to the Building Official, that he/she shall be responsible for all such work performed under the building permit. (Section 110.5)

The undersigned "homeowner assumes responsibility for compliance with the State Building Code and other applicable codes, ordinance, rules and regulations, and will comply with the City of New Bedford Building Department minimum inspection procedures and requirements.

HOMEOWNERS SIGNATURE Kevin Beegun

X. CONSTRUCTION DEBRIS DISPOSAL

Supplement #2

In accordance with provisions of Massachusetts General Law C40, S54, debris resulting from this work shall be disposed of in a properly licensed solid waste disposal facility as defined by Massachusetts General Law C111, S150A

The debris will be disposed of in: N/A (Location of Facility)

Signature of Permit Applicant _____ Date _____

XI. HOME IMPROVEMENT CONTRACTOR LAW AFFIDAVIT

(Residential Use Only) Supplement to Permit Application
Supplement #3

MGLc. 142 A requires that the "reconstruction, alteration, renovation, repair, modernization, conversion, improvement, removal, demolition, or construction of an addition to any pre-existing owner-occupied building containing at least one but not more than four dwelling units... or to structures which are adjacent to such residence of building" be conducted by registered contractors, with certain exceptions, along with other requirements.

Type of Work: Install Chicken Coop Est. Cost: \$900

Address of Work: 15 Junior Street

Owner Name: _____ Date of Permit Application: _____

I hereby certify that: Registration is not required for the following reason(s):

Work excluded by law Job under \$1,000 Building not owner-occupied Owner obtaining own permit

Other (specify) _____

Notice is hereby given that: OWNERS OBTAINING THEIR OWN PERMIT OR EMPLOYING UNREGISTERED CONTRACTORS FOR APPLICABLE HOME IMPROVEMENT WORK DO NOT HAVE ACCESS TO THE ARBITRATION PROGRAM OF GUARANTY FUND UNDER MGLC. 142A.

signed under penalties of perjury:
I hereby apply for a permit as the agent of the owner:

Date _____ Contractor Signature _____ Registration No. _____

Notwithstanding the above notice, I hereby apply for a permit as the owner of the above property:

Date 8/6/2008 Owner Signature Kevin Beegun

XII. BUILDING COMMISSIONERS REVIEW COMMENTS AND CONDITIONS

C. Building Permit Rejected VARIANCE ZBA
Reason For Rejection: See ATTACHMENTS
Fee _____
Permit # _____

Comments and Conditions: _____

Signed Danny D. Romanowski Date: _____ 20____

Title Building Commissioner



City of New Bedford, Massachusetts
 Building Department
 Application for Plan Examination
 and Building Permit

FOR BUILDING DEPT. USE

DATE RECEIVED: _____
 RECEIVED BY: _____
 ISSUED BY: _____

IMPORTANT — COMPLETE ALL ITEMS — MARK BOXES WHERE APPLICABLE — PRINT

Permit No. _____
 Completion Date _____

(1) LOCATION 15 JUNIOR ST.
 (NO) (STREET)
 BETWEEN ARNOLD AND UNION
 (CROSS STREET) (CROSS STREET)
 PLOT 44 LOT 375 DISTRICT RA
 PLANS FILED YES NO ACCEPTED STREET _____

II. TYPE AND COST OF BUILDING — all applicants complete parts A through D — PRINT

A. TYPE OF IMPROVEMENT

1 New Building Chicken Coop

2 Addition (if residential, enter number of new housing units added, if any, in Part D, 14)

3 Alteration (if residential, enter number of new housing units added, if any, in Part D, 14)

4 Repair, replacement

5 Demolition (if multifamily residential, enter number of units in building in Part D, 14, if non-residential, indicate most recent use checking D-18 - D-32)

6 Moving (relocation)

7 Foundation only

D1 PROPOSED USE — For demolition most recent use

Residential

13 One family

14 Two or more family — Enter number of units _____

15 Transient hotel, motel, or dormitory — Enter number of units _____

16 Garage

17 Carport

18 Other — Specify _____

Nonresidential

19 Amusement, recreational

20 Church, other religious

21 Industrial

22 Parking garage

23 Service station, repair garage

24 Hospital, institutional

25 Office, bank, professional

26 Public utility

27 School, library, other educational

28 Stores, mercantile

29 Tanks, towers

30 Funeral homes

31 Food establishments

32 Other — Specify _____

D2. Does this building contain asbestos?
 YES NO If yes complete the following:
 Name & Address of Asbestos Removal Firm:
N/A

Submit copy of notification sent to DECIS and the State Dept. of Labor & Industries and results of air sample analysis after asbestos removal is completed.

B. OWNERSHIP

8 Private (individual, corporation, nonprofit institution, etc.)

9 Public (Federal, State, or local government)

C. COST (Omit cents)

10 Cost of construction \$900
 To be installed but not included in the above cost

a. Electrical _____

b. Plumbing _____

c. Heating, air conditioning _____

d. Other (elevator, etc.) _____

11. TOTAL VALUE OF CONSTRUCTION _____

12. TOTAL ASSESSED BLDG. VALUE _____

D3. Non-residential — Describe in detail proposed use of buildings, e.g., food processing plant, machine shop, laundry building at hospital, elementary school, secondary school, college, parochial school, parking garage for department store, rental office building, office building at industrial plant. If use of existing building is being changed, enter proposed use.

