



## OFFICE OF PLANNING

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

April 15<sup>th</sup>, 2015

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

Re: Case #4181  
Petitioner:

Location: 129 East Clinton Street (Map: 45, Lot: 219)

Dear Mr. Comerford:

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

The petitioner proposes to erect a 5'x7' shed in the side yard of the property located at 129 East Clinton Street, which will require a Variance for side yards. The Zoning Ordinance does not allow for sheds in the side yard except when located behind the dwelling which may then extend into the side yard for certain distances (see Section 2755).

The Board should establish the hardship faced by the applicant. The Board should also take into consideration any comments received by the any abutters to the project when making their determination whether to grant this Variance.

Sincerely,

  
Jill Maclean  
City Planner

**Enclosed: Section 2755 – Side Yards**

Cc: Danny Romanowicz, Building Commissioner  
Kerry Winterson, Ward 5 City Councilor

2755. Side Yards. There shall be a side yard on every lot and it shall be at least ten (10) feet on one side and twelve (12) feet on the other side. The side yard shall be unobstructed from the line of the street to the rear lot line except that open porches, decks, steps, patios and pools (including any projections therefrom), which are located behind the dwelling within the rear yard, may extend to six (6) feet of a side lot line, driveways may extend to four (4) feet of a side lot line and storage sheds, which are located behind the dwelling within the rear yard may extend to eighteen (18) inches of a side yard unless a fence is erected on the property along the side yard line. In such case the storage shed may extend eighteen (18) inches of the fence or fence post whichever is closest. For all driveways, including those regulated under Section 2756, the area between a driveway and the side lot line shall be of a different material than the material used for the driveway and shall not be covered with an impervious surface or crushed stone.

Notwithstanding any provision to the contrary, any driveway existing prior to April 15, 2009, that is made of a material that creates an impervious surface, may be permitted for repair, resurfacing or reconstruction with substantially the same type of material provided that the dimensions of the driveway are not increased and the location of the driveway layout is not altered.