



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

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Lot Area	Front Yar	d Setback	Rear Yard Set	Rear Yard Setback	
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Lot Area	Front Yard	Setback	Rear Yard Setbac	ck
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Lot Area	Front Yard	Setback	Rear Yard Setback	Rear Yard Setback	
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Lot Area	Front Yard Setback		Rear Yard Setbac	Rear Yard Setback	
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Square footage	Setback			
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1. Assessor's ADDRESS OF SUBJECT PROPERTY: 70 & 74 Valmor St.; 21 & 25 Maranda St.
(List property subject to the application and include any lot numbers. Please note: The street number may be different than the Assessor's address).
2. Is this property known by any other address: 70,72,74 & 76 Valmor St. &21,23,25 &27 Maranda St.
3. OWNER OF RECORD: JAE Wor LLC
(The owner of record is the person or entity who owns title to the property as of today's date)
4. Address (es) of owner of record is /are 90 Madison St., Suite 610, Worcester, MA 01608
5. Worcester District Registry of Deeds (WDRD) Book(s) 67595, Page(s) 247 (List Book and Page number of deed filed for the subject property as recorded at the WDRD)
6. City of Worcester Assessor's Office Map 34 Block 010 Lot 00004;0004A; & MBL number for the subject property as listed at Assessor's Office)
7. NAME OF APPLICANT(S): JAE Wor LLC 0004B & 0004C
8. Address of Applicant: 90 Madison St. Suite 610, Worcester, MA 01608
9. Telephone: (774) 696-3814
10. Email: annaszeto.fm@gmail.com
11. Check if you are an: owner (s) lessee (s) optionee (s) (If you are not the owner of the subject property and are a lessee or optionee, it is recommended that you provide supporting information such as a lease or a purchase and sale agreement that shows your interest in the property.)
12. Zoning district(s) of the property (Indicate if more than one zoning district and any zoning overlay districts): RL-7
13. Describe what is presently located on the property (Use as much detail as possible including all uses and square footage of each use): One partially completed single family semi-detached dwelling with three more proposed.
14. The applicant seeks to (Describe what you are amending from the original approval in as much detail as possible): Obtain additional relief for building height and for side yard setback relief for the front corner of the building under construction on Lot 3A which was incorrectly set when the foundation was poured. No change to area relief previously granted.
15. Such a use is permitted only by the City of Worcester Zoning Ordinance under Article (Insert Article, Section (s) of the Zoning Ordinance which permits the proposed used of the property): Article II, Section 6 A 3

Revised: January 11, 2012

16. 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):

Planning Board Site plan Approval 3/21/24; Conservation Commission Order of Conditions 12/4/23; Zoning Board of Appeals Variance 12/5/22 with extension of same 1/8/24

17. 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)? If so, explain:

Open Building Permit issued for 70-72 Valmor Street.

18. List any additional information relevant to the Variance (s):

Applicant seeks relief for the 35 foot height limit provided in the Zoning Ordinance to allow for the construction of the 4 proposed single family semi-detached dwellings previously proposed. Architectural plans based on building height calculation between mean grade to mean peak which comes in at 35 feet. Code Enforcement calculation based on ridge line measurement.

VARIANCE FINDINGS OF FACT

Complete the following questions. Your responses should provide justifications as to why the requested Variance(s) should be granted. Attach additional documentation as necessary.

- 1. Describe how a literal enforcement of the provision of the City of Worcester Zoning Ordinance would involve a substantial hardship, financial or otherwise, to the petitioner or appellant:
 - The Applicant has secured necessary approvals for proposed construction from the various boards involved and has already framed one the four proposed structures. Reduction of the building height would require a complete building redesign and removal of portions of the building currently under construction which would involve a substantial financial I hardship for the Applicant.
- 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 sloped topography on the site results in a higher building height calculation than would occur if the lots were level due to the exposed foundation measurement at ground level inclusion in the height calculation.

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- 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 Applicant has proposed additional housing to help meet the demand for same. The proposed use is an allowed use in an RL-7 zone and is in keeping with the surrounding neighborhood. The requested relief takes into account the topography of the site with the mean height measurement of the structures coming in at 35 feet and presents no detriment to the public good nor substantial derogation for the intent of the Ordinance.
- 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 allow for the proposed construction to proceed in accordance with the plans previously submitted.

WHEREFORE, the applicant(s) requests that this Board grant the special permit (s) as requested above.

(Signature of Property Owner or Owner's Agent)
If more than one property owner, all owners must fill out information. (Signature of Applicant or Applicant's Agent) if more than one applicant, all applicants must fill out information. JAE Wor LLC JAE Wor LLC (Name of Property Owner) (Name of Applicant) 90 Madison St., Worcester, MA 90 Madison St. Worcester, MA (Address) (Address) (774) 696-3814 (774) 696-3814 (Contact Phone Number) (Contact Phone Number) annaszeto.fm@gmail.com annaszeto.fm@gmail.com (Email) (Email) July 2, 2024 July 2, 2024 (Date) (Date)

ALL APPLICATION DEADLINES ARE 2:00 P.M. UNLESS OTHERWISE SPECIFIED
APPLICANTS ARE ENCOURAGED TO FILE BEFORE THE DEADLINE DATE WHENEVER POSSIBLE

Revised: January 11, 2012

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CERTIFICATION OF COMPLIANCE WITH WORCESTER REVISED ORDINANCES GOVERNING REVENUE COLLECTION

*Note: This form must be completed and signed by both the <u>applicant(s)</u> and <u>owner(s)</u> of the property certifying payment of all local taxes, fees, assessments, betterments, or any other municipal charges of any kind. Failure to include a fully completed certification form with the application shall result in the application being deemed incomplete and ineligible for further processing by the Zoning Board of Appeals.

Pursuant to Massachusetts General Law, Chapter 40, Section 57 and the City of Worcester General Revised Ordinance, Chapter 11, Section 26-28, the undersigned applicant and all parties having an ownership interest therein, hereby certify, under the pains and penalties of perjury, that the applicant(s) and owner(s) have complied with the laws of the Commonwealth of Massachusetts and the City of Worcester regarding payment of all local taxes, fees, assessments, betterments or any other municipal charges of any kind.

(Give first and last names in full. In case of a corporation give names of President, Treasurer and Manager; and in case of firms, give names of individual members.)

(1) If a Proprietorship or Single Owner of residential property:

Home Phone
nt of all municipal charges):
Date:
residential property:
rs
Addresses

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(3) If a Corporation:

Joseph Charpentier		Title Manager	
Anna Szeto		Manager	
Owners of Corporation: Printed Names		Address	% of stock
Joseph Charpentier		90 Madison St Worcester, MA	
Anna Szeto		9o Madison St, Worcester, MA	
Signature of all owners of property (certifying necessary) And for Jorgh. Charge of Jorgh & Anna Szet.	Date:	all municipal charges -att	
Charles of Charles	Date:		
D. C. A. A. M. H			
Printed Names of Trustees:		Addres	SS
Printed Names of Trustees: Printed Names of Beneficiaries:		Address	SS
			SS
Printed Names of Beneficiaries: Signature of trustees of property (certifying necessary)		Address Il municipal charges -attac	ch multiple p
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Printed Names of Beneficiaries: Signature of trustees of property (certifying necessary)	Date:	Address Il municipal charges -attac	ch multiple p

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Assessing Division Samuel E. Konieczny, MAA, City Assessor City Hall, 455 Main Street, Worcester, MA 01608 P | 508-799-1098 F | 508-799-1021 assessing@worcesterma.gov

Certified Abutters List

A list of 'parties in interest' shall be attached to the application form and shall include the names and addresses. All such names and addresses shall be obtained from the most recent applicable tax list maintained by the City's Assessing Department. The Assessing Department certifies the list of names and addresses.

Total Count: 53				
			MORE ST & 21,23,35,37	
Parcel Address:		IARANDA ST		
Assessor's Map-Block-Lot(s):		4-010-00004, 34		
		4-010-0004C		
Owner:		E WOR LLC		
Owner Mailing:	90) MADISON ST		
	<u> </u>	ORCESETR, MA	01608	
Petitioner (if other than owner	·):D	ONALD J ONEIL	78	
Petitioner Mailing Address:	68	38 PLEASASNT S	ST	
	W	ORCESTER, MA	01602	
Petitioner Phone:	_50	087555655	500 5. 1042/810 101	
Planning:	Zoning:	_X	License Commission:	Conservation Commission:
Historical:	Cannabis	:	Other:	
PUIG,ORAISSA + GENAO,ADRIAN M		34-010-00030	0013 MARANDA ST	WORCESTER, MA 01604
JAE WOR LLC		34-010-00004	0090 MADISON ST SUITE 610	WORCESTER, MA 01608
GINGRAS.MICHAEL T + DONNA M		34-010-002-1	0079 MARANDA ST	WORCESTER MA 01604-2436

HALL DICHARO W	34 010 00044	A2C2 INCLUST	LIVEDIDGE AND OLEGO
HALL,RICHARD W	34-010-00044	0362 HIGH ST	UXBRIDGE, MA 01569
SMALLEY, CLIFTON DONALD + KIMBERLY A	34-010-00006	0014 DUNCANNON AVE APT 3	WORCESTER, MA 01604
RITCHIE, HALEY	34-010-00198	0109 SUNDERLAND RD	WORCESTER, MA 01604
KELLICKER, JEFFREY P + ANNE T	34-010-00284	0119 SUNDERLAND RD	WORCESTER, MA 01604-2443
FOSTER,JOHN	34-010-0043A	0115 SUNDERLAND RD	WORCESTER, MA 01604
MEYER,MICHELLE E +	34-010-00008	0024 VALMOR ST	WORCESTER, MA 01604
ZORGE,MICHAEL	34-010-00031	0006 CORRINE ST	WORCESTER, MA 01604
SULLIVAN,LAWRENCE A + SUZANNE	34-010-00007	20 SIMONE ST	WORCESTER, MA 01604
JEAN,ANOULD	34-010-0044A	0016 MARANDA ST	WORCESTER, MA 01604
WESTALL, SAMANTHA	34-010-00022	0015 CORRINE ST	WORCESTER, MA 01604
OPACKI,ANGELA S + THOMAS M	34-011-00023	0022 COUNTY ST	WORCESTER, MA 01604
TOCE,MATTHEW R + MARGARET J	34-010-00001	0080 VALMOR ST	WORCESTER, MA 01604
MAHONEY, MICHAEL ANTHONY	34-010-00043	0077 CORRINE ST	WORCESTER, MA 01604
ABDULMASSIH, JOSEPH +	34-010-0043B	0028 MARANDA ST	WORCESTER, MA 01604
CRANTZ,SCOTT + JULIE	34-012-001+4	0058 COUNTY ST	WORCESTER, MA 01604
GITAU,PENINA W +	34-012-001+2	0087 VALMOR ST	WORCESTER, MA 01604
BOZIL,LAURETTE + JEAN MICKER +	34-012-0001A	0091 VALMOR ST	WORCESTER, MA 01604
AUCLAIR,DAWN E	34-011-00027	0047 VALMOR ST	WORCESTER, MA 01604-2438
SANTIAGO,MARGARITA + LUZ A	34-010-00021	0017 CORRINE ST	WORCESTER, MA 01604
GRAMPEITRO,EDMUND B + BARBARA L	34-010-00033	0018 SIMONE ST	WORCESTER, MA 01604
PINTO, ABIGAIL + NICHOLAS	34-011-0027A	0049 VALMOR ST	WORCESTER, MA 01605
RICHARDS,KATHERINE J +	34-012-00027	0024 COUNTY ST	WORCESTER, MA 01604
TATE,SUZAN + KENYON,ANGELA	34-012-02-3R	081B VALMOR ST	WORCESTER, MA 01604
SKOCZYLAS,BETA M + HENRYK W	34-012-00001	0009 FAIRFIELD DR	DUDLEY, MA 01571
COVELLO, ANTHONY F	34-010-00272	0025 SIMONE ST	WORCESTER, MA 01604
FRECHETTE, JOSEPH GERARD	34-010-00019	0029 SIMONE ST	WORCESTER, MA 01604
LUCK,SEAN	34-012-00026	0028 COUNTY ST	WORCESTER, MA 01604
WEEMS, DARIUS A + NUGENT, KRYSTAL J	34-010-0239B	0024 MARANDA ST	WORCESTER, MA 01604
COVELLO,MICHAEL R +	34-010-00018	65 CORRINE ST	WORCESTER, MA 01604
RENE, JUNIOR H + ILAS, DARLINE	34-010-00002	0125 SUNDERLAND RD	WORCESTER, MA 01604
SMITH, PATRICIA A	34-012-001+1	0089 VALMORE ST	WORCESTER, MA 01604
BARTLETT, TRACY S	34-010-0239A	0026 MARANDA ST	WORCESTER, MA 01604
DUGGAN, DEBRA A	34-012-00025	0054 COUNTY ST	WORCESTER, MA 01604-2404
LOPES,JESSICA	34-012-001+5	0056 COUNTY ST	WORCESTER, MA 01604
HIRUDAYASAMY,JOHN PAUL +	34-010-0002A	0022 PAXTON RD	SHREWSBURY, MA 01545
CLAIREMONT,EVAN + KIMBERLY	34-010-02R-B	0082 VALMOR ST	WORCESTER, MA 01604
CARRANZA,KATHERINE	34-010-0002B	0141 SUNDERLAND RD	WORCESTER, MA 01604
ROBIDOUX,RAYMOND R + MARCIA M	34-012-001+3	0060 COUNTY ST	WORCESTER, MA 01604
PERRY,JOAN F	34-010-00038	0078 VALMOR ST	WORCESTER, MA 01604
SWIDLER,RONALD A+MARIA M	34-011-00022	0018 COUNTY ST	WORCESTER, MA 01604-2404
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ISUFI,EMINE	34-011-29-D1	0027 VALMOR ST	WORCESTER, MA 01604
DASILVA,ALESSANDRE + ROSEMAR P	34-011-0001A	0040 COUNTY ST	WORCESTER, MA 01604
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LOPEZ,AGUSTIN	34-011-28-E2	0033 VALMOR ST	WORCESTER, MA 01604
DUNLEVY,KEVIN P	34-011-28-E1	339 BROOKS ST	WORCESTER, MA 01606-1303
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BROUGH,AUSTIN + FERRARONE,CHLOE	34-012-00002	0079 VALMOR ST	WORCESTER, MA 01604
MUJJUZI,MARVIN S	34-012-002-1	0077 VALMOR ST	WORCESTER, MA 01604
JAE WOR LLC	34-010-0006A	0090 MADISON ST SUITE 610	WORCESTER, MA 01608
CLAIREMONT, EVAN	34-010-02R-A	0084 VALMOR ST	WORCESTER, MA 01604