III. SELECTED CHARACTERISTICS OF BUILDING — For new buildings complete part E through L. For demolition, complete only parts G, H & I. For all others, (additions, alterations, repair, moving, foundation), complete E through L.

E. PRINCIPAL TYPE OF FRAME

33 Masonry (wall bearing) N/A

34 Wood frame

35 Structural steel

36 Reinforced concrete

37 Other — Specify _____

G. TYPE OF SEWAGE DISPOSAL

43 Public or private company N/A

44 Private (septic tank, etc.)

H. TYPE OF WATER SUPPLY

45 Public or private company N/A

46 Private (well, cistern)

J. DIMENSIONS

53 Number of stories _____

54 Height _____

55 Total square feet of floor area, all floors based on exterior dimensions _____

56 Building length _____

57 Building width _____

58 Total sq. ft. of bldg. footprint _____

59 Front lot line width _____

60 Rear lot line width _____

61 Depth of lot _____

62 Total sq. ft. of lot size _____

63 % of lot occupied by bldg. (55+62) _____

64 Distance from lot line (front) _____

65 Distance from lot line (rear) _____

66 Distance from lot line (left) _____

67 Distance from lot line (right) _____

F. PRINCIPAL TYPE OF HEATING FUEL

38 Gas

39 Oil N/A

40 Electricity

41 Coal

42 Other — Specify _____

I. TYPE OF MECHANICAL

Is there a fire sprinkler system? N/A

47 YES 48 NO

Will there be central air conditioning?

49 Yes 50 No

Will there be an elevator?

51 Yes 52 No

OTHER APPLICABLE REVIE

K. FLOODPLAIN

is location within flood hazard area? yes no

If yes, zone : _____ and base elevation _____

L. WETLANDS PROTECTION

Is location subject to flooding? _____

Is location part of a known wetland? _____

Has local conservation commission reviewed this site? _____

IV. IDENTIFICATION - ALL APPLICANTS - PLEASE PRINT

OWNER OR LEGAL NAME	MAILING ADDRESS	ZIP CODE	TELEPHONE NO.
KEVIN BEAUREGARD	15 JUNIOR ST.	03740	508-992-691
CONTRACTOR NAME	MAILING ADDRESS	ZIP CODE	TELEPHONE NO.
		LICENSE #	
ARCHITECT NAME	MAILING ADDRESS	ZIP CODE	TELEPHONE NO.
		LICENSE #	
SIGNATURE OF OWNER	APPLICANT SIGNATURE	DATE	
<i>Kevin Beaugard</i>			

Omission of reference to any provision shall not nullify any requirement of this code nor exempt any structure from such requirement.

The applicants understands and warrant that they will comply with all pertinent federal and state statutes, local ordinances and all federal, state, and local regulations, including those of the Architectural Barriers board, Department of Environmental Protection Agency and may be forwarded for review to all pertinent local city agencies which may express specific concerns. It is understood that the issuance of a permit shall not serve as an acceptance or acknowledgment of compliance nor exempt any structure from such requirement. The permit shall be a license to proceed with the work and shall not be construed as authority to violate, cancel, or set aside any of the provisions of the State Building Code or local code of ordinances, except as specifically stipulated by modification or legally granted variation in accordance with Section 122.0 of State Building Code or local code of ordinances.

I have read the above and sign under pain and penalty of perjury as to the truth of all of the information and statements contained in sections I through IV of this application.

Kevin Beaugard 15 Junior St. N.B MA
Applicant's Signature Address City

V. OTHER JURISDICTION APPROVALS AND NOTIFICATION

APPROVAL	CHECK	DATE OBTAINED	BY
Electrical			
Plumbing			
Fire Department			
Water			
Planning			
Conservation			
Public Works			
Health			
Licensing			
Other			

VI. ZONING REVIEW

DISTRICT: _____ USE: _____

FRONTAGE: _____ LOT SIZE: _____

SETBACKS: _____

FRONT: _____ LEFT SIDE: _____ RIGHT SIDE: _____ REAR: _____

PERCENTAGE OF LOT COVERAGE PRIMARY BUILDING _____

VARIANCE HISTORY _____

VII. WORKER'S COMPENSATION INSURANCE AFFIDAVIT

I, _____
 (licensee/permittee) with a principal place of business/residence at:

(City/State/Zip) do hereby certify, under the pains and penalties of perjury, that:

I am an employer providing worker's compensation coverage for my employees working on this job.

Insurance Company _____ Policy Number _____

I am a sole proprietor and have no one working for me.
 I am a sole proprietor, general contractor, or homeowner and have hired the contractors listed below who have the following worker's compensation insurance policies:

Name of contractor _____ Insurance Company/policy number _____

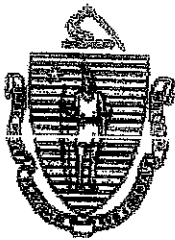
Name of contractor _____ Insurance Company/policy number _____

I am a homeowner performing all the work myself.

NOTE: Please be aware that while homeowners who employ persons to do maintenance, construction or repair work on a dwelling of not more than three units in which the homeowner also resides or on the grounds appurtenant thereto are not generally considered to be employers under the Workers' Compensation Act (GL. C. 152, sect. 1(5)), application by a homeowner for a license or permit may evidence the legal status of an employer under the Workers' Compensation Act.

I understand that a copy of this statement will be forwarded to the Department of Industrial Accidents' Office of Insurance for coverage verification and that failure to secure coverage as required under Section 25A of MGL 152 can lead to the imposition of criminal penalties consisting of a fine of up to \$1500.00 and/or imprisonment of up to one year and civil penalties in the form of a Stop Work Order and a fine of \$100.00 a day against me.

