

# City of New Bedford ZBA VARIANCE APPLICATION

CASE#

## **SUBMITTAL CHECKLIST**

The following documentation must be submitted, in duplicate (1 Original and 11 Copies):

Have you included	documentation mass se susmitted, in aupmoute (2 or giller and 22 opins).	Planning staff review finds
Yes No		Yes No
	A Completed and Signed Application	
	An Existing Conditions Site Plan, drawn to a scale not less than 1 inch: 40 feet, identifying positioning of existing structures must be provided. Your site plan must show footprint and dimensions of rear, front and side distances between structure(s) and boundary lines.	
	A <u>Proposed Site Plan</u> showing all proposed alterations or additions with side, front and rear set property lines identified.	
	Sub-Division Plans if Applicable.	
	A <u>Certified Abutter's List prepared</u> by planning staff and certified by the Assessor's Office.	
	<u>Plot Plan</u> as provided through Department of Inspectional Services or through the Assessor's Office (in person or online through parcel lookup).	
	Filing Fee in check form made payable to the City of New Bedford.	
	Copy of <u>Building Permit Rejection</u> Packet (Containing Rejected Building Permit and all information submitted with Building Permit Application)	
	Owner's Verification including owner's signature and parcel deed for all involved parcels.	
Official Use On		
	al compliance performed by of the city's Division	on of Planning.
Staff review found	the application packet to be Complete incomplete on this date:	050 050 050
	This is page 1 of your 7RA Application	-K.00

Please remove the instruction pages when submitting your completed application packet but keep this as your first page.

### 2. VARIANCE SPECIFICS

The undersigned petitions the New Bedford Zoning Board of Appeals [ZBA] to grant a VARIANCE in the manner and for the reasons set forth here under the provisions of the city's zoning ordinance to the following described premises:

APPLICATION SUMMARY (P	LEASE PRINT)
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	NAME OF TAXABLE PARTY.	and the latest and th	manufacture for the way and the lower		and the state of t	THE RESERVE OF THE PARTY OF THE
SUBJECT PROPERT	Υ		المراجع المراجع			
ASSESSOR'S MAP P	LOT#	127E	LOT(S)#	365		OUTVICE ERK
REGISTRY OF DEED	S BOOK:	12639	PAGE#	97		GH I YES
PROPERTY ADDRES	S:	= - 0985				
881 cummington st.	NewBedfor	d,ma.02745				
ZONING DISTRICT:	RA					
OWNER INFORMA	TION		Value of the			
NAME: david sinag	ra					
MAILING ADDRESS						
381 cummington st.	NewBedfor	d,ma.02745				
APPLICANT/CONTA	ACT PERSON	INFORMATIO	)N			
NAME (IF DIFFEREN		nde nau-houlester-trepress in	CONTRACTOR	Managar A.	to the second se	
APPLICANT'S RELAT	FIONSHIP TO	THE PROPER		NER	CONTRACT	OTHER
Check one:					VENDEE	Describe
MAILING ADDRESS	(IF DIFFERE	NT):	****			
TELEPHONE #	50871770	)59				2 51 92322 5000
EMAIL ADDRESS:	dtjs1216@	gmail.com				
						e best of my/our knowledge.
						grounds for the revocation of ess the premises (both interior
poroval(s). I/we also						photographs and conducting o
	e times and	upon reasonau				-
	e times and	apon reasonau				7/31/2020

#### If the applicant differs from the owner, this section must be completed/signed by the property owner/s:

I hereby authorize the applicant represented above and throughout this application to apply and to represent my/our interests on my/our behalf for the relief requested herein for the premises I/we own noted as "property address" above and presented throughout this application. Furthermore, by signing this application I/we acknowledge having read and understood this application and the accompanying instructions and information. If petition is granted, I/we understand the approvals are specific to the plans submitted, unless the Board states otherwise and that if granted, that the variance must be recorded and acted upon within one year.