This is to certify that the above is a list of abutters to Assessor's Map-Block-Lot's 64-010-00004, 34-010-0004B, 34-010-00004A, 34-010-0004C as cited above.

Certified by:

Samuel E. Koniegy

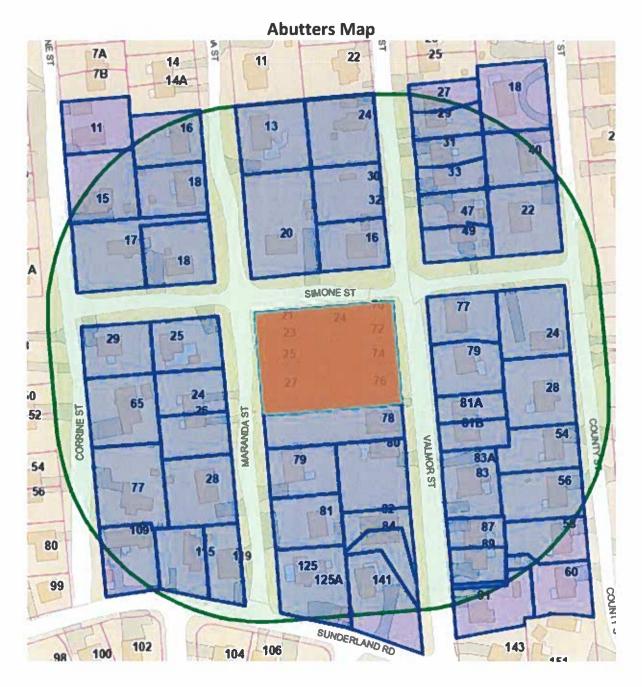
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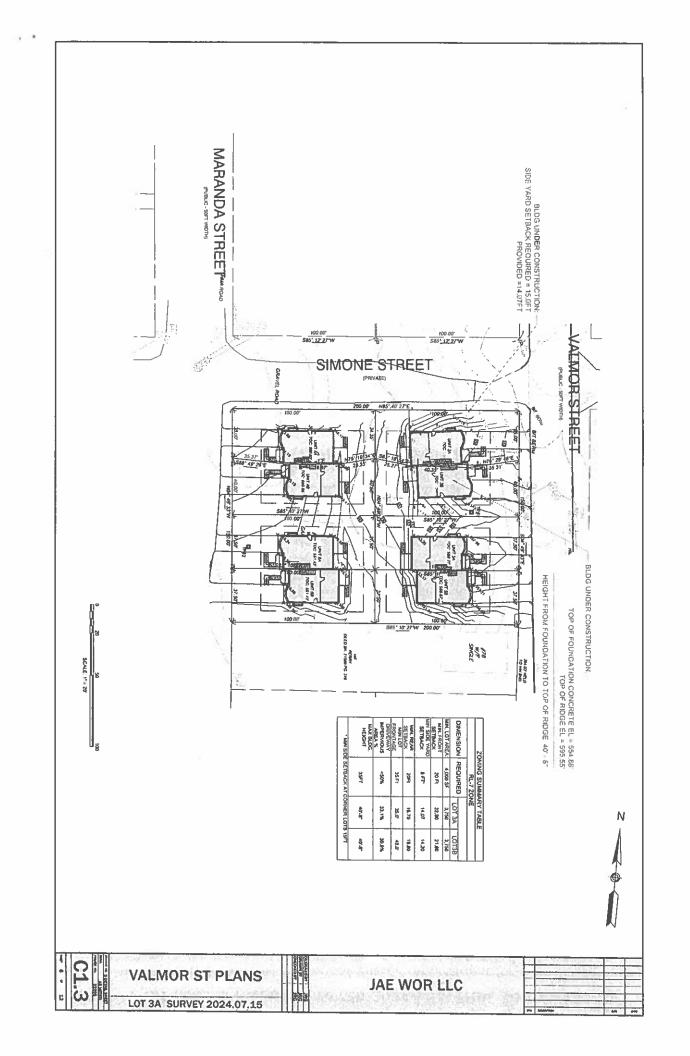
Signature

Date

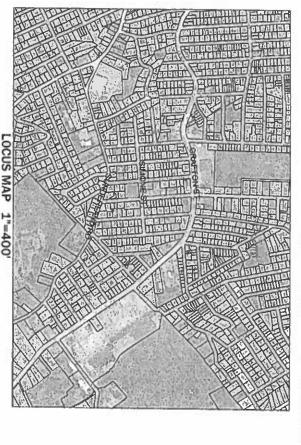
Assessing Division Samuel E. Konieczny, MAA, City Assessor

City Hall, 455 Main Street, Worcester, MA 01608
P | 508-799-1098 F | 508-799-1021
assessing@worcesterma.gov





3, 4, 5, & 6 VALMOR ST. WORCESTER, MA 01604 SITE PLANS



OWNER/ APPLICANT:

JAE WOR LLC

SITE ADDRESS: 2, 3, 4, 5, & 6 VALMOR ST., WORCESTER, MA 01604

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#3,4,5VALMOR ST. & 6

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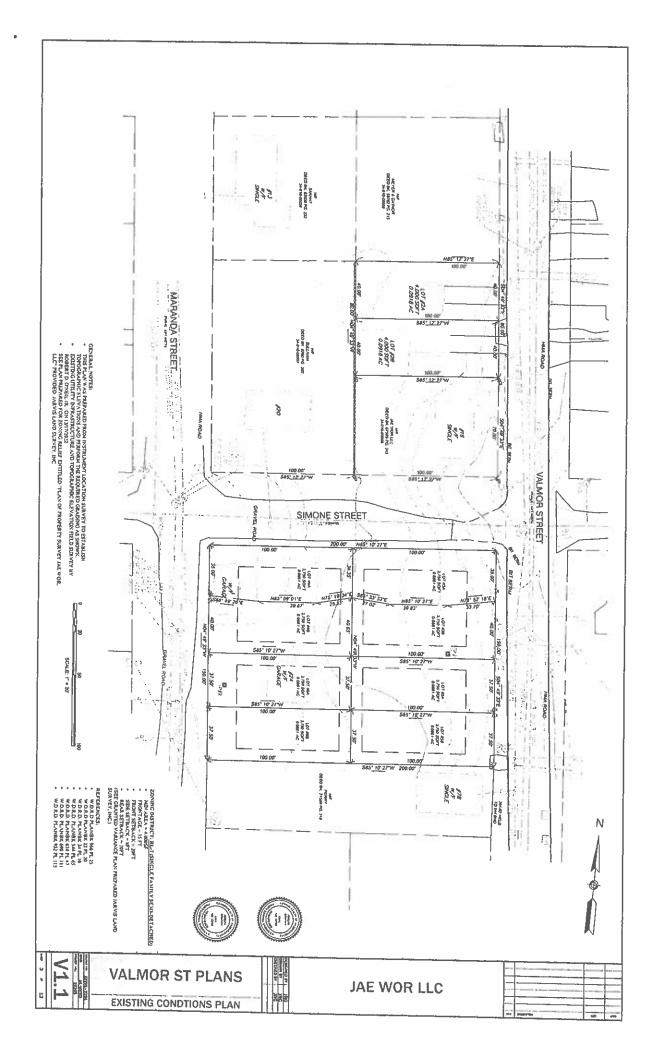
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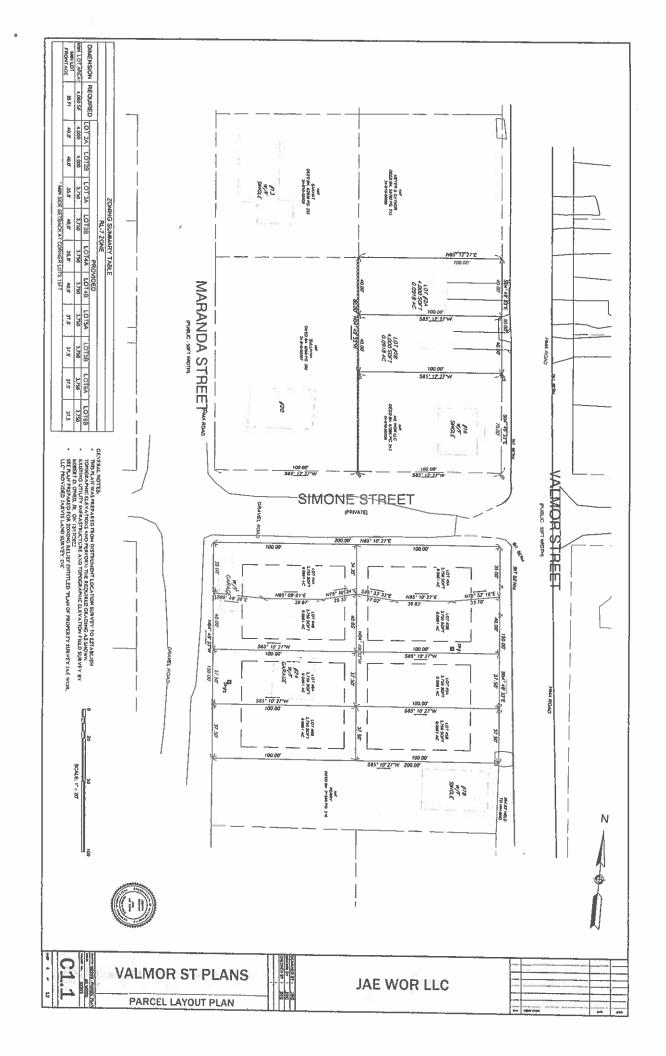
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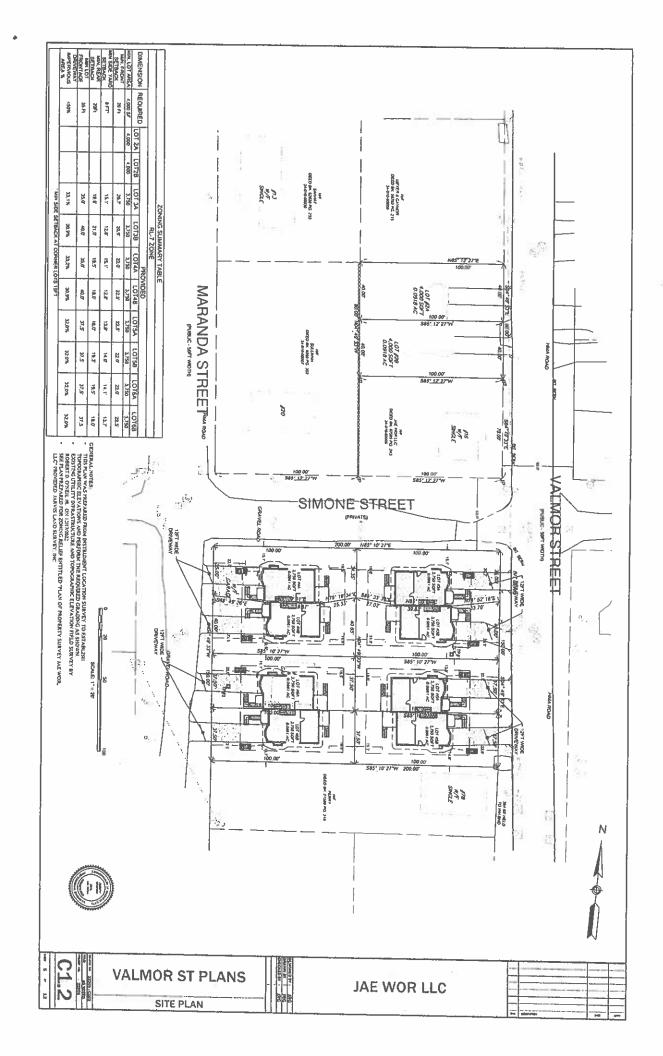
VALMOR ST PLANS