Signed this Neil Beal day of 9/06 2015



The Commonwealth of Massachusetts
 Department of Industrial Accidents
 Office of Investigations
 600 Washington Street
 Boston, MA 02111
 www.mass.gov/dia

Workers' Compensation Insurance Affidavit: Builders/Contractors/Electricians/Plumbers
Applicant Information Please Print Legibly

Name (Business/Organization/Individual): KEVIN BEAULLEARD
 Address: 15 JUNIOR ST
 City/State/Zip: N.B MA 02740 Phone #: 508-992-0691

Are you an employer? Check the appropriate box:

- 1. I am an employer with _____ employees (full and/or part-time).*
- 2. I am a sole proprietor or partnership and have no employees working for me in any capacity. [No workers' comp. insurance required.]
- 3. I am a homeowner doing all work myself. [No workers' comp. insurance required.]

- 4. I am a general contractor and I have hired the sub-contractors listed on the attached sheet. These sub-contractors have employees and have workers' comp. insurance.†
- 5. We are a corporation and its officers have exercised their right of exemption per MGL c. 152, §1(4), and we have no employees. [No workers' comp. insurance required.]

Type of project (required):

- 6. New construction
- 7. Remodeling
- 8. Demolition
- 9. Building addition
- 10. Electrical repairs or additions
- 11. Plumbing repairs or additions
- 12. Roof repairs
- 13. Other

*Any applicant that checks box #1 must also fill out the section below showing their workers' compensation policy information.

† Homeowners who submit this affidavit indicating they are doing all work and then hire outside contractors must submit a new affidavit indicating such.

‡ Contractors that check this box must attach an additional sheet showing the names of the sub-contractors and state whether or not those entities have employees. If the sub-contractors have employees, they must provide their workers' comp. policy number.

I am an employer that is providing workers' compensation insurance for my employees. Below is the policy and job site information.

Insurance Company Name: _____
 Policy # or Self-ins. Lic. #: _____ Expiration Date: _____
 Job Site Address: _____ City/State/Zip: _____

Attach a copy of the workers' compensation policy declaration page (showing the policy number and expiration date). Failure to secure coverage as required under Section 25A of MGL c. 152 can lead to the imposition of criminal penalties of a fine up to \$1,500.00 and/or one-year imprisonment, as well as civil penalties in the form of a STOP WORK ORDER and a fine of up to \$250.00 a day against the violator. Be advised that a copy of this statement may be forwarded to the Office of Investigations of the DIA for insurance coverage verification.

I do hereby certify under the pains and penalties of perjury that the information provided above is true and correct.

Signature: Kevin Beaulleard Date: 8/6/2005
 Phone #: 508-992-0691

Official use only. Do not write in this area, to be completed by city or town official.

City or Town: _____ Permit/License # _____

Issuing Authority (circle one):

- 1. Board of Health
- 2. Building Department
- 3. City/Town Clerk
- 4. Electrical Inspector
- 5. Plumbing Inspector
- 6. Other _____

Contact Person: _____ Phone #: _____

Location: 15 JUNIOR ST

Parcel ID: 44 375

Zoning: RA

Fiscal Year: 2015

Current Sales Information:

Sale Date:

06/14/2010

Sale Price:

\$100.00

Card No. 1 of 1

Legal Reference:

9741-59

Grantor:

BEAUREGARD ERNEST J,

Current Owner Information:

BEAUREGARD ERNEST J

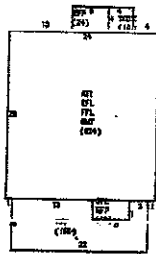
BEAUREGARD JOYCE

15 JUNIOR ST

NEW BEDFORD, MA 02740

This Parcel contains 0.060 acres of land mainly classified for assessment purposes as Single Fam with a(n) Colonial style building, built about 1915, having Vinyl exterior, Asphalt Shingles roof cover and 1266 Square Feet, with 1 unit(s), 5 total room(s), 3 total bedroom(s) 1 total bath(s), 0 3/4 baths, and 0 total half bath(s).

Building Value:	Land Value:	Yard Items Value:	Total Value:
83000	90200	400	173600



Fiscal Year 2015		Fiscal Year 2014		Fiscal Year 2013	
Tax Rate Res.:	15.73	Tax Rate Res.:	15.16	Tax Rate Res.:	14.33
Tax Rate Com.:	33.56	Tax Rate Com.:	31.08	Tax Rate Com.:	29.54
Property Code:	101	Property Code:	101	Property Code:	101
Total Bldg Value:	83000	Total Bldg Value:	82500	Total Bldg Value:	78000
Total Yard Value:	400	Total Yard Value:	400	Total Yard Value:	500
Total Land Value:	90200	Total Land Value:	83900	Total Land Value:	100000
Total Value:	173600	Total Value:	166800	Total Value:	178500
Tax:	\$2,730.73	Tax:	\$2,528.68	Tax:	\$2,557.91

Disclaimer: Classification is not an indication of uses allowed under city zoning. This information is believed to be correct but is subject to change and is not warranted.