Signature of Owner/s Date

City Half • 133 William Street • Room 303 • New Bedford, MA 02740 • <u>www.newbedford-ma.gov</u> PH: (508)979-1488 • FX: (508)979-2576

#### **APPLICATION SPECIFICS**

DILATINGIANA OF LOTA		FRONTAGE	DEPTH		AREA in S	Q FT	
DIMENSIONS OF LOT/S:		30 ft.	80 ft.	6400 sq. ft.			
		# OF BLDGS	EXISTING SIZE	TOTAL SQ FT BY FLOOR	NUMBER OF FLOORS	TOTAL SQ. FT ENTIRE STRUCTURE	
EXISTING BUILDING/S		1	24 ft. by 60 ft.	1320 sq. ft.	1	1320 sq. ft.	
		# OF DW	LLING UNITS	# OF BED	ROOMS		
		1		3			
	<u> </u>	# OF BLDGS	PROPOSED SIZE	TOTAL SQ FT BY FLOOR	NUMBER OF FLOORS	TOTAL SQ. FT ENTIRE STRUCTURE	
PROPOSED BUILDING/S							
		# OF DWELLING UNITS		# OF BEDROOMS		EXTENT OF PROPOSED ALTERATIONS	
EXISTING USE OF PREMISES:	<i>51/1</i> home	PHANTON	PARKING	MC	· · · · ·		
PROPOSED USE OF PREMISES:	A)	DOITION	IA   JE SING/FAMI	LY KOMI	0		
MODIFICATIONS YOU Also		Expansion of existing driveway to accommodate additional off street parking.					
		Also it will add more curb appeal.					
ARE PROPOSING THAT NECESSITATE THE							
REQUESTED							
VARIANCE:		•					

If there's a commercial use existing and/or proposed, please complete the following:

NUMBER OF CUSTOMERS PER DAY				
NUMBER OF EMPLOYEES				
HOURS OF OPERATION				
DAYS OF OPERATION				
HOURS OF DELIVERIES				
FREQUENCY OF DELIVERIES (Check frequency)	DAILY	WEEKLY	DAILY	WEE
(,,,,	MONTHLY	OTHER	MONTHLY	ОТНЕ

If you are also requesting site plan review and special permit/s from the planning board, please specify here:

| We have 12 ft wive DRIVEY. Would Like To

EXTEND INIDEX to 24 to AVOID TANDOM PARKING

, Complete each item that is relevant to your variance request:

THE RESERVE OF THE PERSON OF T	Existing	Allowed/ Required	Proposed
Lot Area (sq ft)	6400	Required	
Lot Width (ft)	80		
Number of Dwelling Units	1		
Total Gross Floor Area (sq ft)	1320		
Residential Gross Floor Area (sq ft)	1320		
Non-Residential Gross Floor Area (sq ft)	0		
Building Height (ft)	12		
Front Setback (ft)	30		
Side Setback (ft)	10		
Side Setback (ft)	10		
Rear Setback (ft)	26		
Lot Coverage by Buildings (% of Lot Area)	30		
Permeable Open Space (% of Lot Area)	70		
Green Space (% of Lot Area)	70		
Off-Street Parking Spaces	1		
Loading Bays DRIVEWAY	0 12 54	18/4.	24 Ft.
Number of Ground Signs	0		
Height of Ground Sign	0		
Proximity of Ground Sign to Property Line	0		
Area of Wall Sign (sq ft)	0		
Number of Wall Signs	0		

# 3. PARCEL LEGAL DOCUMENTATION

Title Reference to Property
(Attach copy of Deed, Certificate of Title & most recent Recorded Plans showing affected lot or lots)
Is the applicant also the owner? Yes No If no, please attach the following three items to your application and indicate they are attached:
A notarized authorization letter on letterhead from the owner to tenant/buyer for application of this permit.
If the Applicant is Not the Owner, Provide:  A copy of the Purchase & Sale Agreement or lease, where applicable.
A 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.