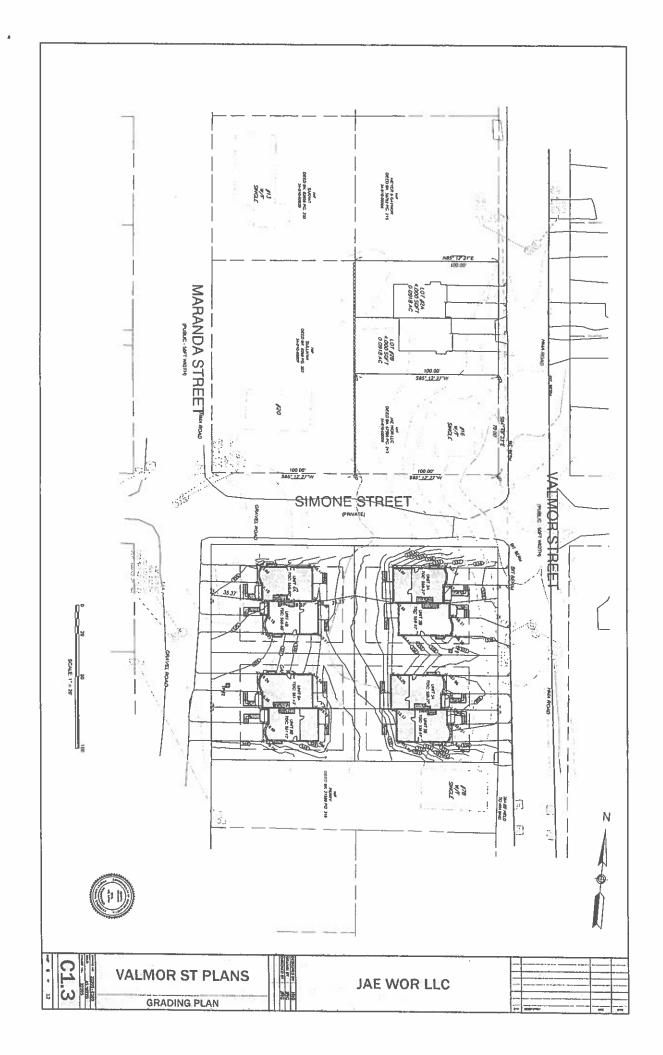
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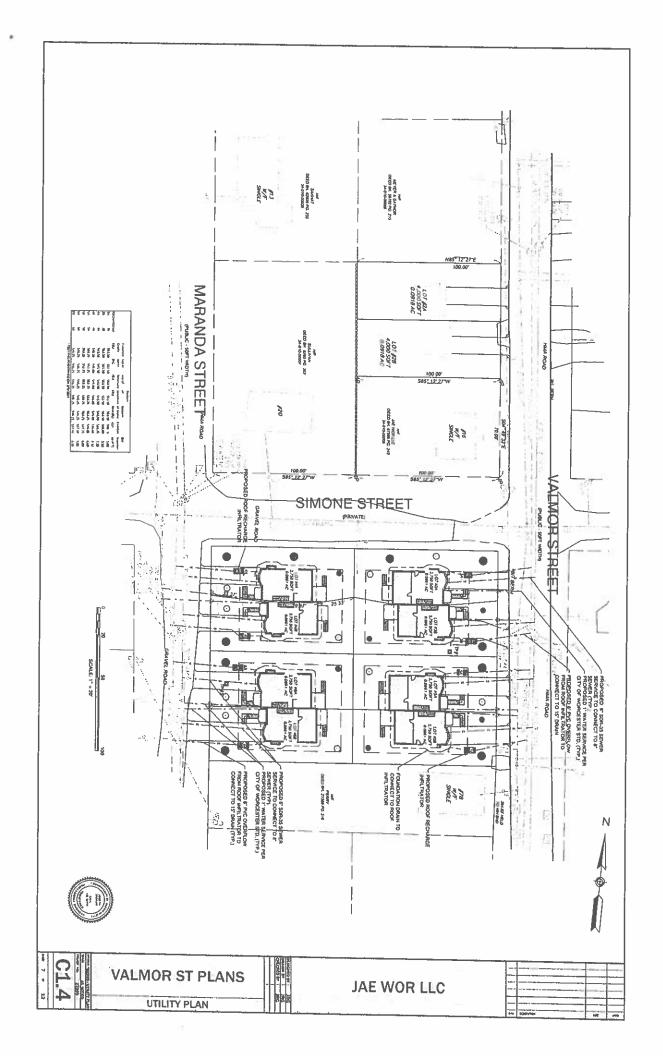
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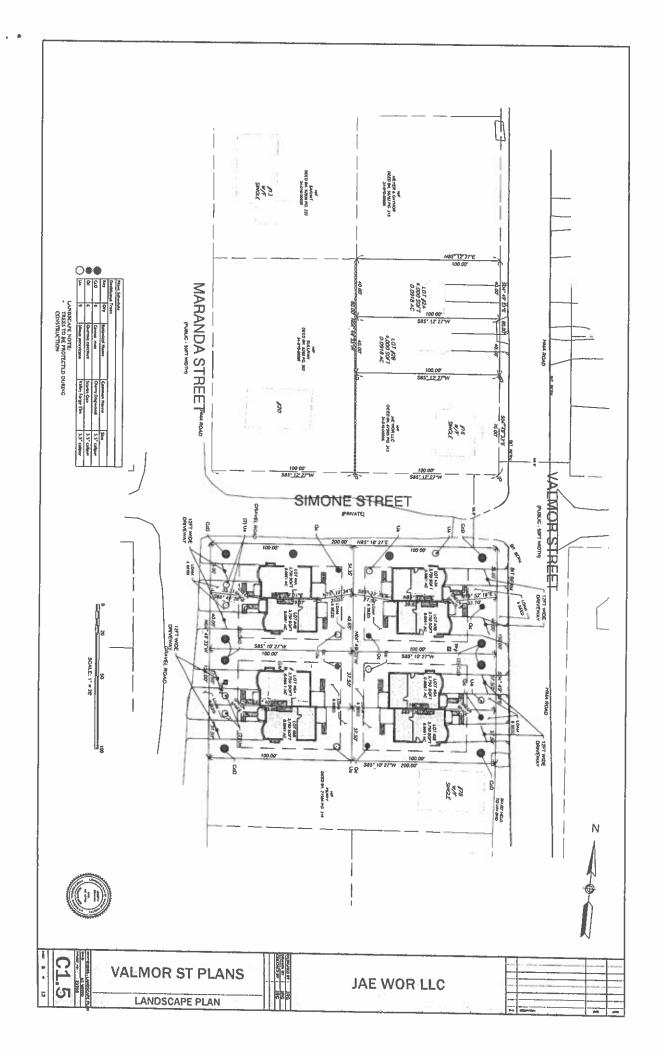