ARNOLD ST

RES. A

Plot Plan

380	381	382	383	384	385	386	387	388	391
2600	2600	2600	2600	2600	2600	2600	3577	2916	2600
52	52	52	52	52	52	52	52	52	52
50	50	50	50	50	50	50	68.83	55.97	3896
380	381	382	383	384	385	386	387	388	391
2600	2600	2600	2600	2600	2600	2600	3577	2916	2600
52	52	52	52	52	52	52	52	52	52
50	50	50	50	50	50	50	68.94	55.97	3896
391	392	393	394	395	396	397	398	399	399
2600	2600	2600	2600	2600	2600	2600	2600	2600	2600
52	52	52	52	52	52	52	52	52	52
50	50	50	50	50	50	50	50	50	50

PALMER SI

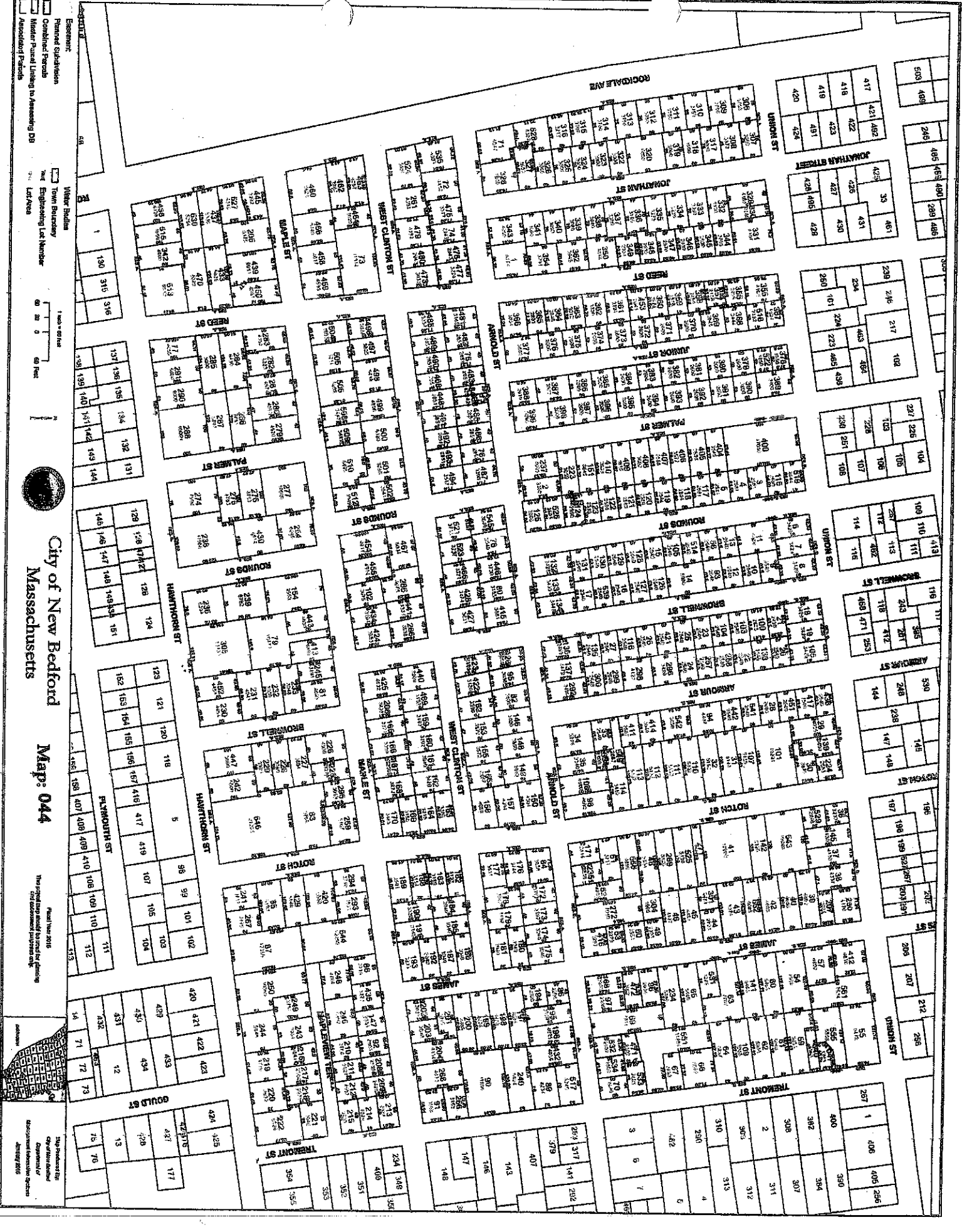
JUNIOR ST RES. A

69	370	371	372	373	374	375	376	65	366	4054
2600	2600	2600	2600	2600	2600	2600	2600	2600	2600	54.70
52	52	52	52	52	52	52	52	52	52	52
50	50	50	50	50	50	50	50	50	50	74.77
69	370	371	372	373	374	375	376	65	366	4054
2600	2600	2600	2600	2600	2600	2600	2600	2600	2600	54.70
52	52	52	52	52	52	52	52	52	52	52
50	50	50	50	50	50	50	50	50	50	74.77
69	370	371	372	373	374	375	376	65	366	4054
2600	2600	2600	2600	2600	2600	2600	2600	2600	2600	54.70
52	52	52	52	52	52	52	52	52	52	52
50	50	50	50	50	50	50	50	50	50	74.77

RES. A

RES. A

*



City of New Bedford
Massachusetts

Map: 044

Printed: Nov 2016
This printing is made to order for printing and distribution purposes only.

