



VARIANCE APPLICATION

CITY OF WORCESTER ZONING BOARD OF APPEALS

455 Main Street, Room 404, Worcester, MA 01608
Phone 508-799-1400 ext. 31440 - Fax 508-799-1406

Fill in information for the Variances (s) you are applying for. Attach additional documentation as necessary.

Address: 29, 33 & 39 Hermon Street

Parcel ID or MBL: 03-008-00009; 03-003-07 +14; 03-003-00009

If more than one structure on the lot, identify relevant structure requiring relief: _____

Lot Area		Front Yard Setback		Rear Yard Setback	
Square footage required:		Setback required:		Setback required:	
Square footage provided:		Setback provided:		Setback provided:	
Relief requested:		Relief requested:		Relief requested:	
Frontage		Side Yard Setback		Exterior Side Yard Setback	
Frontage required:		Setback required:		Setback required:	
Frontage provided:		Setback provided:		Setback provided:	
Relief requested:		Relief requested:		Relief requested:	
Off-street Parking		Height		Accessory Structure 5-foot Setback	
Parking required:	66	Height permitted:		Type of structure:	
Parking provided:	46	Height provided:		Square footage of structure:	
Relief requested:	20	Relief requested:		Relief requested:	
Off-street Loading		Other Variances			
Loading required:		Relief requested:			
Loading provided:		Zoning Ordinance Article & Section:			
Relief requested:		Requirement:			
		Provided:			

If you are requesting Variances for more than one structure or lot, provide this sheet for each structure/lot. Only complete the sections pertaining to the Variances (s) you are applying for.

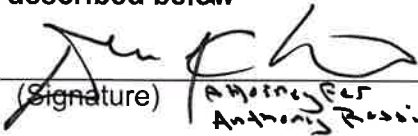
1. Property Information

- a. 26,33 & 39 Hermon Street
Address(es) – please list all addresses the subject property is known by
- b. 03-008-00009; 03-003-07 + 14; 03-003-00009
Parcel ID or Map-Block-Lot (MBL) Number
- c. Worcester District Registry of Deeds, Book 62594 Page 126
Current Owner(s) Recorded Deed/Title Reference(s)
- d. Hermon Street Development, LLC
Zoning District and all Zoning Overlay Districts (if any)
- e. MG-2.0; BG-3.0; CCOD-E (Partial); AROD
Describe what is presently located on the property (Use as much detail as possible including all uses and square footage of each use):
- f. 66 bedrooms pre-existing no additional bedrooms proposed.
If residential, describe how many bedrooms are pre-existing and proposed

2. Applicant Information

- a. Hermon Street Development, LLC
Name(s)
- b. 75 Williams Street, Chelsea, MA 02150
Mailing Address(es)
- c. rossi34esq@aol.com; (617) 224-2475
Email and Phone Number(s)
- d. Owner
Interest in Property (e.g., Lessee, Purchaser, etc.)

I certify that I am requesting the Worcester Zoning Board of Appeals to grant the Variance as described below


 (Signature) Anthony Rossi, Manager Hermon Street Development, LLC

3. Owner of Record Information (if different from Applicant)

- a. _____
Name(s)
- b. _____
Mailing Address(es)
- c. _____
Email and Phone Number

4. Representative Information

a. Donald J. O'Neil
Name(s)


b. 
Signature(s)

c. 688 Pleasant Street
Mailing Address(es)

d. djo@oneilbarrister.com; (508) 755-5655
Email and Phone Number

e. Lawyer
Relation to Project (Architect/Attorney/Engineer/Contractor, etc.)

5. Owner Authorization

Authorization I,  Attorney for Actmen St Development, LLC, Owner of Record of the property listed with the Assessing Division of the City of Worcester, Massachusetts as Map 03 Block 008 Lot(s) 00009*, do hereby authorize Donald J. O'Neil to file this application with the Division of Planning & Regulatory Services of the City of Worcester on this the 20th day of May, 2024.