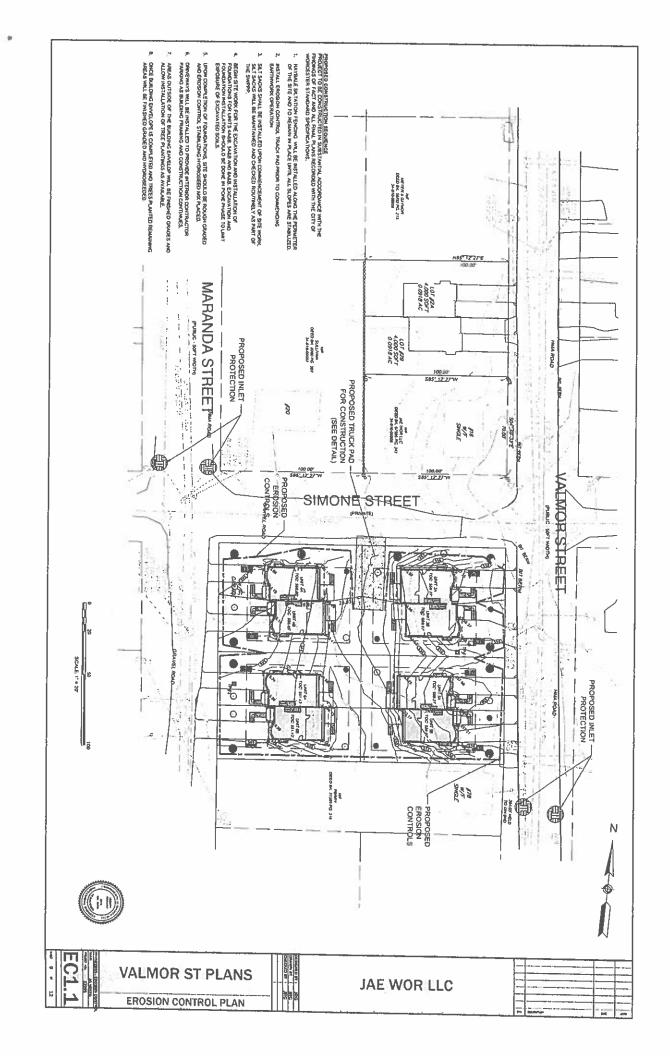


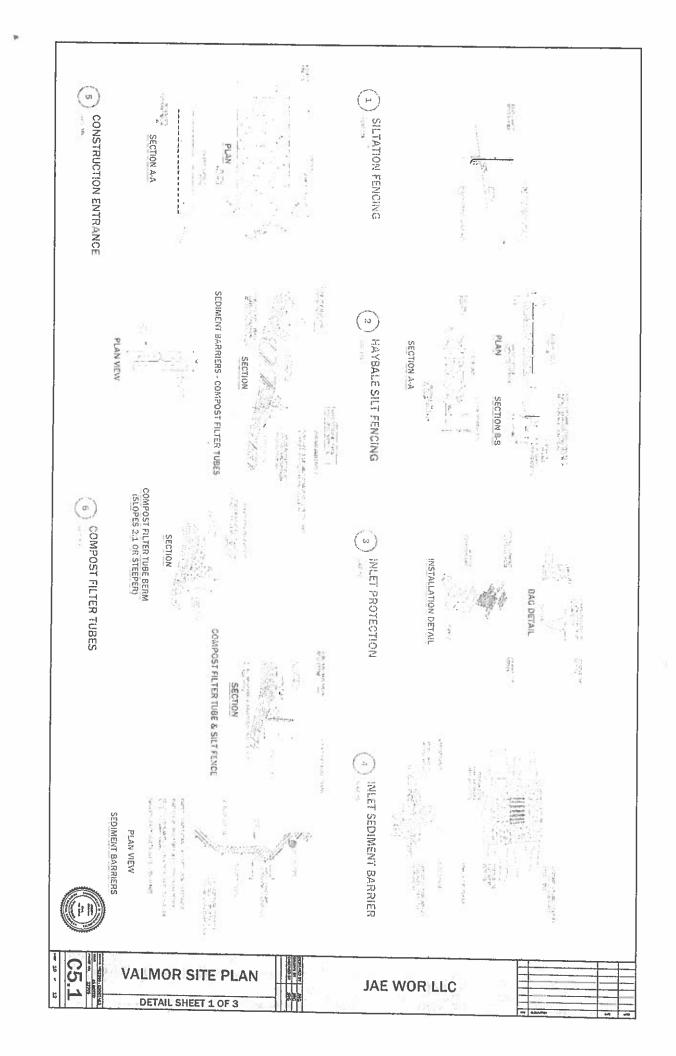


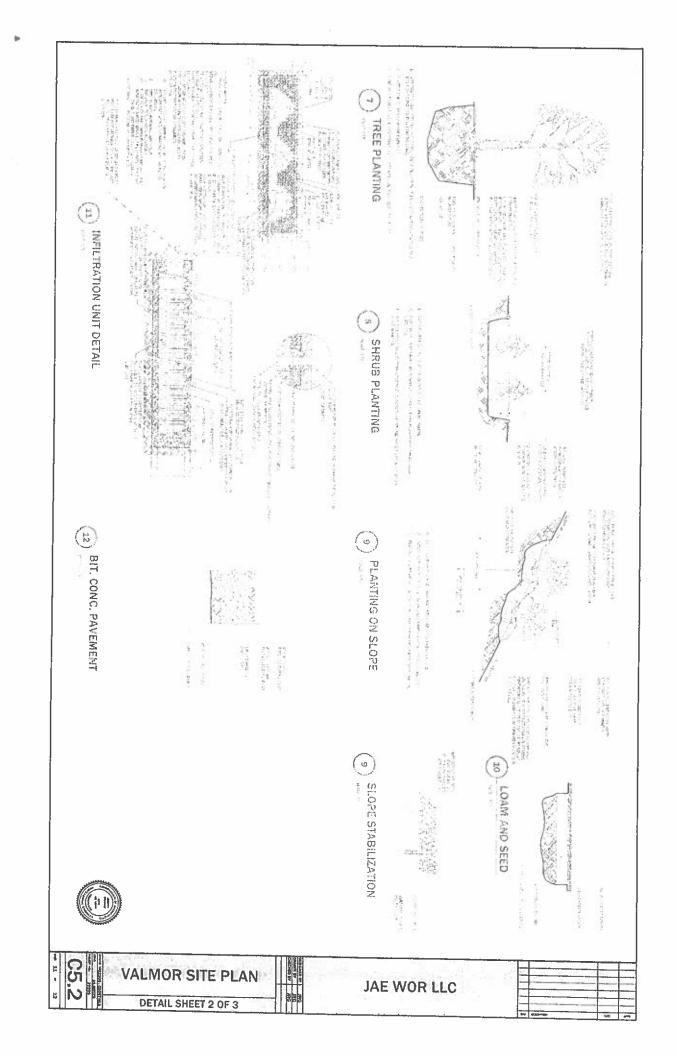


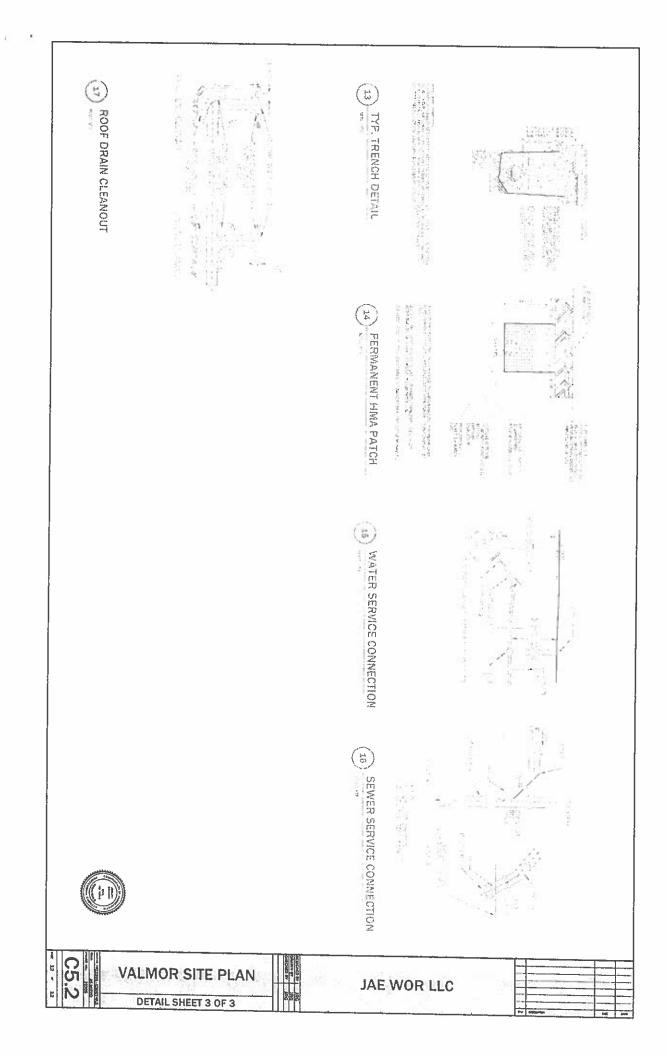


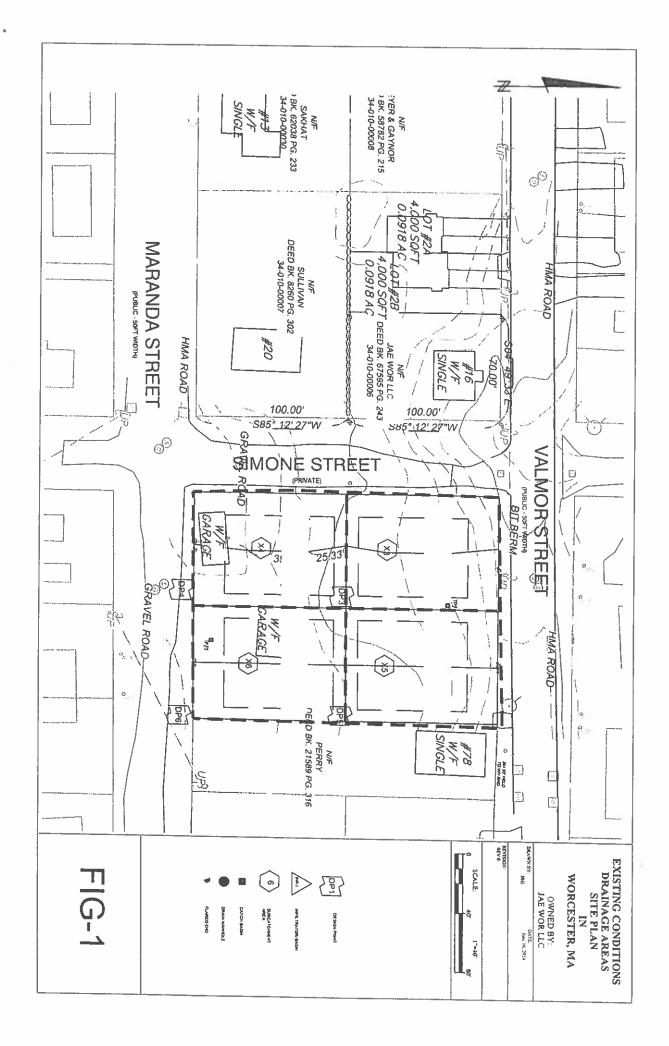


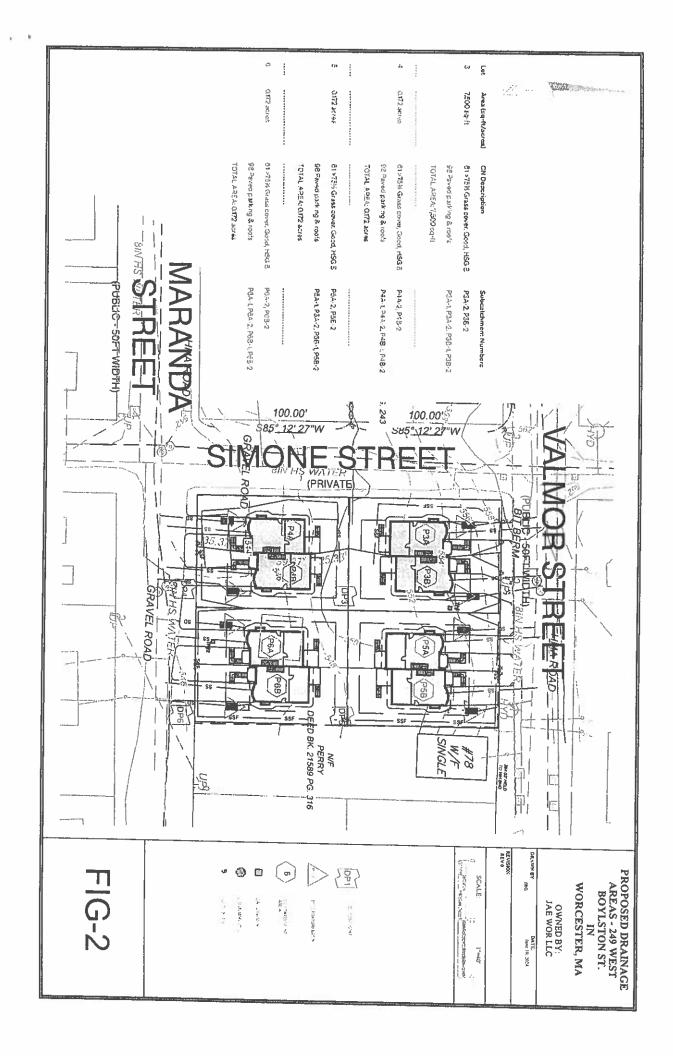


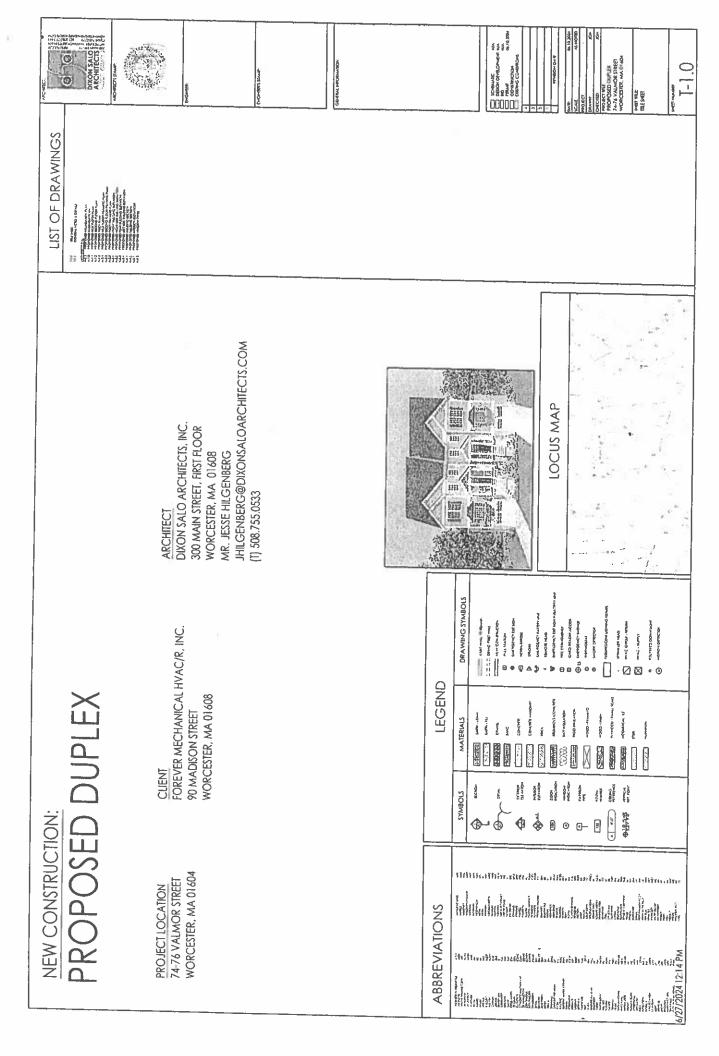


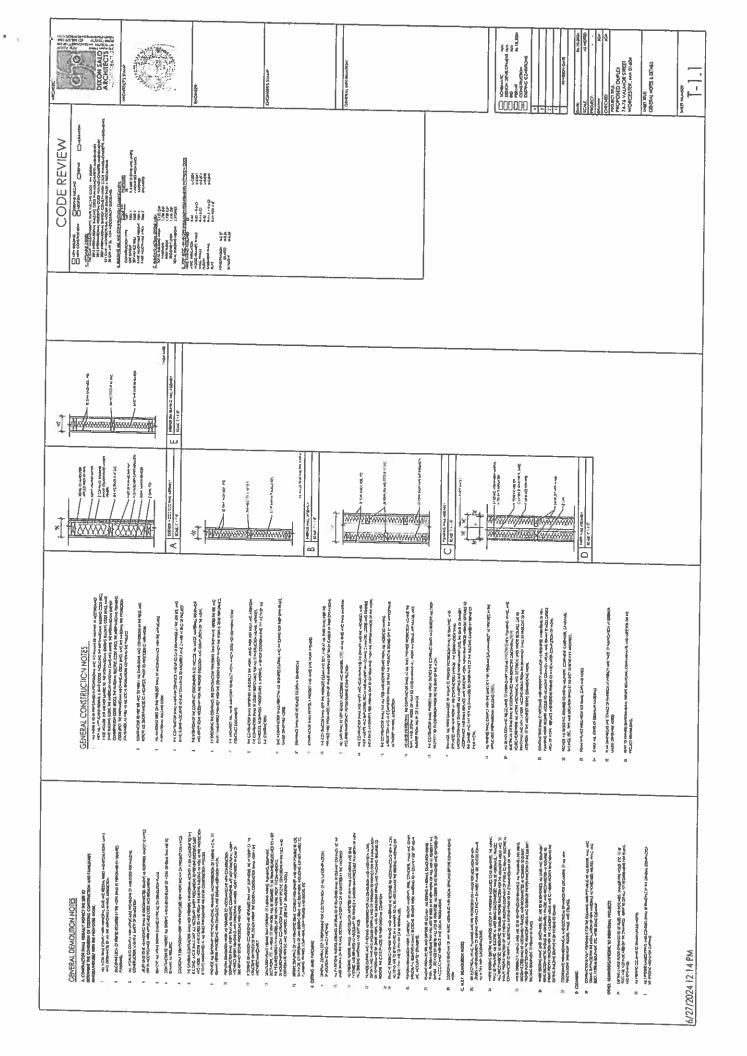


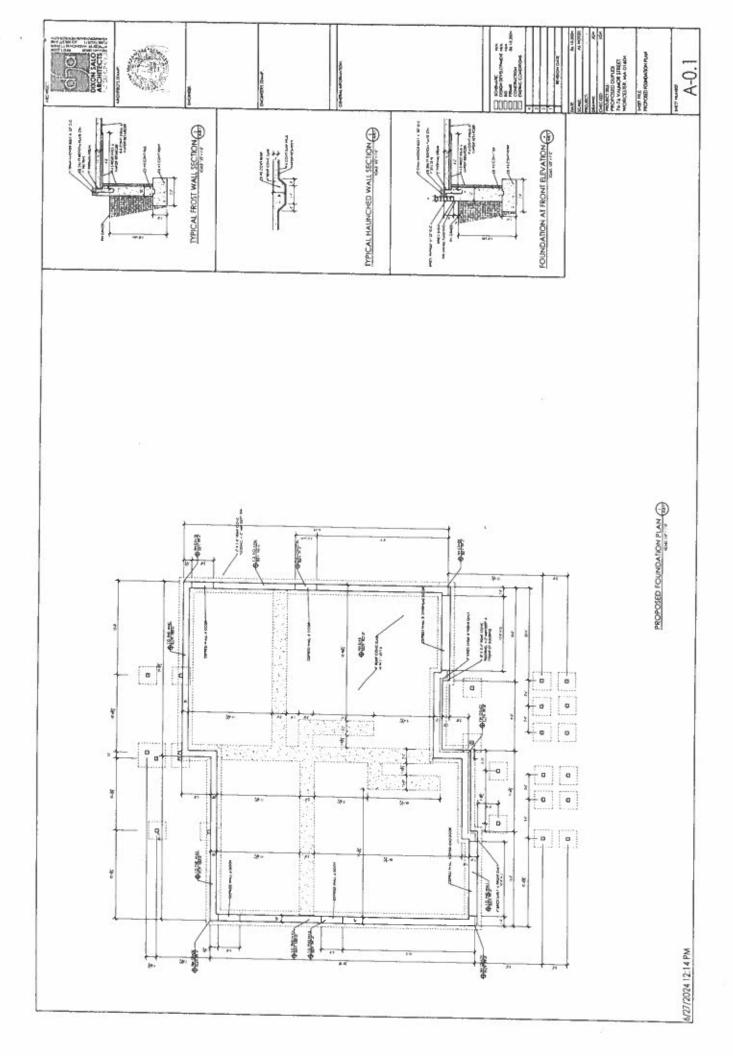


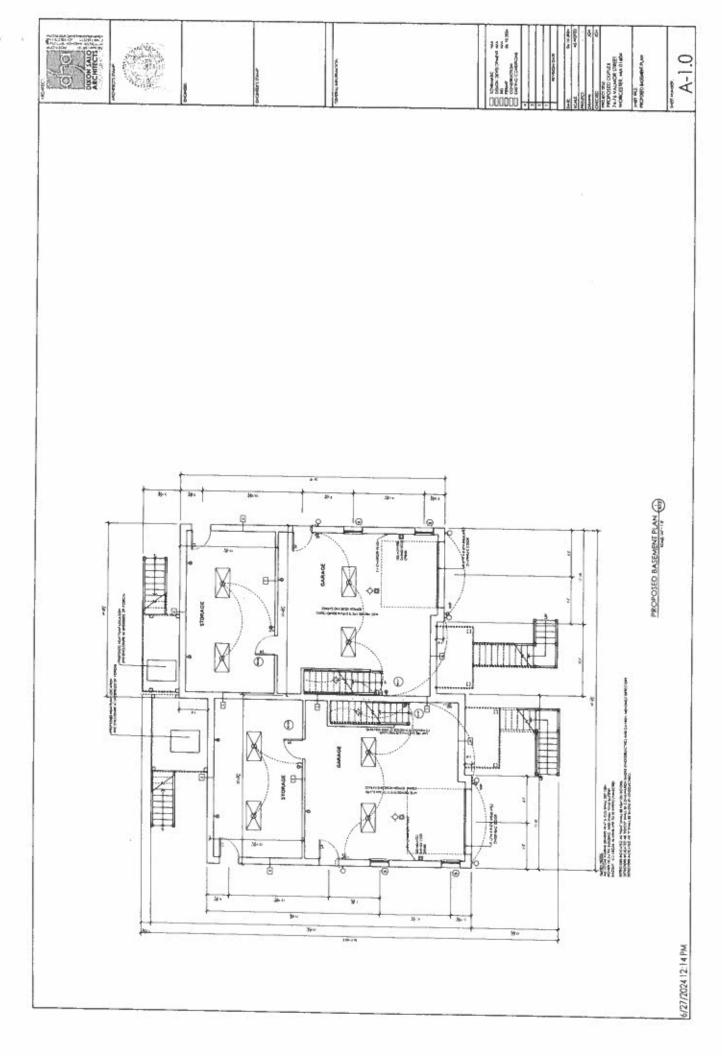


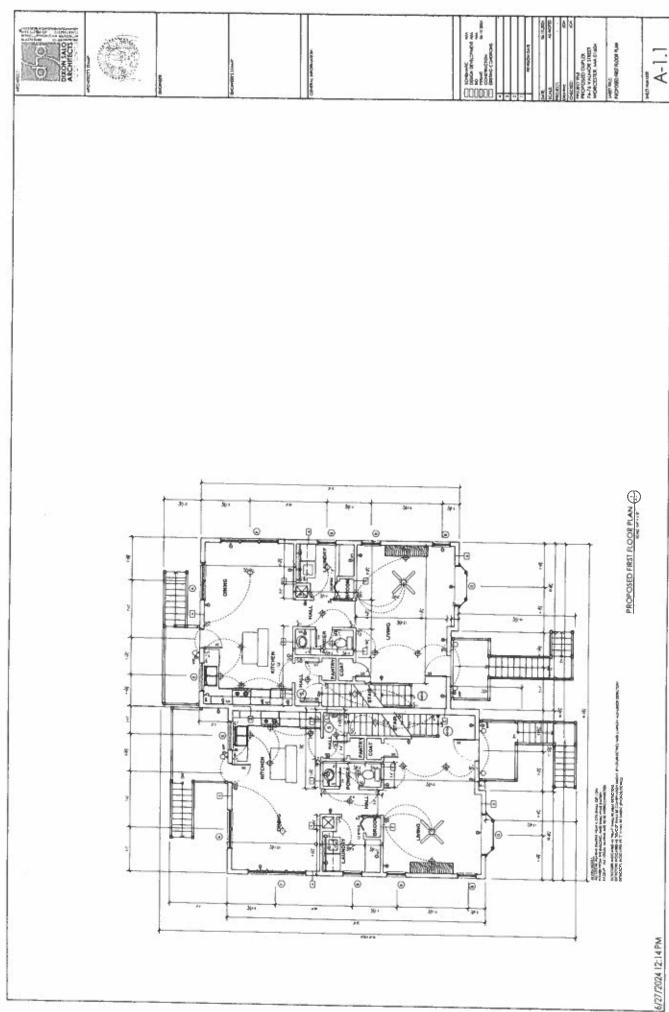


