



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. 4185

Petition for a VARIANCE

Date: _____

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: 935 Stratford St. N.B. MA 02745

Assessor's Map(s): 130 Lot(s) 451

Registry of Deeds Book: 1730 Page: 223

Zoning District: R.A.

Applicant's Name (printed): Domingos P. Alves

Mailing Address: 935 Stratford St. N.B. MA 02745
(Street) (City) (State) (Zip)

Contact Information: 508-997-7593
Telephone Number Email Address

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

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

1. ZONING BOARD OF APPEALS APPLICATION (7 pages)
2. Copy of Deed (2 pages)
3. Existing Conditions Site Plan (1 sheet)
4. Proposed Conditions Site Plan (1 sheet)
5. Existing Subdivision of Land/Plot Plan from Registry of Deeds (1 sheet)
6. Copy of Building Permit Rejection Packet (11 pages)

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.

5/22/15
Date

Domingos P. Alves
Signature of Applicant

CITY CLERK
2015 MAY 22 A 10:35
NEW BEDFORD, MA

2. Dimensions of Lot(s) 72.5' 100' Area 7,250 SQ.FT.
Frontage Depth Sq. Ft.

3. Number of buildings on lot 1 home and 1 shed

4. Size of existing buildings 34' x 24' HOME 20' x 10' SHED

5. Size of proposed buildings 20' x 26' PROPOSED ATTACHED GARAGE

6. Present use of premises DRIVEWAY

7. Proposed use of Premises ATTACHED GARAGE ADDITION

8. Extent of proposed alterations ATTACHED GARAGE ADDITION

9. Existing number of dwelling units & bedrooms 1 UNIT 3 BEDROOMS Proposed N/A

| 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? _____

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

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

GARAGE
PROPOSED TO PLACE ADDITION ON RIGHT SIDE OF HOUSE
ENCROACHING ON 10 FOOT SIDE YARD SETBACK, LEAVING
ABOUT 4'-6" FROM END OF GARAGE TO PROPERTY LINE.

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

3. THAT DESIRABLE RELIEF MAY BE GRANTED WITHOUT NULLIFYING OR SUBSTANTIALLY DEROGATING FROM THE INTENT OR PURPOSE OF THE ZONING ORDINANCE OR BYLAW

4. THAT DESIRABLE RELIEF MAY BE GRANTED WITHOUT SUBSTANTIAL DETRIMENT TO THE PUBLIC GOOD.

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

| | Existing | Allowed/Required | Proposed |
|---|----------|------------------|----------|
| Lot Area (sq ft) | | | |
| Lot Width (ft) | | | |
| Number of Dwelling Units | | | |
| 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) | | | |
| Side Setback (ft) (RIGHT) | 24'-6" | 10' | 4'-6" |
| 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 | | | |
| 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: Domingos P. Alves

at the following address: 935 Stratford St. New Bedford, MA 0274

to apply for: a right side setback variance

on premises located at: 935 Stratford St. New Bedford, MA 02745

in current ownership since: November 29, 1976

whose address is: 935 Stratford St. New Bedford, MA 02745

for which the record title stands in the name of: Domingos P. Alves

whose address is: 935 Stratford St. New Bedford, MA 02745

by a deed duly recorded in the:

Registry of Deeds of County: Bristol Book: 1730 Page: 223

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.

5/22/15 Domingos P. Alves
Date Signature of Land Owner (If authorized Trustee, Officer or Agent, so identify)

APPENDIX

- (1) Owner's/Landlord's Name Domingos P. Alves
- (2) Title Reference to Property copy of Deed

(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.

4185

ZBA VARIANCE APPLICATION SUBMITTAL CHECKLIST

The following documentation must be submitted, in duplicate (1 Original and 11 Copies), containing all items described below:

- Completed & Signed Application
- (a) Existing Conditions Site Plan, drawn to a scale not less than 1 inch: 40 feet, (For example, drawings at 1" : 10', 1" : 20' or 1" : 30' scale are acceptable) identifying positioning of existing structures must be provided. Site Plan must show footprint and dimensions of Rear, Front and Side distances between structure(s) and boundary lines.
- (b) Site Plan Identifying Proposed Plans, showing all proposed alterations or additions with side, front and rear set property lines identified.
- (c) Sub-Division Plans if Applicable
- A Certified Abutter's List
(Compiled by Planning Dept. and Certified in Assessor's Office)
- Plot Plan (Available at Inspectional Services Dept.)
- Filing Fee (Check made out to the City of New Bedford)
- Copy of Building Permit Rejection Packet
(Containing Rejected Building Permit and all information submitted with Building Permit Application)
- Appendix (Owner's Signature & Attached Deed for all Involved Parcels)

PLANNING
MAY 22 2010
DEPARTMENT

REQUEST FOR CERTIFIED LIST OF ABUTTERS

Attach the Certified List of Abutters to this Certification Letter and Submit all.