## 4. REQUIRED FINDINGS FOR GRANTING A VARIANCE

Massachusetts General Law Chapter 40A Section 10 requires the "permit granting authority" (which, in this instance is the Zoning Board of Appeals) to make <u>ALL</u> the following findings before a variance can be granted:

A

That there are circumstances relating to the soil conditions, shape or topography which especially affect the land or structure in question, but which do not affect generally the zoning district in which the land or structure is located.

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B

That due to those circumstances especially affecting the land or structure, literal enforcement of the provisions of the Zoning Ordinance or By Law would involve substantial hardship, financial or otherwise, to the petitioner or appellant.

C

That desirable relief may be granted without nullifying or substantially derogating from the intent or purpose of the Zoning Ordinance or Bylaw.

n

That desirable relief may be granted without substantial detriment to the public good.

The full text of M.G.L. Chapter 40A, Section 10 can be viewed at: http://www.mass.gov/legis/laws/mql/

Because the ZBA must be able to articulate each of these four findings in order to grant a variance, you must make your case as to WHY your application meets each of these four points. *This is an extremely important question and it is recommended that you answer this VERY carefully.* You may use an additional sheet if needed.

Describe any circumstances relating to soil conditions, shape or topography which especially affect the

	land or structure in question but that doesn't generally affect the zoning district in which your premises is
	located:
	There are no soil conditions and no changes in topography. We have 12tt. St Existing
	PARKING FOR DRIVENAY, WOULD LIKE TO EXTEND WIOTH OF
	DRIVE WAY TO 24Ft. TO AVOID TANDOM PARKING.
В	Describe how circumstances unique to your land or structure would mean a substantial hardship to you if the city were to literally enforce the zoning ordinance:  It will not allow the homeowners off street parking, therefore, resulting in less clutter in our street. This will
	be primarily a concern during the winter months which will prohibite the preformence of the city plows.
C	Describe how granting you relief would not take away from the purpose of the city's zoning ordinance:  We propose to start the driveway with the city's zoing ordinance of 18' wide with following city guidelines
	then transittioning to 22'. Also the homerower that resign to our west is in aggreement for our propossal.
D	Describe why nobody else would be hurt if the city granted your requested zoning relief:
0	We do not believe that anyone whould be hurt, if anything it will increase the neighboring residences value,

because we are eliminating the clutter of vehichels



# City of New Bedford REQUEST for a CERTIFIED ABUTTERS LIST

This information is needed so that an official abutters list as required by MA General Law may be created and used in notifying abutters. You, as applicant, are responsible for picking up and paying for the certified abutters list from the assessor's office (city hall, room #109).

SUBJECT.	PROPER	TV			AND PROPERTY OF A PARTY OF A PARTY.
MAP#	127E	A. Dat to be a series of the series		LOT(S)#	365
ADDRESS	381 cu	mmington	st.		
OWNER I	NFORM	ATION			
NAME: D	evid Sina	agra			
			mington st.		
APPLICAN	IT/CONT	ACT PERSO	N INFORMA	TION	
NAME (IF	Company of the Compan	A LONG SHAPE SHAPE SHAPE			
MAILING	ADDRES	S (IF DIFFER	ENT):		
TELEPHOI	NE#	508-717-7	7059		
EMAIL AD	DRESS:	dtjs1216@	gmail.com	•	
REASON	OR THIS	REQUEST:	Check appro	opriate	
<b>✓</b> ZON	ING BOA	RD OF APP	EALS APPLICA	ATION	
PLA	NNING B	OARD APPL	ICATION		
CON	SERVATI	ON COMM	SSION APPLI	CATION	
LICE	NSING B	OARD APPL	ICATION		
☐ OTH	ER ( <i>Plea</i> :	se explain):			

Once obtained, the Certified List of Abutters must be attached to this Certification Letter.

Submit this form to the Planning Division Room 303 in City Hall, 133 William Street. You, as applicant, are responsible for picking up and paying for the certified abutters list from the assessor's office (city hall, room #109).