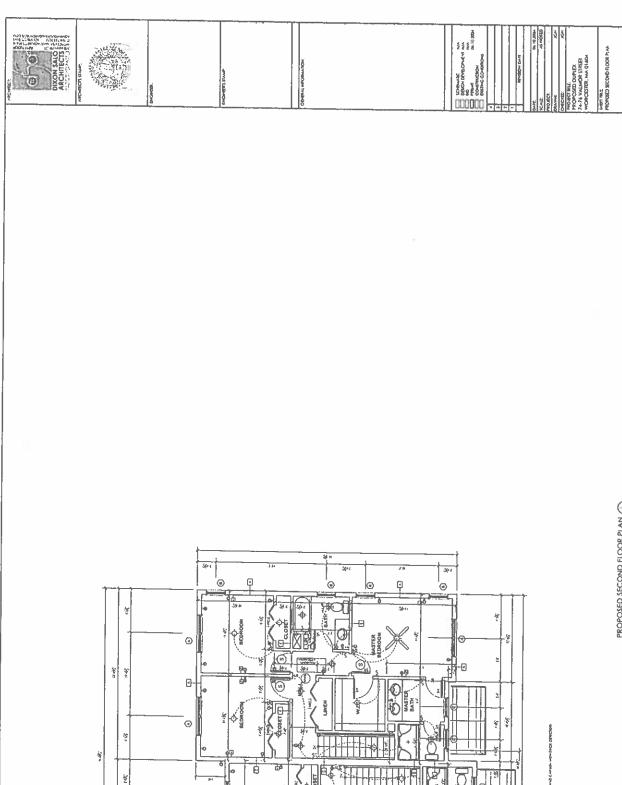












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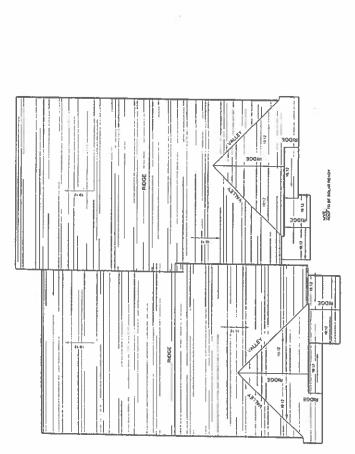
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PROPOSED SECOND FLOOR PLAN

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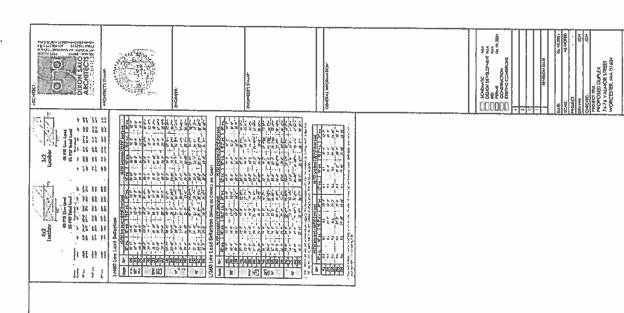


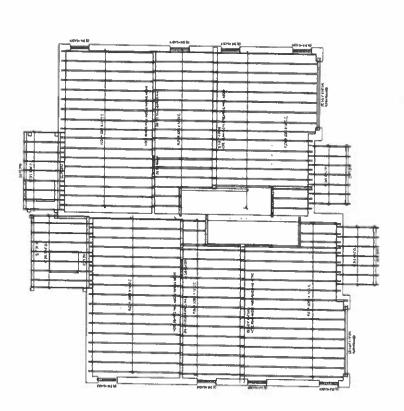
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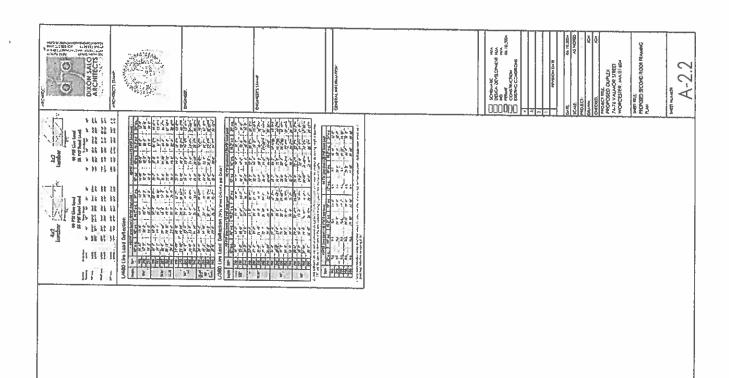


