



JONATHAN F. MITCHELL  
MAYOR

## City of New Bedford

### ZONING BOARD OF APPEALS

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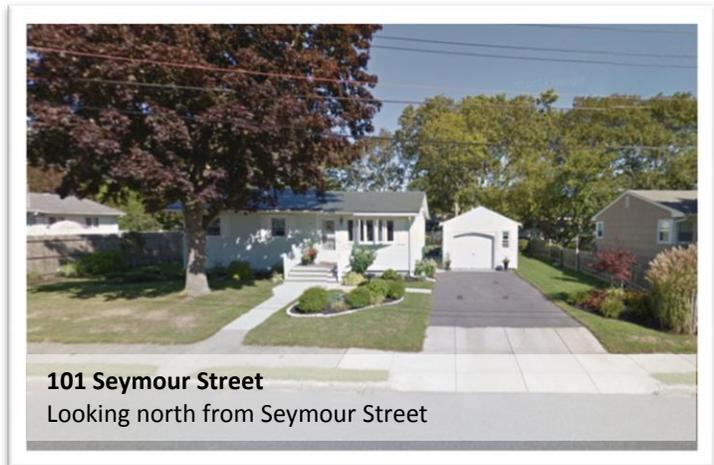
## STAFF COMMENTS

TO: ZONING BOARD OF APPEALS

Date: January 13, 2016

**Case # 4218:** Variance  
101 Seymour Street  
Map: 4, Lot: 59

**Owner/  
Applicant:** Maria C. Goulart  
101 Seymour Street  
New Bedford, MA 02744



**Overview of Request:** The petitioner has submitted an application for a **Variance** relative to the property listed above in a Residential A [RA] zoned district. The petitioner proposes to widen the existing driveway to 22 feet, where 18 feet is allowed. The proposed widening of the driveway therefore requires a variance under zoning ordinance.

As with all variances, the board must find that there are circumstances relating to the soil conditions, shape or topography which especially affect the land in question, but which do not affect generally the zoning district in which the land or structure in question is located. The ZBA must find that if the city were to literally enforce the zoning ordinance, due to these circumstances unique to this land or structure, it would mean substantial hardship to the petitioner. And, in granting the desired relief it would not take away from the purpose of the zoning ordinance and be without substantial detriment to the public good.

**Existing Conditions:** The 8,000 sq. ft. lot has 80' of frontage and 100' in depth. The property has a 25'x36' single family home and 15'x22.5' one car garage. There is an existing driveway varying 13'-14' in width and 20' length on the east side of the property. The property is located in a south end neighborhood, two blocks from Fort Taber, between Brock Avenue and East Rodney French Boulevard. It is comprised of single family residential properties except for a few commercial properties along Brock Avenue such as Me & Ed's Pizza, located diagonal from this property.

**Proposal:** The petitioner proposes to widen the existing driveway from 14'± to 22'. The petitioner writes that she proposes to widen the driveway in order to provide a safe and sturdy area for her elderly mother to park her vehicle. This would preserve the integrity of the topography, the petitioner writes, as currently her elderly mother is parking on the grass abutting the driveway. The applicant states that the maximum 18' width allowed under zoning ordinance would not allow a vehicle to enter through the garage if another car is parked in the driveway. The petitioner indicates the household tried parking in tandem and found it was not a good option. The applicant believes granting relief would not take away from the purpose of the zoning ordinance, as she will maintain the 4' of green space from the property line and keep it landscaped.

**For Board Member Consideration:** The 18' width driveway maximum allows for two cars to be parked in a residential driveway. For reference, the size of a parking space under city ordinance is required to be at least 9'x20'. The petitioner notes in this case if the driveway were 18' wide, a car exiting the existing garage would be hindered from exiting. This is because the location of the garage door is almost centered on the existing driveway. In order to accommodate a minimum 9' parking space east of the garage door opening, the petitioner would exceed the maximum width allowance. The petitioner indicates a 4' grass and landscaped area will remain between the proposed driveway and property line. If granted, the board may wish to make this a condition of approval.



## 101 Seymour Street Map: 4, Lot: 59

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*NOTE: Property line is approximate; for discussion purposes, only.*

Google earth

41°35'50.57" N 70°54'24.56" W elev 26ft eye alt 907 ft