Map Products Dept.
City of New Bedford
Department of
Information Technology Services
April 2016

- Railroad
- Station
- Combined Parcels
- Meter Parcel Linking to Assessing DB
- Ascendant Parcels

- Meter Building
- Town Boundary
- Engineering Lot Number
- Lot Area

1 inch = 50 feet

0 20 40 Feet



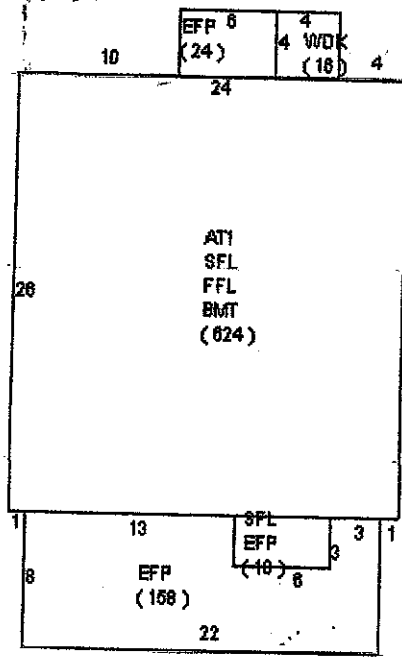
 Google 15 Jr St



15 Jr St

New Bedford, MA 02740

<https://www.google.com/maps/place/15+Jr+St,+New+Bedford,+MA+02740/@41.6307445,-70.9461853,58m/data=!3m1!1e3!4m...> 8/6/2015



2,600
- 7,20

1,800

LOCATION

cpc 2m-7-26-38 15 Junior St.

Bd. of Appeals
12/10/50

DISTRICT: Res. A

PERMIT NO.

USE 1 family

PLOT

PLANS:

CONST.

648-15

Erect dwelling

LOT 375

511-30

Case #298 One car garage

Granted

1278-51

Rebuild chimney-hurricane

712-94

Demolish garage walls-slab to remain

2200. - USE REGULATIONS.

2210. **General.** No structure shall be erected or used or land used except as set forth in Section 2230, "**Table of Use Regulations**", unless otherwise provided by this Ordinance or by statute. Uses not expressly provided for herein are prohibited. Not more than one principal structure shall be placed on a lot, except in accordance with Section 2330.

Symbols employed below shall mean the following:

Y - A permitted use.

N - An excluded or prohibited use.

BA - A use authorized under special permit from the Board of Appeals as provided under Section 5300.

CC - A use authorized under special permit from the City Council as provided under Section 5300.

PB - A use authorized under special permit from the Planning Board as provided under Section 5300.

2220. **Applicability.** When an activity might be classified under more than one of the following uses, the more specific classification shall govern; if equally specific, the more restrictive shall govern.

2230. **Table of Use Regulations.** See Appendix A.

(Ord. of 12-23-03, § 1)

APPENDIX A - TABLE OF PRINCIPAL USE REGULATIONS
DISTRICTS

	PRINCIPAL USE	RA	RB	RC	RAA	MUB	PB	IA	IB	IC	WI
A. RESIDENTIAL											
1.	Single-family dwelling	Y	Y	Y	Y	Y	N	N	N	N	N
2.	Two-family dwelling	N	Y	Y	N	Y	N	N	N	N	N
3.	Multifamily dwelling	N	N	Y	N	Y	N	N	N	N	N
4.	Boarding House	N	N	BA	N	BA	N	N	N	N	N
5.	Group residence	BA	BA	BA	BA	BA	BA	BA	BA	BA	BA
6.	Assisted or Independent Living Facility	BA	BA	BA	BA	BA	BA	BA	BA	BA	BA
7.	Nursing or convalescent home	BA	BA	BA	BA	BA	BA	BA	BA	BA	BA
8.	Trailer camp or park	N	N	N	N	N	N	N	N	N	N
9.	Hoofed animals	N	N	N	N	N	Y	N	N	N	N
10.	Animals or head of poultry, not exceed to exceed one animal or head of poultry per one thousand (1,000) square feet of the net area of the lot. Net area shall be determined by subtracting the gross ground floor area of all buildings and structures on the lots from the gross area of the lot plus any contiguous lots owned by the same party.	Y	Y	Y	Y	Y	Y	N	N	N	N

B. EXEMPT AND INSTITUTIONAL USES

1. Use of land or structures for religious purposes	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y
2. Use of land or structures for educational purposes on land owned or leased by the commonwealth or any of its agencies, subdivisions or bodies politic or by a religious sect or denomination, or by a nonprofit educational corporation	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y
3. Child care facility (in existing building)	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y
4. Child care facility (not in existing building)	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y
5. Use of land for the primary purpose of agriculture, horticulture, floriculture, or viticulture on a parcel of more than five acres in area	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y
6. Facilities for the sale of produce, and wine and dairy products, provided that during the months of June, July, August, and September of every year, or during the harvest season of the primary crop, the majority of such products for sale, based on either gross sales dollars or volume, have been produced by the owner of the land containing more than five acres in area on which the facility is located	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y
7. Municipal facilities	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y
8. Essential services	BA	BA	BA	BA	BA	BA	BA	BA	BA	BA	BA
9. Cemeteries	Y	Y	Y	Y	Y	Y	N	N	N	N	N
10. Hospital	Y	Y	Y	Y	Y	Y	N	N	N	N	N