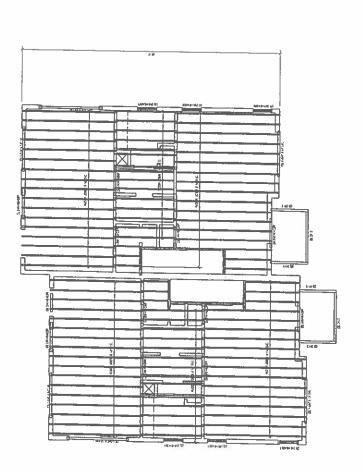
PROPOSED FIRST FLOOR FRAMING PLAN

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A-2.1

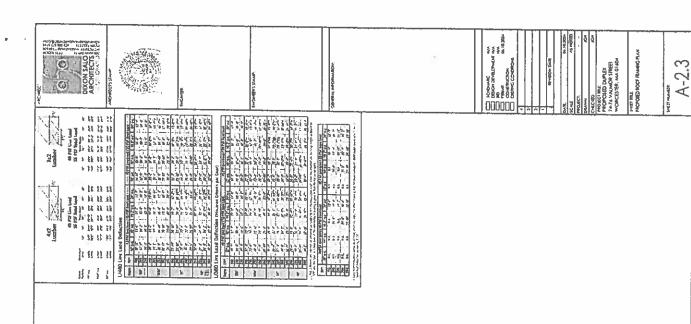
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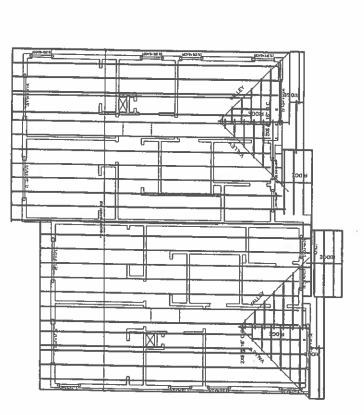




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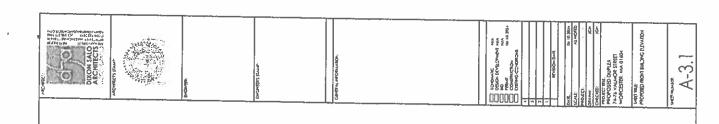
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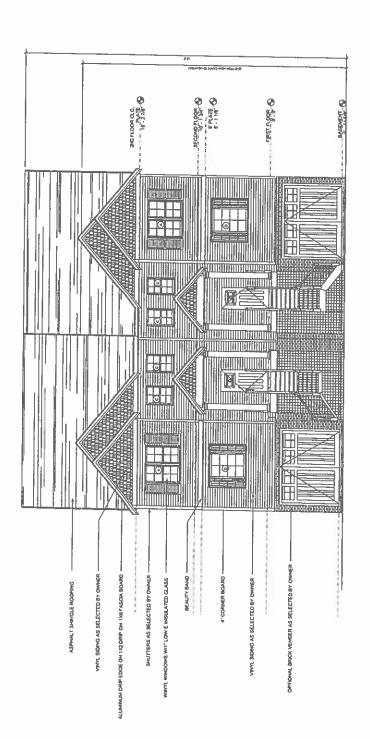




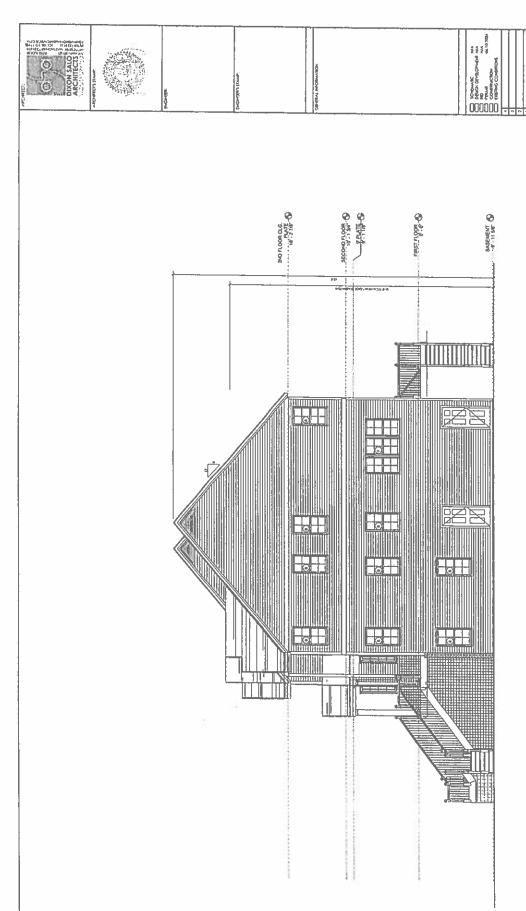
PROPOSED ROOF FRAMING PLAN

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PROPOSED FRONT BUILDING ELEVATION

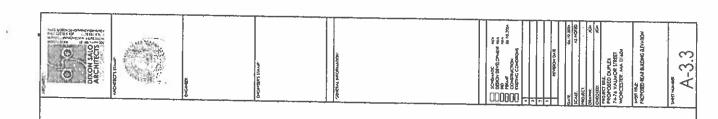


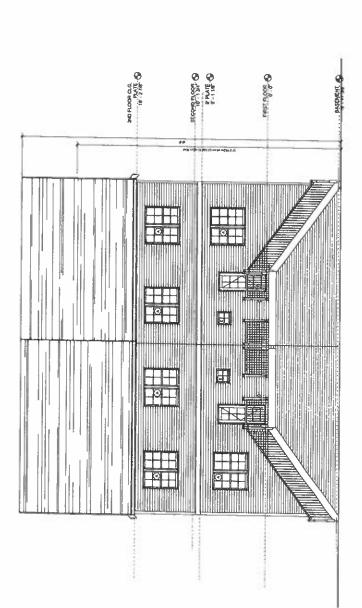
PROPOSED RIGHT SIDE BUILDING ELEVATION

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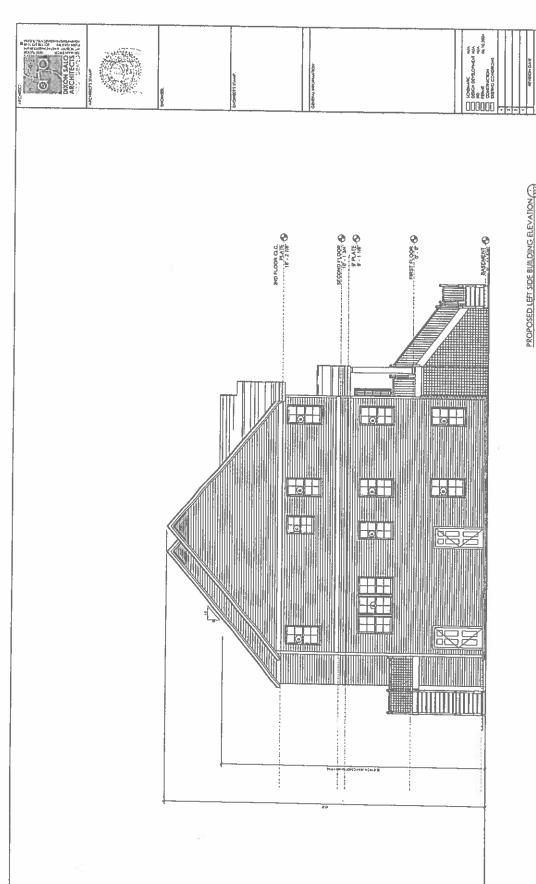
A-3.2