OH		Use	OBL	91
<b>C.</b> III	IL I GI		Call	

As Administrative Assistant to the City of New Bedford's Board of Assessors, I 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.

Michael J. Mott	a	Michael Motta Distributed United the State of the State o			7/20/2020
Printed Name		Signature	ju Jx	U.	Date
Amount Due	\$7.00			32	113
Date Paid	7/16/2020				
Confirmation Number	1163705				

## **Account Information**

Payment Type: Licenses

Reference Number: 381 COMMINGTON STREET

Phone Number: 5087177059

## **Payment Information**

Payment Date: 7/16/2020 Payment Amount: \$7.00 Total Payment: \$7.00

Payment Method: VISA

Card Number: XXXXXXXXXXXXX3937

**Expiration Date: 0623** 

**DAVID SINAGRA** 

Billing Zip Code: 02745

Your confirmation numer is: 1163705

Your payment will post to the account listed below. It takes approximately two business days to post your payment to the account. Your payment date and time are equal to the time you completed this transaction as indicated by the Digital Time Stamp below.

Digital Time Stamp: 07/16/2020 09:13:18 [EST]

If an email address was provided, your confirmation email will be sent from marketingcloud@valuepaymentsystems.com. Please have payer sign below and retain merchant copy for your records

Signature X

July 15, 2020 Dear Applicant,

Please find below the List of Abutters within 300 feet of the property known as 381 Cummington Street (Map: 127E, Lot: 365). 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	Additionally, City of New Bedford-Owned properties shall not require mailed notice.  Owner and Mailing Address
127E-350	142 ARMSBY ST	LAVOIE DOLORES.
12.2000	1 12 THOUSET ST	142 ARMSBY ST
		NEW BEDFORD, MA 02745
127E-412	396	MAREAN GRANT C, MAREAN PAMELA D
	CUMMINGTON	396 CUMMINGTON STREET
	ST	NEW BEDFORD, MA 02745
127E-372	384	LEGER ANDRE,
	CUMMINGTON	384 CUMMINGTON ST
	ST	NEW BEDFORD, MA 02745
127E-378	374	RIBEIRO PAUL J, RIBEIRO MICHELLE
	CUMMINGTON	374 CUMMINGTON ST
	ST	NEW BEDFORD, MA 02745
127E-366	362	LEWIS DENNIS, LEWIS DOREEN
	CUMMINGTON	362 CUMMINGTON STREET
	ST	NEW BEDFORD, MA 02745
127E-363	393	MCGLYNN CAROL K.
1 2 2 2 3	CUMMINGTON	393 CUMMINGTON STREET
	ST	NEW BEDFORD, MA 02745
127E-362	389	BARLOW ANN E.
•	CUMMINGTON	389 CUMMINGTON ST
	ST	NEW BEDFORD, MA 02745
127E-369	373	GOBEN CHRISTINE, GOBEN PETER M
	CUMMINGTON	373 CUMMINGTON STREET
	ST	NEW BEDFORD, MA 02745
127E-404	361	SANTOS DEBRA A, SANTOS MARIO L
	CUMMINGTON	27 PURITAN WAY
	ST	NEW BEDFORD, MA 02745
127E-348	166 ARMSBY ST	WILLIAMS KAREN L,
		166 ARMSBY STREET
		NEW BEDFORD, MA 02745
127E-349	158 ARMSBY ST	RAUDONAITIS KEVIN,
		158 ARMSBY STREET
		NEW BEDFORD, MA 02745
127E-347	152 ARMSBY ST	PATISTEAS JAMES, PATISTEAS HELENE A
		152 ARMSBY STREET
		NEW BEDFORD, MA 02745
127E-365	381	SINAGRA DAVID
	CUMMINGTON	SINAGRA CHRISTINE C
	ST	381 CUMMINGTON ST
		NEW BEDFORD, MA 02745

