



ZONING BOARD OF APPEALS

NEW BEDFORD, MA

CITY OF NEW BEDFORD
JONATHAN F. MITCHELL, MAYOR

2015 JAN 22 P 2: 28

CITY CLERK

SUBMIT TO:
Planning Department
133 William Street
Room 303
New Bedford, MA 0274

Appeal Nr. 4172

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: 58 HAZARD ST

Assessor's Map(s): 72 Lot(s) 7

Registry of Deeds Book: 1109B Page: 144

Zoning District: RB

Applicant's Name (printed): DEOLINDA BARBOSA

Mailing Address: 154 MERRIMACK ST. NEW BE
(Street) (City) (State) (Zip)

Contact Information: 774-930-7806
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:

VARIANCE APPLICATION
 BUILDING PLANS
 SITE PLAN
 PERMIT REJECTION
 CHAPTER 39
 AERIAL PHOTO
 DEED

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.

Date

Deolinda Barbosa
Signature of Applicant

2. Dimensions of Lot(s) 26 141 Area 3355
Frontage Depth Sq. Ft.

3. Number of buildings on lot 1

4. Size of existing buildings 21' X 27'

5. Size of proposed buildings 21' X 27' EXISTING TO REMAIN/NO EXTERIOR WORK

6. Present use of premises 2 FAMILY

7. Proposed use of Premises 2 FAMILY

8. Extent of proposed alterations INTERIOR

9. Existing number of dwelling units & bedrooms 5 Proposed 5

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:
NOT REQUIRED

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:
COTTAGE SETUP
2720 DIMENSIONAL HEIGHT OF BUILDING

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

EXISTING CONDITIONS & CHARACTER OF BUILDING

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

	Existing	Allowed/Required	Proposed
Lot Area (sq ft)	3355	8,000	3355
Lot Width (ft)	26'	75	26'
Number of Dwelling Units	2	1	2
Total Gross Floor Area (sq ft)	1417.5	10,000	1417.5
Residential Gross Floor Area (sq ft)	1417.5	10,000	1417.5
Non-Residential Gross Floor Area (sq ft)	—	10,000	—
Building Height (ft)	^{STORIES (3.5)} 24' ±	2.5 STORIES	24' ± ^{(3.5) STORIES}
Front Setback (ft)	5' ±	20'	5' ±
Side Setback (ft)	2.5'	10'	2.5'
Side Setback (ft)	2.5'	10'	2.5'
Rear Setback (ft)	110'	30'	110'
Lot Coverage by Buildings (% of Lot Area)	16%	35%	16%
Permeable Open Space (% of Lot Area)	—	—	—
Green Space (% of Lot Area)	84%	—	84%
Off-Street Parking Spaces	0	—	0
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: DEOLINDO BARBOSA

at the following address: 58 HAZARD ST.

to apply for: DIMENSIONAL VARIANCE

on premises located at: 58 HAZARD ST

in current ownership since: JUNE 16, 2014

whose address is: 154 MERRIMAC ST, NEW BEDFORD

for which the record title stands in the name of: DEOLINDO BARBOSA

whose address is: 154 MERRIMAC ST, NEW BEDFORD

by a deed duly recorded in the:

Registry of Deeds of County: BRISTOL Book: 11098 Page: 144

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.

Date

Signature of Land Owner (If authorized Trustee, Officer or Agent, so identify)

APPENDIX

- (1) Owner's/Landlord's Name DEOLINDA BARBOSA
- (2) Title Reference to Property 58 HAZARD ST.

(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.