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, Carlos Arado, 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: 5/4/2015

SUBJECT PROPERTY:

MAP 130 LOT 451

LOCATION 935 Stratford St

OWNER'S NAME Domingos P. Alves

MAILING ADDRESS _____

CONTACT PERSON _____

TELEPHONE NUMBER 5087177593

EMAIL ADDRESS _____

REASON FOR REQUEST: ZBA VARIANCE

PLANNING DEPARTMENT
MAY 01 2015

PLANNING DEPARTMENT
MAY 22 2015

PLANNING DEPARTMENT
MAY 22 2015

4185
935 Stratford St

DEPARTMENT SIGN-OFF SHEET

ZONING BOARD OF APPEALS ^{Variance} ~~SPECIAL PERMIT~~ REVIEW

| <u>DEPARTMENT</u> | <u>COPIES</u> | <u>SIGNATURE</u> | <u>DATE</u> |
|--|---------------|----------------------|-------------|
| BOARD MEMBERS CITY HALL, ROOM 303 | 5 | [Signature] | 5/22/15 |
| CITY PLANNING CITY HALL, ROOM 303 | 1 | [Signature] | 5/22/15 |
| CITY CLERK (Original) CITY HALL, ROOM 118 | 1 | Stephanie M Macomber | 5/22/15 |
| CITY SOLICITOR CITY HALL, ROOM 203 | 1 | Max A Baptista | 5/22/15 |
| INSPECTIONAL SERVICES CITY HALL, ROOM 308 | 1 | Jennifer Heim | 5/22/15 |
| PUBLIC INFRASTRUCTURE 1105 SHAWMUT AVENUE | 1 | Angela Fisher | 5/22/15 |
| CONSERVATION COMMISSION CITY HALL, ROOM 304 | 1 | [Signature] | 5/22/15 |
| FIRE DEPARTMENT 1204 PURCHASE STREET | 1 | Carlyn Pedro | 5/22/15 |

PLANNING
DEPARTMENT

PLANNING
DEPARTMENT

12493

I, DENNIS E. SANSOUCY,

of Rochester, Plymouth County, Commonwealth of ~~Bristol County~~ Massachusetts

~~has granted~~ for consideration of \$30,500.00

grant to DOMINGOS P. ALVES and ESPERANCA M. ALVES, husband and wife, as joint tenants, who reside at 121 Hope Street, New Bedford, Bristol County, Commonwealth of Massachusetts,

with warranty covenants, the land, with any buildings thereon, in said New Bedford, bounded and described as follows:

BEGINNING at the southwest corner of the land herein conveyed at a point in the northerly line of Stratford Street, distant easterly therein two hundred seventeen and 50/100 (217.50) feet from its intersection with the easterly line of Morris Street;

thence NORTH 4°27'40" WEST by land of parties unknown, one hundred (100) feet to land now or formerly of Aldena M. Oliveira;

thence SOUTH 85°32'20" EAST in line of last-named land and land now or formerly of Mary S. Rezendes, seventy-two and 50/100 (72.50) feet to land now or formerly of Walter G. and Fernanda Rezendes;

thence SOUTH 4°27'40" EAST in line of last-named land, one hundred (100) feet to the said northerly line of Stratford Street; and

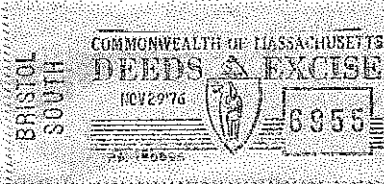
thence SOUTH 85°32'20" WEST in the said northerly line of Stratford Street, seventy-two and 50/100 (72.50) feet to the point of beginning.

CONTAINING 7,250 square feet, more or less.

BEING Parcel No. 4 on Subdivision of Land in New Bedford, Mass., Belonging to Armand Sansoucy, dated May 21, 1976, Scale 1" = 30', and filed in Bristol County S. D. Registry of Deeds in Plan Book 96, Page 97.

BEING the same premises conveyed to me by deed of Armand Sansoucy dated July 19, 1976 and recorded in said Registry in Book 1722, Page 536.

SUBJECT to the 1977 fiscal year real estate taxes which the grantees assume and agree to pay.



Witness my hand and ~~common~~ seal this 29th day of November 1976

Executed in the presence of

| | |
|-------------------|---------------------------|
| <u>R. C. Howe</u> | <u>Dennis E. Sansoucy</u> |
| <u>to D.E.</u> | |
| _____ | _____ |
| _____ | _____ |

Commonwealth of Massachusetts

Bristol, ss. New Bedford, November 29, 1976

Then personally appeared the above named Dennis E. Sansoucy and acknowledged the foregoing instrument to be his free act and deed,

Rec'd. & recorded Nov. 29 1976. before me R. C. Howe Notary Public. at 9 hrs. & 43 min. AM.