C. COMMERCIAL

1. Nonexempt agricultural use	BA	BA	BA	BA	BA	BA	BA	BA	BA	BA	BA	BA	BA	BA	BA	BA	BA	BA	BA
2. Nonexempt educational use	N	N	N	N	Y	Y	Y	BA	BA	BA	BA	BA	BA	BA	BA	BA	BA	BA	BA
3. Animal clinic or hospital, with ancillary animal boarding	N	N	N	N	N	SP	N	BA	N	BA	BA	BA	BA	BA	BA	BA	BA	BA	N
4. Adult day care	BA	BA	BA	BA	BA	BA	BA	BA	N	N	N	N	N	N	N	N	N	N	N
5. Family day care	BA	BA	BA	BA	BA	BA	BA	BA	N	N	N	N	N	N	N	N	N	N	N
6. Large family day care	BA	BA	BA	BA	BA	BA	BA	BA	N	N	N	N	N	N	N	N	N	N	N
7. Club or lodge, nonprofit	CC	CC	CC	CC	CC	CC	CC	N	N	N	N	N	N	N	N	N	N	N	N
8. Funeral home	BA	BA	BA	BA	BA	BA	BA	BA	BA	N	N	N	N	N	N	N	N	N	N
9. Adult entertainment establishment	N	N	N	N	N	CC	CC	CC	CC	CC	CC	CC	CC	CC	CC	CC	CC	CC	CC
10. Bed & Breakfast	BA	BA	BA	BA	BA	BA	BA	N	N	N	N	N	N	N	N	N	N	N	N
11. Motel, hotel or inn	N	N	N	N	N	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y
12. Retail stores and services not elsewhere set forth	N	N	N	N	N	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y
13. Motor vehicle sales and rental	N	N	N	N	N	CC	CC	CC	CC	CC	CC	CC	CC	CC	CC	CC	CC	CC	N
14. Motor vehicle general repairs	N	N	N	N	N	CC	CC	CC	N	CC	CC	CC	CC	CC	CC	CC	CC	CC	Y
15. Motor Vehicle body repairs	N	N	N	N	N	N	N	N	N	CC	CC	CC	CC	CC	CC	CC	CC	CC	N
16. Motor vehicle light service	N	N	N	N	N	CC	CC	CC	CC	CC	CC	CC	CC	CC	CC	CC	CC	CC	CC

17. Restaurant	N	N	N	N	N	Y	Y	Y	N	SP	Y
18. Restaurant, fast-food	N	N	N	N	N	BA	BA	BA	N	N	BA
19. Business or professional office	N	N	N	N	N	Y	Y	Y	N	Y	Y
20. Medical offices, center, or clinic	N	N	N	N	N	BA	BA	BA	N	BA	BA
21. Bank, financial agency	N	N	N	N	N	Y	Y	Y	N	Y	Y
2. Indoor commercial recreation	N	N	N	N	N	Y	Y	Y	Y	Y	Y
23. Outdoor commercial recreation	N	N	N	N	N	BA	BA	BA	N	BA	BA
24. Wireless Communications Facilities	PB	PB	PB	PB	PB	PB	PB	PB	PB	PB	PB
25. Theatres and auditoriums	N	N	N	N	N	PB	PB	N	N	N	N
26. Convention Centers	M	M	M	M	M	PB	PB	PB	PB	PB	N
D. INDUSTRIAL											
1. Earth removal	N	N	N	N	N	N	N	N	N	N	N
2. Manufacturing	N	N	N	N	N	N	N	Y	Y	Y	Y
3. Light manufacturing	N	N	N	N	N	N	N	Y	Y	Y	Y
4. Research, development or testing laboratories and facilities	N	N	N	N	N	Y	Y	Y	Y	Y	Y
5. Fish processing	N	N	N	N	N	N	N	N	N	N	Y
6. Wholesale, warehouse, self-storage mini-warehouse, or distribution facility	N	N	N	N	N	N	N	Y	Y	Y	Y

7. Transportation terminal	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N
8. Water freight terminal	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N
9. Businesses engaged in the sale, distribution or storage of grain, petroleum products, building materials and industrial machinery provided that such businesses shall be primarily reliant upon a waterfront location or shall be in direct support of an industrial use which requires a waterfront location	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N
10. Businesses engaged in the sale, distribution or storage of grain, petroleum products, alternative motor vehicle fuels, building materials and industrial machinery.	N	N	N	N	N	N	N	N	N	N	N	N	CC	N	N	N	N	N	N
11. Businesses engaged in salvaging, dismantling and reprocessing of scrap and waste materials including building materials, motor vehicles, machinery and equipment, paper, rags or any other discarded material, provided that such business shall be primarily reliant upon a waterfront location	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N
12. Junkyard or automobile graveyard	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N
13. Contractor's yard	N	N	N	N	N	N	N	Y	Y	Y	Y	Y	Y	N	N	N	N	N	N
14. Low-level radioactive or nuclear waste facility	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N
15. Tire recycling & re-treading	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N
16. Batch asphalt & concrete plants	N	N	N	N	N	N	N	N	N	N	N	N	CC	N	N	N	N	N	N

(Ord. of 12-23-03, § 1; Ord. of 12-8-05, §§ 2-4; Ord. of 3-16-11, § 1; Ord. of 10-8-13, § 2)

2700. - DIMENSIONAL REGULATIONS.

2710. **General.** No structure shall be erected or used, premises used, or lot changed in size or shape except in conformity with the requirements of this Section, unless exempted by this Ordinance or by statute.