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Parcel	Location	Owner and Mailing Address
127E-351	130 ARMSBY ST	AGUIAR KEVIN D
		130 ARMSBY STREET
		NEW BEDFORD, MA 02745
127E-370	390	RAUDONAITIS CHAD,
	CUMMINGTON	390 CUMMINGTON ST
	ST	NEW BEDFORD, MA 02745
	L	

11 61 . 14 .	130-317 130-330 130-358 130-126 127E-91 127E-60127E-50 130-315 130-344 130-359 127E-84 127E-89 127E-68 127E-45 130-314 130-346 130-352 130-303 127E-81 127E-72 127E-42 130-312 130-343 130-375 127E-79 127E-35 127E-314 127E-311 130-310 130-408 130-371 130-383 130-385 127E-28 127E-15 127E-315
	130-347 130-349 130-359 127E-84127E-89 127E-60127E-51
	130-315 130-344 130-354130-356 127E-82 127E-68 127E-45
NS SS	130-341 130-346130-352 130-303 127E-72 127E-42 127E-42
130E-1 130E-2	130-343 130-375 127E-35 127E-35
130E-1	130-312 127E-314 127E-311 127E-311
BLV	130-310 130-408 130-371 130-383130-385 127E-28 127E-18 127E-15 127E-315
	130-310 130-408 130-371 130-383130-385 127E-28 127E-18127E-315 130-381 130-360 130-368 127E-436 127E-436 127E-26 127E-318 127E-318 127E-318 127E-318 127E-318 127E-318 127E-319 127E-325
4270 42	130-308 127E-24127E-318 127E-318 127E-3
127D-13 <sub>127D-15</sub>	127E-319 127E-319 127E-319 127E-319 127E-325
127D-3 MENTON ST	127E-431 127E-431 127E-213 127E-414 127E-324 127E-323
127D-31 127D-36127D-152	127E-302 127E-239 127E-138 127E-222 127E-322 127E-336
127D-21 127D-29 127D-33 127D-155	127E-232 127E-228 127E-321 127E-321 127E-329
127D-29 127D-103	127E-300 127E-230 127E-173 127E-146 127E-154 127E-184 127E-335
127D-24127D-28 127D-40 127D-156	127E-413130-367130-369 127E-434 127E-219 127E-319 127E-319 127E-319 127E-325 127E-324 127E-321 127E-431 127E-431 127E-431 127E-213 127E-320 127E-324 127E-323 127E-324 127E-325 127E-321 127E-321 127E-329 127E-321 127E-329 127E-321 127E-329 127E-141 127E-142 127E-155 127E-184 127E-335 127E-299 127E-304 127E-107 127E-170 127E-175 127E-288 127E-298 127E-343 127E-343 127E-170 127E-175 127E-288
127D-59 127D-63127D-66127D-15	8 127E-304 127E-107 127E-292127E-170 127E-175 127E-288
127D-59 27D-63 1270-03	127E-298 127E-343 127E-293 127E-156 127E-208 127E-307
127D-52 127D-71127D-73 127D-160	127E-298 127E-343 127E-293 127E-156 127E-208 127E-307 127E-171 127E-166 127E-164 127E-424 127E-328127E-169 127E-162127E-160 127E-396 127E-175 127E-342 127E-
YORK ST 127D-162	127E-328127E-169 127E-162127E-160 127E-180
127D-92 127D-91127D-94127D-96	
127D-77 127D-98 127D-165	
127D-84 127D-103	127E-350 127E-392
127D-101 427D 460	127E-285 127E-347 127E-352127E-283127E-391 127E-393
127D-110 127D-121 127D-126	127E-287 127E-367 127E-367 127E-378
127D-108 127D-123	127E-363127E-352127E-369127E-174 127E-389127E-388
127D-110 127D-108 127D-123 127D-132 127D-134 127D-134 127D-134 127D-134	127E-363127E-369127E-174 127E-388 127E-388 127E-388 127E-388 127E-366 127E-377 127E-378 127E-379 127E-379 127E-379 127E-381 127E-389 127E-379 127E-389 127E-379 127E-389 127E-389 127E-380 127E-389 127E-380 127E-389 127E-380 127E-389 127E-380 127E-389 127E-380 127E-389 127E-381 127E-389 127E-380 127E-
