



City of New Bedford

Department of Planning, Housing & Community Development

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STAFF COMMENTS

August 20th, 2015

FROM: Jill Maclean, City Planner

TO: Zoning Board of Appeals

SUBJECT: **Case # 4195:** Special Permit located at 273 Cleveland Street (Map 12, Lot 110)
Case # 4196: Variance located at 273 Cleveland Street (Map 12, Lot 110)

Applicant/Owner: Hermalinda Soler
273 Cleveland Street
New Bedford, MA 02744

Overview of Request: The petitioner has installed a driveway, and a shed on a concrete pad at the location listed above. Subsequently, the petitioner has submitted an application for a Special Permit for vehicular access to a building from a public way that does not constitute frontage of the lot. Additionally, the petitioner has submitted an application for a variance seeking relief for being under the required minimum green space of 35% due to the installation of the shed.

Plan Specifics:

- **Parking:** The installed driveway is 30' in width and 46' in depth. The lot is located on a corner with the driveway access from the Clara Street side of the lot (45'). An average parking space requires 9'x 18'.
- **Lot:** The subject lot is 3,935 +/- sq. ft with 87.44' of frontage and a 45' depth. A 27'x 29' single family home with a front porch (13'x5'), enclosed back porch (13'x4'), and a side deck located on the lot. Additionally, the lot has a concrete walkway behind the house and a separate walk way from Cleveland Street to the side deck stairs. The lot also has the elements before the board, the 30'x46' installed driveway and the 10'x10' shed which sits on an approximately 15'x16' cement pad.
- **Green Space:** The minimum green space required under zoning ordinance is 35% of the lot must be green space. Currently, the property has approximately only 28% of green space. (For reference: the driveway as proposed 30'x46' takes up 35% of the lot.)

- **Relief Needed.** The proposed plan requires relief from zoning requirements for the following:
 - Vehicular access to a building from a public way that does not constitute frontage of the lot (Special Permit).
 - Relief from the 35% minimum green space requirement, allowing the petitioner to have 28% green space at the lot. (Variance)

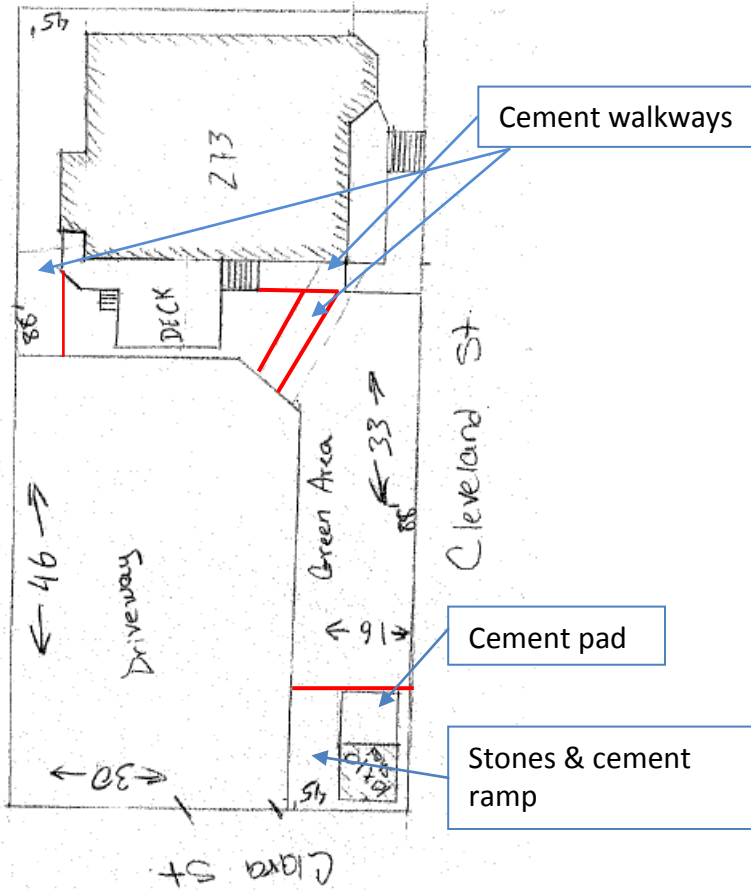
Conclusion.

In light of our review of the entire petition, accompanying materials, and a visit to the site, staff would characterize this proposed driveway in character with the surrounding neighborhood. The driveway provides off-street parking that did not previously exist at the site. However, staff would characterize the driveway as unnecessarily large for a single family home— five average car parking stalls (9'x18') could easily fit based on the dimensions of the driveway.

Therefore, in regards to the variance for green space, staff questions the need for the approximately 15'x10' cement pad for the 10'x10' shed. Also, staff noted the space in front of the shed is filled with loose stone. Staff would suggest the applicant reduce the size of the cement pad, replace the loose stone with grass or natural plantings to regain the necessary percentage of green space for the property. Additionally or alternatively, staff suggests the applicant remove a minimum 4'x 46' foot area of the driveway to provide a 4' setback from the rear abutting neighbor's property line. Additionally the applicant should install curbing along the west side, in order to protect the adjacent dwelling.

In regards to the driveway access on Clara Street, while not preferred under code, it would seem appropriate in this instance for the applicant to utilize the existing curb cut.

**Planning staff notes on
plan submitted**



**Plan submitted by
applicant**