2711. **Lot change.** No existing conforming or nonconforming lot shall be changed in size or shape except through a public land taking or donation for road widening, drainage, utility improvements or except where otherwise permitted herein, so as to violate the provisions of this Ordinance with respect to the size of lots or yards or to create a nonconformity or increase the degree of nonconformity that presently exists.

2712. **Merger of lots.** Adjacent lots held in common ownership on or after the effective date of this Section shall be treated as a single lot for zoning purposes so as to minimize nonconformities with the dimensional requirements of this Ordinance. Notwithstanding the previous sentence, adjacent lots in common ownership may be treated as separate lots for zoning purposes upon a finding by the zoning enforcement officer that the owner of said lots has expressly exhibited the intent to maintain the lots as separate. In making said finding the zoning enforcement officer shall rely on the following factors:

2712.a. The existence and maintenance of walls or fences along the original lot lines;

2712.b. The fact that the lots are separately assessed for tax purposes;

2712.c. The placement of structures on the various lots.

The manner in which said lots were acquired or the fact that said lots were separately described on a deed shall not be considered by the zoning enforcement officer in making said finding.

2713. **Recorded Lots.** A lot or parcel of land having an area or frontage of lesser amounts than required in the following schedule of dimensional requirements may be considered as satisfying the area and frontage requirements of this Section provided such lot or parcel of land was shown on a plan or described in a duly recorded deed or registered at the time of adoption of this Ordinance and did not at the time of adoptions of adjoin other land of the same owner available for use in connection with such lot or parcel.

(Ord. of 12-23-03, § 1)

2720. **Table of Dimensional Requirements.** See Appendix B.

(Ord. of 12-23-03, § 1)

2730. **Dimensional Variation.** The Board of Appeals may vary otherwise applicable dimensional requirements pertaining to frontage, lot area, building height and sidelines upon finding that owing to circumstances relating to the soil conditions, shape, or 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, a literal enforcement of the provisions of the ordinance or by-law would involve substantial hardship, financial or otherwise, to the petitioner or appellant, and that desirable relief may be granted without substantial detriment to the public good and without nullifying or substantially derogating from the intent or purpose of such ordinance or by-law.

(Ord. of 12-23-03, § 1)

2740. Vision Clearance on Corner Lots in Residence Districts. On a corner lot no fence, wall or structure more than three and one-half (3½) feet high above the plane of the established grades of the streets shall be erected on a front or side yard herein established which is included within the street lines of the intersecting streets and a straight line connecting said street lines at points which are twenty (20) feet distant from their point of intersection, measured along said street line, and no trees or hedges which will materially obstruct the view of a driver of a vehicle approaching the street intersection shall be placed or maintained within such area.

(Ord. of 12-23-03, § 1)

2750. Yards in Residence Districts.

2751. Front Yards. No story or part of any building except projecting eaves or uncovered steps shall be erected nearer to the street line of any street on which it fronts than the average alignment of the corresponding stories or parts of existing buildings within two hundred (200) feet on each side of the lot and within the same block and district. Where there is a building on one or both of the adjoining lots, the front yard for a building shall have a depth equal to the average of the front yard depths of the two (2) adjoining lots. A lot without a building shall be counted as having a front yard of the depth required by this Ordinance. If there are no existing buildings on the same side of the street, the average setback alignment of corresponding stories within two hundred (200) feet on each side or and directly opposite the lot shall govern. Nothing in this Ordinance shall require any story or part of a building to set back more than fifteen (15) feet from any street line. One street frontage of a corner lot shall be exempt from these provisions as provided in subsection 2752. The front yard of a lot shall remain clear of debris and junk.

2752. Where the alignment of a building is not controlled by subsection 2751, between every building and the line of the street upon which it fronts there shall be a front yard of a clear depth of fifteen (15) feet, except that on one side of a corner lot a yard of a clear depth of not less than ten (10) feet shall be provided, in which case this distance shall not be considered in determining the front yard depths on such street.

2753. Rear Yards. There shall be a rear yard on every lot and it shall be at least thirty (30) feet deep behind a dwelling, except that a ground story deck or porch, without a permanent roof, a patio, or a pool (including any projections therefrom) may extend to six (6) feet of a rear lot line. An unattached private garage may extend to four feet of a rear yard. A storage shed may extend to eighteen (18) inches of a rear yard unless a fence is erected on the property along the rear yard line. In such case the storage shed may extend to eighteen (18) inches of the fence or fence post whichever is closest. Unless referenced in this Code, nothing may be placed or constructed in or upon the ground within six (6) feet of a rear lot line. Notwithstanding the previous sentence, a fence may be constructed near or along a rear lot line and vegetation may also be planted within six (6) feet of a rear lot line.

2754. Where a lot is more than one hundred (100) feet deep, one-half (½) of the additional depth of the lot in excess of one hundred (100) feet shall be added to said rear yard depth; but in no case shall a rear yard depth in excess of forty (40) feet be required. The setbacks referenced in the previous section shall also apply to this Section.

2755. Side Yards. There shall be a side yard on every lot and it shall be at least ten (10) feet on one side and twelve (12) feet on the other side. The side yard shall be unobstructed from the line of the street to the rear lot line except that open porches, decks, steps, patios and pools (including any projections therefrom), which are located behind the dwelling within the rear yard, may extend to six (6) feet of a side lot line, driveways may extend to four (4) feet of a side lot line and storage sheds, which are located behind the dwelling within the rear yard may extend to eighteen (18) inches of a side yard unless a fence is erected on the property along the side yard line. In such case the storage shed may extend eighteen (18) inches of the fence or fence post whichever is closest. For all driveways, including those regulated under Section 2756, the area between a driveway and the side lot line shall be of a different material than the material used for the driveway and shall not be covered with an impervious surface or crushed stone.