107D 445127D-147	127E-370 127E-3/3 127E-3/3 127E-381127-298 127-300
127D-141 127D-143 127D-148127D-150	127C-452 <sub>127D-176</sub> 127E-261 127E-361 127E-361
127D-200 127C-39 127C-34	127C-36 127C-41 127C-44 127E-357 127E-401 127E-300 127E-300
1270-195 127C-27	127C-265 127C-265 127C-267 127C-432 127-348 127-286 127-269127-268
APPLETON ST 127C-64	27C-56 127C-50 <sup>12</sup> / <sub>127</sub> C-271 127C-2 127-349 127-15127-285
127C-68 127C-66	127C-95 127C-102127C-269 127C-402 127C-429 127C-429 127C-257 127C-257 127C-257 127C-257
127C-16 127C-81 127C-85127C-89127C	AND ST 127C-276 127C-275 127C-401 127-256 127-259
MARTIE	47127C 110127C-107127C-441 127C-278 127C-399127C-416 127 252 127-250 127-249
127C-127 127C-134127C-123 127C-1	AND ST 127C-276 127C-282 127C-401 127-256 127-256 127C-401 127-256 127C-401 127C-110127C-107127C-441 127C-278 127C-399127C-416 127C-408 127C-42127C-104127C-284 127C-289 127C-408 127-252 127-169 127C-473 127C-473 127C-388 127-232 127-235 127-236 127-237 127C-173 127C-294 127C-390127C-387 127-231 127-234 127-236 127-237 127C-177 127C-157 127C-294 127C-398127C-406 127-229 127-226 127-225 127-168 127C-475 127C-480127C-483 127C-392 127C-404 127C-395 OHIO ST
127C-347 127C-140127C-14	2 127C-173 127C-2921-27C 204 127C-387127-231 127-234 127-230
127C-182	127C-177 127C-157 127C-290 127C-398127C-406 127-229 127-228 127-225
127C-351 127C-214 127C-185	C-324 127C-175 127C-258127C-300 127C-404 127C-395 OHIO ST
127C-355 127C-449 127C-11 127C-343	127C-465127C-171 127C-160 127C-392 127C-403 127C-328 127-328 127-328
127C-354 127C-369 127C-192	127C-170 127C-304437C 201 127C-400 127-329 127-327 127
127C-360 127C-12 <sub>127C-198</sub> 127C-198	12/C-1624270 202 12/C-35 1270 306 427 225
270-12127C-198 <sub>427C-104</sub>	127C-169 127C-164 127C-394 127C-436127C-4 127-343127-331 127C-175 127C-328 127C-168 127C-310 127C-311 127C-414 127C-241 127C-241 127C-3127C-313 127C-166 127C-393 127C-237 127-344127-332127-323 127C-437
127A-213 127C-364 127C-377 127C-201/127C-417	127C-168 127C-310 127C-393 127C-414 127C-247 127C-393 127C-393 127C-237 127-344127-332127-323
127C-199 / 127C-3	1210-3011376-2
127C-397127C-19 ILLINOIS ST 127C-42	3 127C-315 <sub>127C-318</sub> 127C-450 127-334 127-321 127-117 127C-315 <sub>127C-318</sub> 127C-468 <sub>127C-254</sub> 127-338 127-321 127 148
127C-207 127C-420	
127C-455127C-257 127C-215 127C-213 127C-10	127C-321127C-5 127C-256 127-337 118-202118-203
127G-109 127A-195 127C-209 127C-211 127C-216	127C-320 118-195 118-200 118-204
Lagand	118-229118-225118-223
Legend 118-349 118-347 118-347	118-358 118-372 148-399 149-74
126.53118-511-118	360 118-391
127E-365	118-513 18-393118-394 0 80 160 320 480 640 Feet
110-30	

City of New Bedford, Massachusetts Department of City Planning