* 03-003-07+142 03-003-00009

6. Proposal Description

a. Reduce parking requirement by eliminating off-street parking on 39 Hermon Street parcel.
The applicant seeks to (Describe what you want to do on the property in as much detail as possible)

b. Utilize parking lot located at 39 Hermon Street for 47 Hermon Street.
Are you aware if this property has been previously granted approvals from any City Board or Commission? If so, please list (Provide dates of previous approvals, book and page numbers and/or certificate numbers of any recorded decisions and/or recorded/registered land. Also, please provide copies of previous recorded decisions)

d. Previous Site Plan Approvals obtained from Planning Bd.
Have you applied for or are you aware if other applicants have applied for a Building Permit for this site and been refused for non-compliance with the Zoning Ordinance (e.g., a cease-and-desist order has been issued)?

e. Applicant maintains that remaining parking area is adequate for 33 Hermon St. building.
List any additional information relevant to the Variance (s)

VARIANCE - FINDINGS OF FACT

In the spaces below, please explain how the adverse effects of the proposed use will not outweigh its beneficial impacts to the City with respect to each of the following considerations per Article II, Section 6(A)(3) of the Zoning Ordinance. Attach additional supporting documentation as necessary.

1. Describe how a literal enforcement of the provisions of the City of Worcester Zoning Ordinance would involve a substantial hardship, financial or otherwise, to the petitioner or appellant:

A literal enforcement of the provisions of the Zoning Ordinance involves a substantial hardship for the Petitioner by requiring the Petitioner to maintain excess off- street parking capacity for the building at 33 Hermon Street in excess of the actual need for off-street parking required to service said property.

2. Describe how the hardship is owing to circumstances relating to the soil conditions, shape, and/or topography of the land or structures and how the hardship especially affects said land or structures, but does not affect generally the zoning district in which it is located:

The hardship in this case is based on the building structure which has been re-purposed for apartment use and the location of the off-street parking areas servicing the building two of which are located on separate non-contiguous lots. The non-contiguous nature of these two off-street parking areas is atypical in the zoning district to the extent that special consideration is warranted to allow for a relaxation of the off-street parking regulations to take into account actual need .

3. Describe how desirable relief may be granted without detriment to the public good and without nullifying or substantially derogating from the intent or purpose of the City of Worcester Zoning Ordinance:

The 46 off-street parking spaces provided for the 66 units located in the building situated at 33 Hermon Street provides adequate for the building and frees up the use of the parking lot located at 39 Hermon Street to meet required off-street parking for the building located at 47 Hermon Street which is proposed for redevelopment. No detriment to the public good nor derogation from the intent of the ordinance is presented in this instance.

4. Describe how the dimensional variance as it relates to floor space, bulk, number of occupants, or other relevant measures, if granted, shall be no greater than the minimum necessary to provide relief from the statutory hardship:

The requested relief is the minimum required to separate the parking area located at 39 Hermon Street from the building located at 33 Hermon Street to free up the same to provide off-street parking for the property located at 47 Hermon Street.

TAX CERTIFICATION

This certification must be completed by all applicants and owners of the property, certifying payment of all local taxes, fees, assessments, betterments, or any other municipal charges of any kind. Failure to include a completed certification shall result in the application being deemed incomplete.

If a Single Owner or Proprietorship:

- a. _____
Name
- b. _____
Signature certifying payment of all municipal charges
- c. _____
Mailing Address
- d. _____
Email and Phone Number

If a Partnership or Multiple Owners:

- e. _____
Names
- f. _____
Signatures certifying payment of all municipal charges
- g. _____
Mailing Address
- h. _____
Email and Phone Number

Applicant, if different from owner:

- i. _____
Printed Name & Signature of Applicant, certifying payment of all municipal charges

If a Corporation or Trust:

- j. Hermon Street Development, LLC
Full Legal Name
- k. Massachusetts
State of Incorporation
- Chelsea
Principal Place of Business
- l. 75 Williams Street, Chelsea, MA 02150
Mailing Address or Place of Business in Massachusetts
- m. *Anthony Bossi*
Printed Name & Signature of Owner or Trustee, certifying payment of all municipal charges
- n. _____
Printed Name & Signature of Owner or Trustee, certifying payment of all municipal charges
- o. _____
Printed Name & Signature of Owner or Trustee, certifying payment of all municipal charges
- p. _____
Printed Name & Signature of Owner or Trustee, certifying payment of all municipal charges