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STAFF COMMENTS

ZONING BOARD OF APPEALS MEETING

June 15, 2016

Case # 4230:

FINDING

168 Grinnell Street
Map: 36, Lot: 203

Owner/Applicant:

Aldo Alves, Jr.
87 Alpha Street
Dartmouth, MA 02747

Overview of Request: The petitioner has submitted an application for a **Finding** relative to the subject property located within a **Residential B [RB]** zoning district. The petitioner proposes to build an addition (17.27' x 14.50'), raise an existing deck up to the second story above the addition and finish the basement. The property is an existing non-conforming property, meaning it does not conform to current zoning setbacks and dimensional requirements; therefore any additions upon the property are also considered nonconforming to current zoning standards.

The Inspector of Buildings has determined that the nonconforming nature of the structure would be increased by the proposed alteration. In such instances, the proposed change to a nonconforming property requires a **Finding** by the board that the proposed modification will not be substantially more detrimental than the existing nonconforming structure to the neighborhood.

Existing Conditions: The 3,022 sq. ft. corner lot is located in a residential neighborhood south of downtown between County Street to the east and Crapo Street to the west. The subject lot has 65' frontage on Grinnell Street and 46' of depth along Crapo Street. The property has a single family house (24'± x 40'±) with a front porch and rear deck. The existing house is positioned in the western most portion of the lot along the property lines. The house is setback 0.4'



168 Grinnell Street
Looking South from Grinnell Street

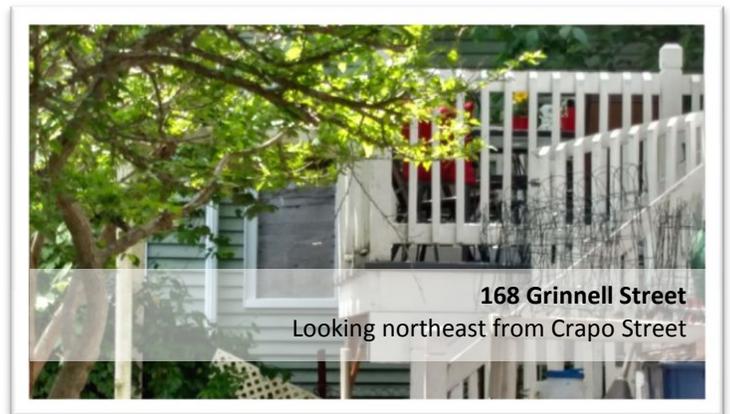


168 Grinnell Street
Looking northeast from Crapo Street

from the north (front property line), 1.1' from the west (side yard), and a projection from the house is only 0.1' from the south (rear). The existing deck is setback 2.1' from the south (rear) property line, and 35' ± from the east (side yard) property line. The immediate neighborhood is residential with a mix of single, two- and multi-family houses on similarly undersized lots. The house of the rear abutter is positioned approximately 5' from the property line.

Proposal: The 17.27' x 14.50' addition is proposed in the location of the existing deck but will extend approximately 5 feet further east based on plans submitted. The deck will be raised to the roof of the addition at a height of 14' 5" from the ground (railing will be 17' 1"). The addition will have a foundation that will join into the existing basement. The addition will expand the footprint of the existing deck 5'± easterly into the side yard and be setback 2.1' from the rear property line. The petitioner writes in the application that "the foundation conforms to the existing structure, the footprint of the new addition stays within the line of the existing structure and there is ample yard space beyond the proposed three feet extension".

For Board Member Consideration: The petitioner's application indicates the proposed addition will extend 3 linear feet, whereas the plans submitted show 5' (expanding from 12' to 17'). As noted above, the subject property is an existing nonconforming property in a neighborhood of nonconforming properties. This property has a comparatively larger side yard than the properties around it. The neighborhood properties are similarly situated close to the property lines. Particularly important to note is the separation distance from the rear abutter's house to the addition will be about 7'. The addition will impact two widows of the rear abutter's house, one on the lower level and one on the upper level.



Based on the plans submitted it seems the addition is intended to fix a rear entrance issue for the petitioner. A door, located under the current deck, is set below grade to provide access to the basement. The first floor door is located above grade (the property foundation is approximately 4.5' above grade); therefore stairs are required to access the existing doors. The proposed addition creates an at grade entrance with internal staircases; alleviates having to duck under the existing deck to access the basement door. The addition also creates an enclosed sun room space (12'-13"x 9'3"), which may raise the question of necessity for the deck above.



168 Grinnell Street Map: 36, Lot: 203

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

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Google earth

41°37'30.26" N 70°55'39.75" W elev 28 ft eye alt 863 ft