My commission expires Oct 27th 1978

(THE FOLLOWING IS NOT A PART OF THE DEED, AND IS NOT TO BE RECORDED.)

CHAPTER 183, SECTION 10, GENERAL LAWS.

A deed in substance following the form entitled "Warranty Deed" shall, when duly executed, have the force and effect of a deed in fee simple to the grantee, his heirs and assigns, to his and their own use, with covenants on the part of the grantor, for himself, his heirs, executors, administrators and successors, with the grantee, his heirs, successors and assigns, that, at the time of the delivery of such deed, (1) he was lawfully seized in fee simple of the granted premises, (2) that the granted premises were free from all encumbrances, (3) that he had good right to sell and convey the same to the grantee and his heirs and assigns, and (4) that he will, and his heirs, executors and administrators shall, warrant and defend the same to the grantee and his heirs and assigns against the lawful claims and demands of all persons.

REQUEST FOR CERTIFIED LIST OF ABUTTERS

CITY CLERK'S OFFICE
NEW BEDFORD, MA

CITY CLERK

2015 MAY 22 A 10:35

Attach the Certified List of Abutters to this Certification Letter and Submit all

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, Carlos A. Prado, 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: 5/4/2015

SUBJECT PROPERTY:

MAP 130 LOT 451

LOCATION 935 Stratford St.

OWNER'S NAME Rominger P. Alves

MAILING ADDRESS _____

CONTACT PERSON _____

TELEPHONE NUMBER 508 717 7593

EMAIL ADDRESS _____

REASON FOR REQUEST: ZBA VARIANCE

PLANNING
MAY 11 2015
DEPARTMENT

PLANNING
MAY 01 2015
DEPARTMENT

PLANNING
MAY 11 2015
DEPARTMENT

May 4, 2015
Dear Applicant,

Please find below the List of Abutters within 300 feet of the property known as 935 Stratford St (130-451) 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 |
|---------|------------------|--|
| 130-222 | 926 ELLIOTT ST | LECONTE SHEILA, 947 ELLIOTT ST NEW BEDFORD, MA 02745-3114 |
| 130-455 | 916 ELLIOTT ST | NUNES STEVEN H, NUNES ELIZABETH A 916 ELLIOT STREET NEW BEDFORD, MA 02745-3112 |
| 130-454 | 906 ELLIOTT ST | GOMES JOSE M, GOMES AURORA E 906 ELLIOTT ST NEW BEDFORD, MA 02745-3112 |
| 130-414 | 942 STRATFORD ST | VIERA KATHLEEN O, 942 STRATFORD STREET NEW BEDFORD, MA 02745-3133 |
| 130-410 | 930 STRATFORD ST | TETREAUULT ROBERT P, TETREAUULT CHRISTINE A 930 STRATFORD STREET NEW BEDFORD, MA 02745-3133 |
| 130-423 | 910 STRATFORD ST | DEFREITAS EDUARDO A, DEFREITAS DIANA 910 STRATFORD ST NEW BEDFORD, MA 02745-3133 |
| 130-418 | 945 STRATFORD ST | DUVAL RONALD T, 945 STRATFORD ST NEW BEDFORD, MA 02745-3134 |
| 130-417 | 939 STRATFORD ST | BOUCHER STEPHEN, 939 STRATFORD STREET NEW BEDFORD, MA 02745-3134 |
| 130-451 | 935 STRATFORD ST | ALVES DOMINGOS P, ALVES ESPERANCA M 935 STRATFORD ST NEW BEDFORD, MA 02745-3134 |
| 130-411 | 927 STRATFORD ST | REZENDES RICARD J "TRUSTEE", REZENDES FAMILY IRREVOCABLE TRUST 927 STRATFORD ST NEW BEDFORD, MA 02745-3134 |
| 130-420 | 903 STRATFORD ST | MEDEIROS JOSE M, MEDEIROS MICHELLE 903 STRATFORD ST NEW BEDFORD, MA 02745-3134 |
| 130-230 | SS ELLIOTT ST | LECONTE SHEILA, 947 ELLIOTT ST NEW BEDFORD, MA 02745-3114 |



NORTHFIELD ST

MID

MONMOUTH ST

BARTLETT ST

ELLIOTT ST

STRATFORD ST

MORRIS ST

JOCELYN ST

CHNET AVE

130-460
130-461
130-462
130-459
130-458
130-457

130-300
130-298
130-290

130-262
130-255

130-282
130-288
130-248

130-277
130-273
130-239

130-243
130-222

130-209
130-452
130-406

130-208
130-205
130-197
130-195

130-189
191

130-455
130-454
130-411

130-451
130-417

130-418
130-416
130-413

130-412
130-409
130-186

130-201
130-181
130-162

130-168
130-151
130-165

130-419
130-423
130-410

130-433
130-432
130-472
130-431

130-415
130-414
130-430

130-429
130-435
130-436

130-438
130-437
130-443
130-442

130-439
130-444