OHECUED MORECI BILL PROPOSED DUPLEX 74.76 VALMOR SIREET WORDESTER, MA 0146A





PROPOSED REAR BUILDING ELEVATION

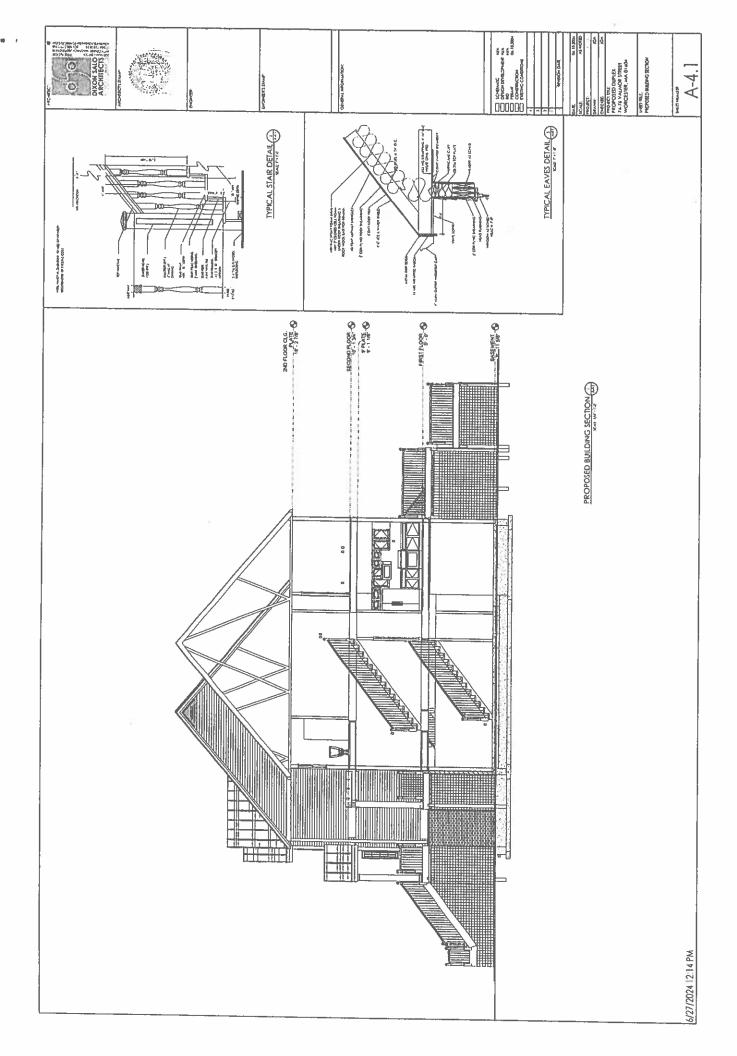


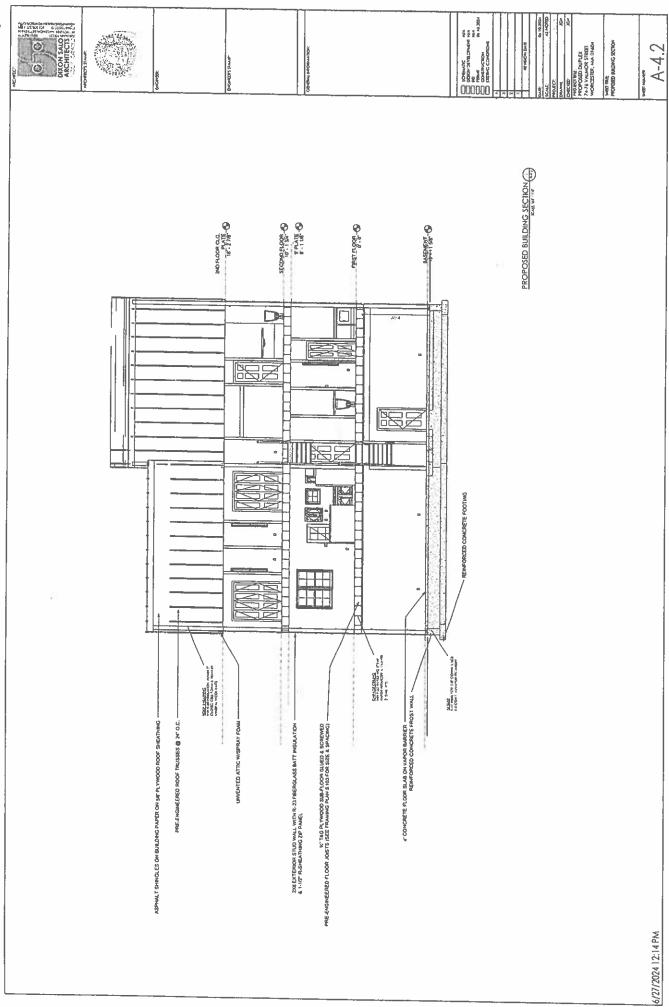
PROPOSED LEFT SIDE BUILDING ELEVATION

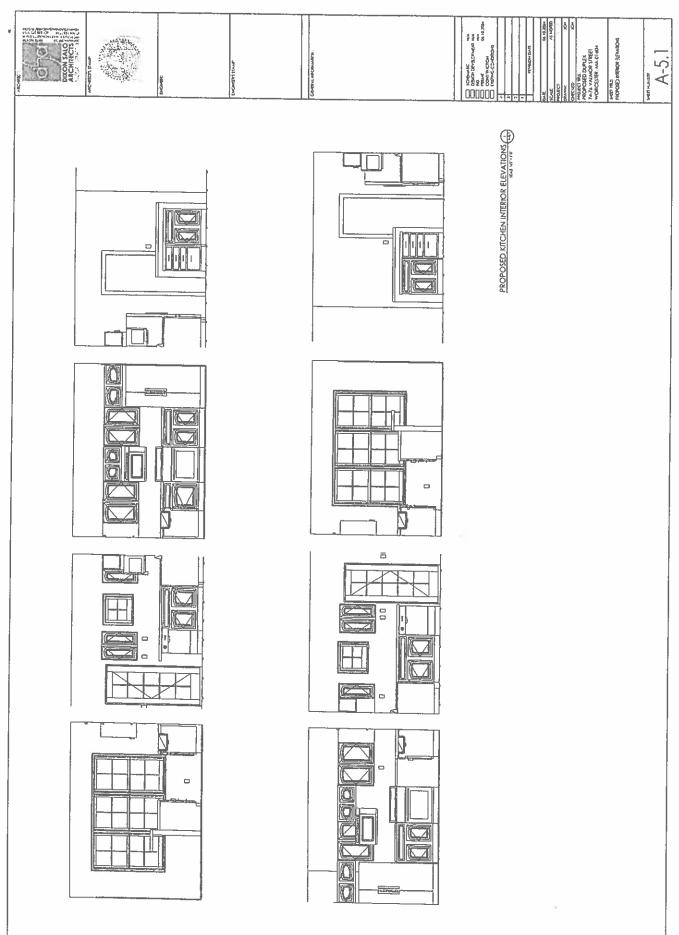
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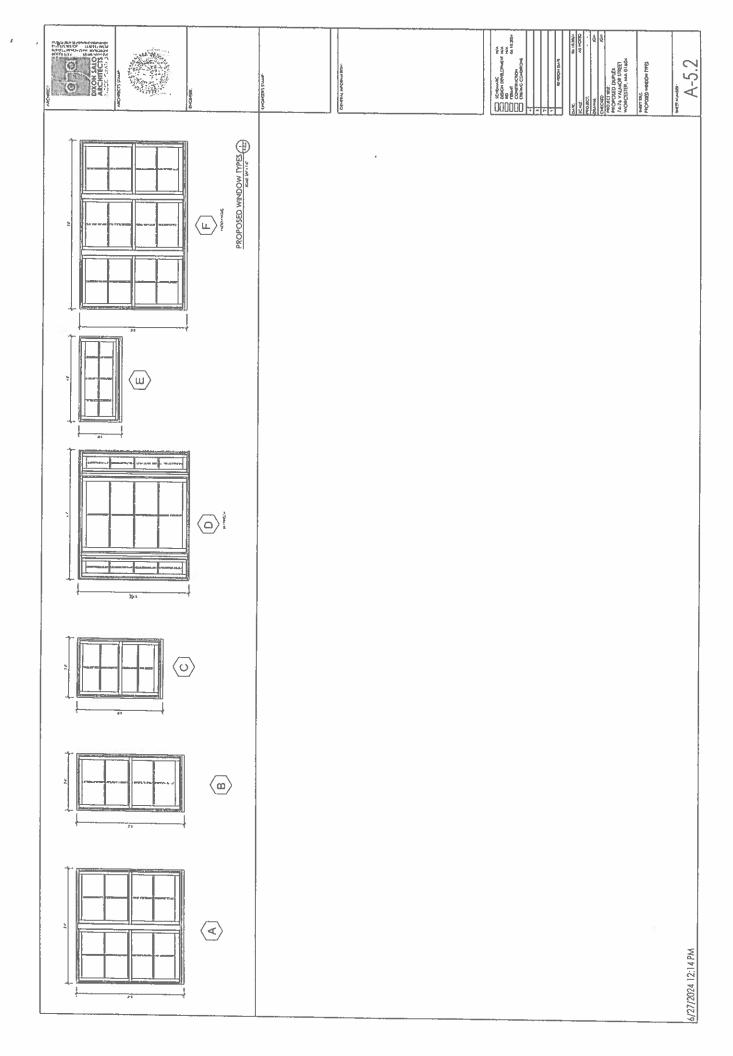
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DAAME CHECKE: PROPOSED DUPLEX 74-76 VALMOR STREET WORCESTER, MA 01404









City of Worcester, MA

2024 00020284

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Page: 1 of 5 03/21/2024 01:39 PM WD

February 15, 2024

I certify that twenty days have elapsed after the attached Decision for 24 Simone Street (aka 0 Valmor Street & 0 Maranda Street) aka Lots 3A, Lot 3B, Lot 4A, Lot 4B, Lot 5A, Lot 6A, Lot 6B has been filed with the City Clerk Department as of January 9, 2024 and that no appeal has been filed.

Stephen AJ Pottle Deputy City Clerk I



Russell Karlstad, Chair Jordan Berg Powers, Vice Chair Anthony Dell Aera George Cortes Eric Torkomoo Nathan Sabo, Alternate Member Shannon Campaniello, Alternate Member

VARIANCE EXTENSION OF TIME - FINDINGS OF FACT AND DECISION

24 Simone Street (aka 0 Valmor Street & 0 Maranda Street) aka Lots 3A, Lot 3B, Lot 4A, Lot 4B, Lot 5A, Lot 5B, Lot 6A, Lot 6B (MBL 34-010-00004)

ZB-2023-098

The Zoning Board of Appeals scheduled a hybrid public hearing on December 18, 2023, at 5:30 PM in the Worcester City Hall, 455 Main Street, Levi Lincoln Chamber, on the petition of JAE Wor LLC, seeking a Variance Extension of Time for property located at 24 Simone Street, Worcester, Massachusetts.

Due notice of the public hearing to be held on December 18, 2023, was sent to the individuals listed on the City of Worcester Certified Abutter's list for the subject property.

On December 4 & December 11, 2023, notice of the hearing was duly advertised in the Worcester Telegram & Gazette.

On December 18, 2023, the hybrid meeting was called to order by Russell Karlstad, Chair. Board members physically present for the hearing at Worcester City Hall, 455 Main Street, Levi Lincoln Chamber were Russell Karlstad, George Cortes, Nathan Sabo, and Shannon Campaniello. Board members Jordan Berg Powers, Anthony Dell'Aera, and Eric Torkornoo participated remotely. Remote participation was facilitated for attendees via phone at call-in number, 844-621-3956 (Access Code: 2630 362 4924) and via WebEx link (https://cityofworcester.webex.com/meet/zoningboardofappealswebex).

FINDINGS

The Worcester Zoning Board of Appeals (ZBA), having viewed the site, conducted a public hearing and reviewed all the submitted evidence, finds that:

- JAE Wor LLC, whose address is 90 Madison Street, Suite 160, Worcester, MA 01608, is the owner and petitioner of certain land situated at 24 Simone Street (aka 0 Valmor Street & 0 Maranda Street) (aka Lots 3A, Lot 3B Lot 4A. Lot 4B, Lot 5A, Lot 5B, Lot 6A, Lot 6B), in the City of Worcester, Massachusetts, and more particularly described in deeds recorded at the Worcester District Registry of Deeds Book 67595, Page 247.
- Said land is located in a zoning district classified under the City of Worcester Zoning Ordinance as an RL-7 (Residence, Limited) zoning district.
- 3. Presently on the premises of 24 Simone Street is a single-family detached dwelling with a detached garage and detached barn.
- 4. The petitioner seeks an extension of time for the previously approved relief granted for the demolition of the existing site improvements and construction of four semi-detached (duplex) single-family dwellings (total of 8 units), each on their own lot.
- 5. The petitioner seeks an Extension of Time for a period of six months for the following relief:

Extension of Time

Variance:

For relief of **250 SF (6.25%)** from the 4,000 SF minimum lot area dimensional requirement for single-family semi-detached dwelling(s) in an RL-7 Zone (Article IV, Section 4, Table 4.2).

Findings of Fact - Variance:

Per Article II, Section 6 (A)(3), the ZBA, as Permit Granting Authority, may grant upon appeal or petition with respect to particular land or structures, a variance from the dimensional terms of the Zoning Ordinance. The ZBA may grant a variance only when *all* statutory requirements are met, including the following findings:

- a. 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:
 - The by right use of the property, as currently configured, is limited to four single family dwelling units which is well below the carrying capacity of the property given that the area and frontage available are sufficient to support eight to ten single family dwelling units if the property were to be divided into two lots and granted Special Permits for said use. The limitation on the use of the property to four units presents a financial hardship for the owner since it denies the owner the right to fully utilize the area available and put said property to its highest and best use.
- b. 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 land in question has a total of 30,000 square feet of area with 150 feet or frontage on Valmor Street, 200 feet of frontage on Simone Street and 150 feet of frontage on Maranda Street. The available frontage for the lot is not typical for lots in the RL-7 Zoning District and provides ample access to the proposed dwelling units in a manner that is not generally possible for similarly zoned parcels. The Applicant believes and maintains that said improved access justifies the granting of relief for the minor deficiency in lot area given that all other applicable setbacks requirements can easily be satisfied.
- c. 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 requested relief will allow for the construction of four additional dwelling units to be built, to meet the growing need for the same, without over burdening the lot with an overall density that is not inconsistent with the controls provided in the Zoning Ordinance. There are numerous existing single-family semi-detached housing units in the vicinity, thus the single-family semi-detached unit style proposed is consistent with surrounding property uses and the development character of the area and presents no detriment to the public good. All applicable building setbacks will be complied with and applicable off-street parking requirements satisfied.
- d. 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 for the proposed use and amounts to an approximately 6.25% reduction in lot area per lot.

DECISION

At a meeting of the Board on December 18, 2023, and on motion duly made and seconded, it was voted 5-0 by Board members Russell Karlstad, George Cortes, Jordan Berg Powers, Anthony Dell'Aera, and Eric Torkornoo to approve the Variance Extension of Time for a period of six (6) months, extending the expiration date to June 6, 2024, for previously granted relief:

Extension of Time

Variance:

For relief of **250 SF (6.25%)** from the 4,000 SF minimum lot area dimensional requirement for single-family semi-detached dwelling(s) in an RL-7 Zone

(Article IV, Section 4, Table 4.2)

retaining all conditions of approval from the original decision, recorded at the Worcester District Registry of Deeds in Book 68832, Page 290.

The Extension of Time for the Variance shall not take effect until the petitioner records, at his or her own expense, a copy thereof with the Worcester District Registry of Deeds, pursuant to Massachusetts General Laws, Chapter 40A, Section 11, as amended. The rights authorized by the Variance must commence no later than six months from the grant hereof. If the requested Variances are litigated, all time periods for recording and construction shall not commence to toll until a final, favorable decision of the Honorable Court is rendered.

Appeals of this decision shall be made pursuant to M.G.L. c. 40A § 17 and shall be filed within twenty days after the filing of this decision in the office of the City Clerk.

It was **ORDERED** by the Board that persons notified of the hearing be notified of the foregoing decision.

The names typed below represent the intent to sign the foregoing document in accordance with MGL Chapter 110G §9. Duly authorized by Ch. 110G and recorded at Worcester Registry of Deeds in Book 62537, Page 327.

ADJOURNED		
RUSSELL KARLSTAD	DATE	
JORDAN BERG-POWERS	DATE 01/08/2024	
GEORGE CORTES	DATE	
ERIC TORKORNOO	DATE	
ANTHONY DELL'AERA	DATE	27.

REMINDERS

<u>Time Limitations</u>: Per Article II, Section 9.D.7. of the City of Worcester Zoning Ordinance: If the rights authorized by a Variance are not exercised within one (1) year of the date of grant of such Variance they shall lapse. However, the permit granting authority in its discretion and upon written application by the grantee of such rights may extend the time for exercise of such rights for a period not to exceed six (6) months; and provided further, that the application for such extension is filed with such permit granting authority prior to the expiration of such one year period.

Landscaping Requirements: Required tandscaping shall be maintained in a healthy growing condition, free of refuse and debris, and any plantings that do not survive shall be replaced in kind by the applicant or the property owner within a reasonable period of time. All plant materials and fencing shall be arranged and maintained so as not to obscure the vision of traffic. There shall be no parking of vehicles or snow storage in areas used for screening and buffering. Per Article V, Section 5, C, iv of the City of Worcester Zoning

Construction Noise: No person shall operate any powered construction equipment or build, erect construct, demolish, alter, repair, excavate or engage in hoisting, grading, site work, including tree and brush removal, dredging or pneumatic hammering, or deliver construction equipment and/or supplies to the site on any building, road, tower, parking lot, machine, pipe, sewer, sidewalk, or any of 9:00 a.m. and 7:00 p.m. on weekdays and Saturday, and between the hours of 7:00 a.m. and 9:00 p.m. on weekdays and Saturday, and between the hours and Unreasonable Noise.





