



City of New Bedford

Department of Planning, Housing & Community Development

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DIRECTOR

STAFF COMMENTS

August 21th, 2015

FROM: Jill Maclean, City Planner

TO: Zoning Board of Appeals

SUBJECT: **Case # 4193:** Administrative Appeal located at 105 Rockdale Avenue (Map 18, Lot 69)

Applicant(s): James J. Long and Ramon Mojica
519 American Legion Highway
Westport, MA 02790

Owner: Amerco Real Estate Company
2727 N. Central Avenue
Phoenix, Arizona 85004

Project Location: 105 Rockdale Avenue (Map 18, Lot 69)

Overview of Request: The petitioner has installed nine vinyl type large signs on the location listed above. The petitioner was denied a building permit for installing a billboard without a permit. The petitioner appeals on the belief that the type of signage installed on the building are not prohibited signs and do not fall under the category of a billboard. The petitioner states they are banners.

Information for Consideration:

- **Billboard Definition:** "An accessory or nonaccessory, changeable copy sign erected for the purpose of advertising a product, event, person or subject not entirely related to the premises on which the sign is located, and upon which the advertising message is painted or posted with printed art panels.
 - On-ground billboard: A billboard which is supported by one or more columns, poles, uprights or braces, in or upon the ground which is not a direct part of a building.
 - On-structure billboard: A billboard which is attached to and is therefore a direct part of a building."¹

¹ City of New Bedford Code of Ordinances, Chapter 9 Section 1200 Definitions

- **Petitioners Appeal:** The petitioner appeals on the belief that the type of signage installed on the building are not prohibited signs and do not fall under the category of a billboard. The petitioner states they are banners.
- **Power of the Zoning Boards of Appeals:** The Zoning Board of Appeals is the board to hear and decide appeals taken by any person aggrieved by his/her ability to obtain a permit or enforcement action from any administrative officer under the provisions of M.G.L.A c. 40A, subsection 7, 8, and 15.
- **Determination of the Board:** In this case the Board is to determine if the signs installed at this location fall under the definition of “Billboard” and are therefore a prohibited signs type.

Conclusion:

In light of our review of the entire petition, accompanying materials, and a visit to the site, staff noted the following. The installed signage does not contain any logos of the company. Wording found on the images are: “Your Storage Place” and “lift”. The images are of children playing soccer on the southwest corner of the building, and three images of young women moving items and/or posing in a self- storage facility on the southernmost side of the building. The Signage would seem to be temporary in nature as it is lightweight and of limited durability material.

Photos taken by City Planning Staff on August 21st, 2015 are included on the following pages.



