



## OFFICE OF PLANNING

**CITY OF NEW BEDFORD**  
JONATHAN F. MITCHELL, MAYOR

May 21st, 2015

Ian M. Comerford, Chairman  
Zoning Board of Appeals  
133 William Street  
New Bedford, MA 02740

Re: Case #4182  
Petitioner: Natalia F. Araujo "Trustee"  
Shaw Realty Trust  
123 Nyes Lane  
Acushnet, MA 02743

Location: 220-222 Shaw Street (Plot 110 Lot 471)

Dear Mr. Comerford:

Please be advised that I have reviewed the petition, and submit the following for consideration by the Board.

The petitioner is submitting plans relative to property located at 220-222 Shaw Street (Plot 110, Lot 471) for which plans had previously been submitted and denied by this Board on March 27th, 2014 (Case # 4121). The denied proposal consisted of a 26.5 foot high, 1223+/- square foot, two-story garage, requiring relief of lot coverage, side yard setback, and height of an accessory structure. The project was redesigned to meet zoning requirements and was issued a building permit, with the proposed height as 18 feet. The construction of the structure measures a height of 19' 2", requiring a Variance after the fact, as the maximum height allowed for an accessory structure is 18'. The structure is located within a Residential C zoning district. The petitioners require a variance for the height of an accessory structure.

As the Board has denied a petition for a garage at this location within the past two years it is deemed a Repetitive Petition. The Board must make a Finding, that there are specific and material changes in the conditions upon which the previous unfavorable action was based and describes such changes in the record, before hearing any testimony on the variance petition. If a Finding is made by this Board, then the applicant must then present to the Planning Board to receive their consent as well. Only if the Planning Board also consents, then can the Zoning Board hear the petition for the Variance.

Sincerely,

Jill Maclean  
City Planner

Cc: Danny Romanowicz, Building Commissioner

Steven Martins, Ward 2 City Councilor

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