2015 JAN 22 P 2: 28

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 Amadio, 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: 1/16/2015

SUBJECT PROPERTY:

MAP 72 LOT 7

LOCATION 58 HAZARD

OWNER'S NAME DEOCINDA BARBOSA

MAILING ADDRESS 154 MERRIMAC STREET

CONTACT PERSON DINO BARBOSA

TELEPHONE NUMBER 774-930-7806

EMAIL ADDRESS Amadio@gmail.com

REASON FOR REQUEST: DIMENSIONAL VARIANCE

~~PLANNING~~

~~JAN 14 2015~~

~~DEPARTMENT~~

January 14, 2015

Dear Applicant,

Please find below the List of Abutters within 300 feet of the property known as 58 Hazard Street (72-7) 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
78-184	18-HAZARD CT 20	AKS WAMSUTTA LLC, C/O HALL KEEN LLC 1400 PROVIDENCE HIGHWAY NORWOOD, MA 02062-5044
78-192	17-HAZARD CT 19	DEANDRADE JOAO, DEANDRADE JOVINA 17 HAZARD CT NEW BEDFORD, MA 02740-6927
72-6	5 HAZARD ST	BARROS JACK C SR, P O BOX 41021 NEW BEDFORD, MA 02744-0010
72-295	60 HAZARD ST	MIGUEL LEE, 224 MOUNT PLEASANT STREET NEW BEDFORD, MA 02740-0246-1415
72-13	91-MERRIMAC ST 93	BUCHA GREGORY M, 104 HOLLIS STREET BROCKTON, MA 02302-1217
72-305	64 HAZARD ST R	DEBARROS DAMIAO P, DEPINA JULIA J 64R HAZARD STREET NEW BEDFORD, MA 02740-6931
72-236	169 STATE ST	VIANA MANUEL C, 169 STATE ST NEW BEDFORD, MA 02740-5465
72-254	97 MERRIMAC ST	CUMMINGS SCOTT M, ARDAGH JENNIFER M 97 MERRIMAC STREET NEW BEDFORD, MA 02740-5463
72-141	103-MERRIMAC ST 105	WILLS CAROL, 103 MERRIMAC STREET NEW BEDFORD, MA 02740-5463
72-10	161-STATE ST 163	REPUCCI JOHN, REPUCCI KIMBERLY 5 ELL ROAD HOLBROOK, MA 02343-1615
72-7	58 HAZARD ST	BARBOSA DEOLINDA, 154 MERRIMAC ST NEW BEDFORD, MA 02740-5416
72-8	54 HAZARD ST	FEDERAL NATIONAL MORTGAGE ASSOCIATION; William Cudlitz P O BOX 650043 26 Ricketson St. DALLAS, TX 75265 Dartmouth, MA 02747-2617
72-12	111 MERRIMAC ST	BRENNAN CHRISTANA, 111 MERRIMAC ST NEW BEDFORD, MA 02740-5463



Google earth



Location: 58 HAZARD ST

Parcel ID: 72 7

Zoning: RB

Fiscal Year: 2014

Current Owner Information:

LOPES DOROTHY R
C/O U S BANK NATIONAL ASSOC
1661 WORTHINGTON ROAD

W PALM BEACH , FL 33409

Current Sales Information:

Sale Date:

06/10/2002

Sale Price:

\$110,000.00

Card No. 1 of 1

Legal Reference:

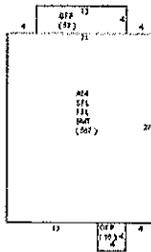
5556-65

Grantor:

RUA , HENRIQUE F

This Parcel contains 0.084 acres of land mainly classified for assessment purposes as Two Fam with a(n) Two Family style building, built about 1892, having Vinyl exterior, Asphalt Shingles roof cover and 1406 Square Feet, with 2 unit(s), 8 total room(s), 4 total bedroom(s) 2 total bath(s), 0 3/4 baths, and 0 total half bath(s).