Notwithstanding any provision to the contrary, any driveway existing prior to April 15, 2009, that is made of a material that creates an impervious surface, may be permitted for repair, resurfacing or reconstruction with substantially the same type of material provided that the dimensions of the driveway are not increased and the location of the driveway layout is not altered.

2756. Special Driveway Side Yard Requirements. For existing dwellings on lot sizes of less than five thousand (5,000) square feet, driveways shall not extend to the side lot line closer than ten (10) percent of the distance between the side lot line and the principle dwelling. For any driveway in excess of thirteen (13) feet in width, the provisions of Section 2755 regulating driveway setbacks shall apply and this section shall not apply.

(Ord. of 12-23-03, § 1; Ord. of 4-15-10, § 1; Ord. of 10-20-11, § 1; Ord. of 1-15-13, §§ 1, 2)

2760. Cornices and Belt Courses.

2761. A cornice shall not project more than one-third (1/3) of the width of a required open space.

2762. A belt course or other ornamental feature shall not project more than nine (9) inches into a required open space.

(Ord. of 12-23-03, § 1)

2770. Courts.

2771. If any part of a story of a nonresidence building is used for offices, studios or workshops which are not lighted from the street or the rear yard, there shall be a court starting not more than fifty (50) feet from the main exterior walls of that story.

2772. If any part of a story is used for living or sleeping rooms which are not lighted from the street or the rear yard, such court shall be required starting not more than two (2) rooms or thirty-five (35) feet from the main exterior walls of that story.

2773. An inner court shall be at least one-third (1/3) as wide as it is high, measured from the sills of the lowest windows served by it to the average level of the tops of the enclosing walls, and shall be at least twice as long as its required width or of an equivalent area, but no court shall be less than ten (10) feet in width.

2774. The minimum width of an outer court shall be double that required in this Section for an inner court.

2775. A cornice or belt course shall not project more than six (6) inches into any inner court.

(Ord. of 12-23-03, § 1)

2780. **Height of Buildings.** The provisions governing the height of buildings in Appendix B shall apply to chimneys, cooling towers, flagpoles, elevator bulkheads, skylights, ventilators, and other necessary appurtenant features usually carried above roofs; to domes, stacks or spires and also to wireless communications facilities.

(Ord. of 12-23-03, § 1)

APPENDIX B - TABLE OF DIMENSIONAL REGULATIONS
DISTRICTS

REQUIREMENT	RA	RB	RC	RAA	MUB	PB	IA	IB	IC	WI
Minimum Lot Size (sq. ft.)	8,000	8,000 for uses allowed in RA; 10,000 for two family units	8,000 for uses allowed in RA; 10,000 for two family units; 15,000 for 3 or more family units	16,000	8,000 for uses allowed in residence A; 10,000 for two family units; 15,000 for 3 or more family units	0	0	0	0	0
Density of Dwelling Units per Lot	1 per 10,000 sq. ft.	1 per 10,000 sq. ft. for single family; 1 per 5,000 sq. feet for two family	1 per 10,000 sq. ft. for single family; 1 per 5,000 sq. feet for two	1 per 16,000 sq. ft.	1 per 10,000 sq. ft. for single family; 1 per 5,000 sq. feet for two family; 1 per 1,000	N/A	N/A	N/A	N/A	N/A

					uses, 1C on any side where adjacent lot is in a residential district or used for residential purposes					
Rear Yard (ft.)	30	30	30	30	30 for uses allowed in residential district; for other uses, 10 for 1-2 story buildings; 20 feet for 3 or more stories	25	25	25	25	10 feet for 1-2 story buildings; 20 feet for 3 or more stories
Lot Coverage by Buildings (%)	30; 40 on corner lots	30; 40 on corner lots	30; 40 on corner lots	30; 40 on corner lots	30; 40 on corner lots for uses allowed in	50	50	50	50	50

					residential district; 0 for other uses					
Green Space	35%	35%	35%	35%	35% for uses allowed in residential districts; 0 for other uses	20%	20%	20%	20%	20%

¹Provided, however, that no part of any building shall be erected to a height in excess of 1 3/4 times the horizontal distance from its face to the opposite street line.

²Provided, however, that no story or part of any building except projecting eaves or uncovered steps shall be erected nearer to the street line of any street on which it fronts than the average alignment of the corresponding stories or parts of existing buildings within two hundred (200) feet on each side of the lot and within the same block and district. Where there is a building on one or both of the adjoining lots, the front yard for a building shall have a depth equal to the average of the front yard depths of the two (2) adjoining lots. A lot without a building shall be counted as having a front yard of the depth required by this chapter. If there are no existing buildings on the same side of the street, the average setback alignment of corresponding stories within two hundred (200) feet on each side of and directly opposite the lot shall govern. One street frontage of a corner lot shall have a clear depth of no less than ten (10) feet, in which case this distance shall not be considered in determining the front yard depths on such street. Nothing in this chapter shall require any building hereafter erected between two (2) existing buildings or immediately adjacent lots to set back from the street a greater distance than that one of such two (2) existing buildings which is farther from the street line.

(Ord. of 12-23-03, § 1; Ord. of 11-27-13, § 1)