



City of New Bedford

Department of Planning, Housing & Community Development

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STAFF COMMENTS

ZONING BOARD OF APPEALS MEETING September 17th, 2015

Case # 4205: Special Permit located at 244 Union Street/3 South Sixth Street (Map: 46, Lot: 28)

Applicant: Jeff Cardoza
18 Anthony Street
Acushnet, MA 02743

Ownership: 244 Union Street LLC
c/o Steven D. Romsey
9 Green Street
Fairhaven, MA 02719



Overview of Request: The petitioner has submitted an application for **SPECIAL PERMIT** relative to property listed above located in a mixed use business and downtown business overlay zoned district. The proposal is to create a residential apartment on the second floor of the three story building.

Requested Relief: The subject property is a corner lot located at the southwest intersection of Union Street and South Sixth Street in the downtown. Because the proposed apartment is located on the upper floors of the building and is located in the downtown business overlay district (DBOD) the proposal requires a special permit from the Zoning Board of Appeals to allow for Residential dwelling units on the upper level floors of new and pre-existing buildings.

Existing Conditions: The subject second floor is currently office space. The first floor is existing retail space and the third floor is existing residential space.

Plan Specifics:

- **Property:** The subject lot is a corner lot measuring 3162 sq. ft with 57.5' frontage on South Sixth Street and 55'on Union Street.
- **Buildings:** Existing structures on the lot include a 54'x 54' mixed use building of a size and character consistent with the neighborhood in which it is located.

- **Proposal:** The petitioner requests permission to create a second floor apartment.
- **Neighborhood:** The surrounding neighborhood is mixed use with commercial as well as residential uses present.

For Board Member Consideration. The zoning code states: “The purpose of the DBOD is to provide adequate minimum standards and procedures for the construction of new and rehabilitation of existing structures so as to promote economic and cultural development in the downtown area” ... “For conversions of existing structures, the Zoning Board of Appeals must find that the proposed project protects the City's heritage by minimizing removal or disruption of historic, traditional or significant uses, structures or architectural elements, whether these exist on the site or on adjacent properties.” Considering the petitioner proposes no exterior alterations it would appear structural or architectural elements would remain unchanged. The character of the neighborhood and the property is mixed use with residential uses already in the area and at the subject property.