Building Value:	Land Value:	Yard Items Value:	Total Value:
67900	55800	0	123700



Fiscal Year 2014		Fiscal Year 2013		Fiscal Year 2012	
Tax Rate Res.:	15.16	Tax Rate Res.:	14.33	Tax Rate Res.:	13.76
Tax Rate Com.:	31.08	Tax Rate Com.:	29.54	Tax Rate Com.:	28.44
Property Code:	104	Property Code:	104	Property Code:	104
Total Bldg Value:	67900	Total Bldg Value:	70500	Total Bldg Value:	74200
Total Yard Value:	0	Total Yard Value:	0	Total Yard Value:	0
Total Land Value:	55800	Total Land Value:	68100	Total Land Value:	70000
Total Value:	123700	Total Value:	138600	Total Value:	144200
Tax:	\$1,875.29	Tax:	\$1,986.14	Tax:	\$1,984.19

Disclaimer: Classification is not an indication of uses allowed under city zoning. This information is believed to be correct but is subject to change and is not warranted.

QUITCLAIM DEED

I, CLAUDINO BARBOSA, of New Bedford, Bristol County, Massachusetts
for consideration paid and in full consideration of ONE AND 00/100 (\$1.00) DOLLAR
grant to DEOLINDA BARBOSA, individually, of 154 Merrimac Street, New Bedford,
Massachusetts 02740

with QUITCLAIM COVENANTS

The land in New Bedford, Bristol County, Commonwealth of Massachusetts, with all
buildings thereon, bounded and described as follows:

BEGINNING at the northwest corner of the land herein described at a point in the
southerly line of Hazard Street and at the northeast corner of Lot #2 as shown on plan of
land hereinafter mentioned;

Thence EASTERLY in the southerly line of Hazard Street, twenty-six (26) feet to land of
parties unknown;

Thence SOUTHERLY in line of last-named land, one hundred forty-one (141) feet to
land of parties unknown;

Thence WESTERLY in line of last-named land, twenty-six (26) feet to said Lot #2; and

Thence NORTHERLY in line of last-named lot, one hundred forty-one (141) feet to the
said southerly line of Hazard Street and the point of beginning.

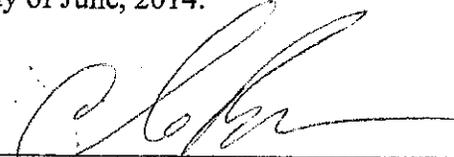
CONTAINING 3,666 square feet of land, more or less.

BEING shown as Lot #1 on a plan of land entitled "Plan of Land in New Bedford, Mass.,
drawn for Antonio F. Rua", Scale: 1" = 20', dated March 7, 1986, Olde Boston Land
Survey Co., Inc., Surveyors-Engineers, 172 William Street, Street, New Bedford, MA
and filed in the Bristol County S.D. Registry of Deeds in Plan Book 115, Page 14.

FOR TITLE, see deed from U.S. Bank, National Association, as Trustee, dated May 27,
2014 and recorded in said Registry of Deeds in Book 11098, Page 141.

Property Address: 58 Hazard Street, New Bedford, MA 02740

Witness my hand and common seal this 16th day of June, 2014.



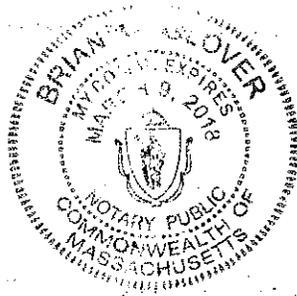
CLAUDINO BARBOSA

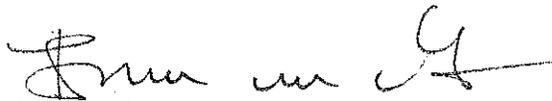
COMMONWEALTH OF MASSACHUSETTS

BRISTOL, ss.

June 16, 2014

On this day before me, the undersigned Notary Public, personally appeared CLAUDINO BARBOSA and proved to me through satisfactory evidence of identification, which was a photographic identification with signature issued by a federal or state governmental agency, oath or affirmation of a credible witness, personal knowledge of the undersigned, to be the person(s) whose name(s) is/are signed above, and acknowledged to me that he/she/they signed it voluntarily for its stated purpose and it was his/her/their free act and deed.





Notary Public: Brian M. Glover

My Commission Expires: 3/9/18