Bk: 68932 Pg: 290 Page: 1 of 5 02/15/2023 02:52 PM WD Russell Karlstad, Chair Jordan Barg Powers, Vice Chair Anthony Dell'Aera George Cortes Eric Torkomoo Nathan Sabo, Alternate Member Shannon Campaniello, Alternate Member

VARIANCE - FINDINGS OF FACT AND DECISION

24 Simone Street (aka 0 Valmor Street & 0 Maranda Street) aka Lots 3A, Lot 3B, Lot 4A, Lot 4B, Lot 5A, Lot 5B, Lot 6A, Lot 6B (MBL 34-010-00004)

ZB-2022-084

The Zoning Board of Appeals scheduled a hybrid public hearing on November 14, 2022 at 5:30 PM in the Worcester City Hall, 455 Main Street, Levi Lincoln Chamber, on the petition of JAE Wor LLC, seeking eight Variances for property located at 24 Simone Street (aka 0 Valmor Street & 0 Maranda Street) (aka Lots 3A, Lot 3B Lot 4A, Lot 4B, Lot 5A, Lot 5B, Lot 6A, Lot 6B), Worcester, Massachusetts.

Due notice of the public hearing to be held on November 14, 2022 was sent to the individuals listed on the City of Worcester Certified Abutter's list for the subject property.

On October 28 & November 4, 2022, notice of the hearing was duly advertised in the Worcester Telegram & Gazette.

November 14, 2022 the hybrid meeting was called to order by Russell Karlstad, Chair. Board members physically present for the hearing at Worcester City Hall, 455 Main Street, Levi Lincoln Chamber were Russell Karlstad, Shannon Campaniello and George Cortes. Board members Anthony Dell'Aera, Nathan Sabo, and Jordan Berg Powers participated remotely. Board member Eric Torkornoo was absent. Remote participation was facilitated for attendees via phone at call-in number, 415-655-0001 (Access Code: 160 884 7670) and via Webex link (https://cow.webex.com/meet/zoningboardofappealswebex).

FINDINGS

The Worcester Zoning Board of Appeals (ZBA), having viewed the site, conducted a public hearing and reviewed all the submitted evidence, finds that:

- JAE Wor LLC, whose address is 90 Madison Street, Suite 610, Worcester, MA 01608, is the owner and petitioner and of certain land situated at 24 Simone Street (aka 0 Valmor Street & 0 Maranda Street) (aka Lots 3A, Lot 3B Lot 4A, Lot 4B, Lot 5A, Lot 5B, Lot 6A, Lot 6B), in the City of Worcester, Massachusetts, and more particularly described in deeds recorded at the Worcester District Registry of Deeds Book 67595, Page 247.
- 2. Said land is located in a zoning district classified under the City of Worcester Zoning Ordinance as an RL-7 (Residence, Limited) zoning district.
- 3. Presently on the premises of 24 Simone Street is a single-family detached dwelling with a detached garage and detached barn.
- The petitioner seeks to demolish the existing site improvements and construct four semidetached (duplex) single-family dwellings (total of 8 units), each on their own lot.
- 5. Each lot is deficient with respect to the minimum lot area dimensional requirement for a semi-detached dwelling in an RL-7 Zone and the applicant seeks a variance for lot area for each of the 8 lots (Lot 3A, Lot 3B, Lot 4A, Lot 4B, Lot 5A, Lot 5B, Lot 6A, Lot 6B).

6. The petitioner seeks the following:

Lot 3A, Lot 3B, Lot 4A, Lot 4B, Lot 5A, Lot 5B, Lot 6A, Lot 6B

Variance:

For relief of 250 SF (6.25%) from the 4,000 SF minimum lot area dimensional requirement for single-family semi-detached dwelling(s) in an RL-7 Zone (Article IV, Section 4, Table 4.2).

Findings of Fact - Variance:

- 7. Per Article II, Section 6 (A)(3), the adverse effects of the proposed use will not outweigh its beneficial impacts to the City with respect to each of the following considerations:
- Describe how a literal enforcement of the provisions of the City of Worcester Zoning a. Ordinance would involve a substantial hardship, financial or otherwise, to the petitioner or appellant:

The by right use of the property, as currently configured, is limited to four single family dwelling units which is well below the carrying capacity of the property given that the area and frontage available are sufficient to support eight to ten single family dwelling units if the property were to be divided into two lots and granted Special Permits for said use. The limitation on the use of the property to four units presents a financial hardship for the owner since it denies the owner the right to fully utilize the area available and put said property to its highest and best use.

- Describe how the hardship is owing to circumstances relating to the soil conditions, b. 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 land in question has a total of 30,000 square feet of area with 150 feet or frontage on Valmor Street, 200 feet of frontage on Simone Street and 150 feet of frontage on Maranda Street. The available frontage for the lot is not typical for lots in the RL-7 Zoning District and provides ample access to the proposed dwelling units in a manner that is not generally possible for similarly zoned parcels. The Applicant believes and maintains that said improved access justifies the granting of relief for the minor deficiency in lot area given that all other applicable setbacks requirements can easily be satisfied.
- Describe how desirable relief may be granted without detriment to the public good and C. without nullifying or substantially derogating from the intent or purpose of the City of Worcester Zoning Ordinance: The requested relief will allow for the construction of four additional dwelling units to be built, to meet the growing need for the same, without over burdening the lot with an overall density that is not inconsistent with the controls provided in the Zoning Ordinance. There are numerous existing single-family semi-detached housing units in the vicinity, thus the single-family semi-detached unit style proposed is consistent with surrounding property uses and the development character of the area and presents no detriment to the public good. All applicable building setbacks will be complied and applicable off-
- Describe how the dimensional variance as it relates to floor space, bulk, number of d. 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 for the proposed use and amounts to an approximately 6.25% reduction in lot area per lot.

street parking requirements satisfied.

DECISION

At a meeting of the Board on November 14, 2022, and on motion duly made and seconded, it was voted 5-0 by Board members Jordan Berg Powers, Nathan Sabo (Alternate), Anthony Dell'Aera, Shannon Campaniello Sabo (Alternate), and Russell Karlstad to approve the requested 8 Variances:

Lot 3A, Lot 3B, Lot 4A, Lot 4B, Lot 5A, Lot 5B, Lot 6A, Lot 6B

Variance:

For relief of **250** SF from the 4,000 SF minimum lot area dimensional requirement for single-family semi-detached dwelling(s) in an RL-7 Zone (Article IV, Section 4, Table 4.2).

With the following conditions of approval:

- Prior to the issuance of a Building Permit provide one (1) to-scale, stamped/sealed original
 of a final revised site plan-set and architectural plans, and a PDF file of the same, to the
 Division of Planning & Regulatory Services:
 - a. Reflect one (1) minimum 3.5" caliper shade street (either to be protected during construction and remain or be planted) on each lot within the front- and exterior-side yard setbacks.
 - b. Label existing and proposed grades and any proposed stormwater management facilities.
 - c. Demonstrate zoning compliance with respect to minimum required setbacks on Lots 3 & 4, rotating the proposed structure on Lot 3 to face Valmor Street and structure on Lot 4 to Maranda Street, and reconcile plans accordingly.
 - d. Provide a revised zoning summary/dimensional table reflecting each lot.
 - e. Reflect a walkway from the front-door to the driveway.
- 2. Post-development runoff shall not exceed pre-development runoff levels.
- No existing drainage infrastructure (e.g. swale) on or abutting the site shall be impacted by construction.
- Provided that the project is constructed in substantial accordance with the findings of fact and all final revised plans on file with the City of Worcester and in accordance with all applicable governmental codes.

The Board also voted unanimously to approve waivers of the following plan requirements:

- 1. Distances from adjacent buildings
- 2. Percentage of the lot covered by the principal and accessory building

The Variance shall not take effect until the petitioner records, at his or her own expense, a copy thereof with the Worcester District Registry of Deeds, pursuant to Massachusetts General Laws, Chapter 40A, Section 11, as amended. The rights authorized by the Variance is litigated, all time periods for recording and construction shall not commence to toll until a final, favorable decision of the Honorable Court is rendered.

Appeals of this decision shall be made pursuant to M.G.L. c. 40A § 17 and shall be filed within twenty days after the filing of this decision in the office of the City Clerk.

It was ORDERED by the Board that persons notified of the hearing be notified of the foregoing decision.

The names typed below represent the intent to sign the foregoing document in accordance with MGL Chapter 110G §9. Duly authorized by Ch. 110G and recorded at Worcester Registry of Deeds in Book 62537, Page 327.

RUSSELL KARLSTAD	DATE	
SHANNON CAMPANIELLO (Alternate)	DATE 12/5/2023	
NATHAN SABO (Alternate)	DATE	2022 CH
ANTHONY DELL'AERA	DATE	1
IORDAN BEDG DOWERS	DATE	?

REMINDERS

JORDAN BERG POWERS

ADJOURNED

Time Limitations: If the activity authorized by a Variance granted by the ZBA is not initiated within one (1) year of the date of grant (one year from date Special Permit is received by the City Clerk) and/or the activity is not completed within two (2) years, then the Variance shall lapse unless the Director of Code Enforcement makes a determination that the fallure to complete was for good cause. Per Article II, Section 9, D. 5. of the City of Worcester Zoning Ordinance.

Landscaping Requirements: Required landscaping shall be maintained in a healthy growing condition, free of refuse and debris, and any plantings that do not survive shall be replaced in kind by the applicant or the property owner within a reasonable period of time. All plant materials and fencing shall be arranged and maintained so as not to obscure the vision of traffic. There shall be no parking of vehicles or snow storage in areas used for screening and buffering. Per Article V, Section 5, C. iv of the City of Worcester Zoning

Construction Noise: No person shall operate any powered construction equipment or build, erect construct, demolish, alter, repair, excavate or engage in holsting, grading, site work, including tree and brush removal, dredging or pneumatic hammering, or deliver construction equipment and/or supplies to the site on any building, road, tower, parking lot, machine, pipe, sewer, sidewalk, or any other construction project, except between the hours of 7:00 a.m. and 9:00 p.m. on weekdays and Saturday, and between the hours of 9:00 a.m. and 7:00 p.m. on Sundays. Per Chapter 9 Section 1A (e) (9) of the City of Worcester's Ordinance Relative to Excessive

City of Worcester, MA

February 2, 2023

I certify that twenty days have elapsed after the attached Decision for 24 Simone Street (aka 0 Valmor Street & 0 Maranda Street) aka Lots 3A, Lot 3B, Lot 4A, Lot 4B, Lot 5A, Lot 5B, Lot 6A, Lot 6B has been filed with the City Clerk Department as of December 6, 2022 and that no appeal has been filed.

Stephen A.J. Pottle Deputy City Clerk



LOT 3A

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

Lot Area		Front Yard	Setback	Rear Yard Setl	back
Square footage required:	4,000	Setback required:		Setback required:	
Square footage provided:	3,750	Setback provided:		Setback provided:	
Relief requested:	250	Relief requested:	şs.	Relief requested:	
Frontage		Side Yard	Setback	Exterior Side Yard S	Sethack
Frontage required:		Setback required:		Setback required:	Jetback
Frontage provided:		Setback provided:		Setback provided:	
Relief requested:		Relief requested:		Relief requested:	
Off-street Parking/Loading		Height		Accessory Structure 5-foot Setback	
Parking required:		Height permitted:		Type of structure:	
Parking provided:		Height provided:		Square footage of structure:	
Relief requested:		Relief requested:	17	Relief requested:	
Loading required:			Oth	er Variances	
Loading provided:		Relief requested:			
Relief requested:		Zoning Ordinance Article & Section:			
Signs		Requirement:	Ni		
Area permitted:		Provided:			
Area provided:					
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Height permitted:					
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Relief requested:			v anances (8	you are applying for,	
Setback permitted:					
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Relief requested:					



LOT 3B

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

Lot Area		Front Yard	Setback	Rear Yard Setback	
Square footage required:	4,000	Setback required:		Setback required:	
Square footage provided:	3,750	Setback provided:		Setback provided:	
Relief requested:	250	Relief requested:	2.5	Relief requested:	
Frontage		Side Yard S	Setback	Exterior Side Yard Se	etback
Frontage required:		Setback required:		Setback required:	
Frontage provided:		Setback provided: Relief		Setback provided:	
Relief requested:		requested:		Relief requested:	
Off-street Parking/	Loading	Height		Accessory Structure 5-foot Setback	
Parking required:		Height permitted:	27	Type of structure:	
Parking provided:		Height provided:		Square footage of structure:	
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LOT 4A

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

Lot Area		Front Yard	Setback	Rear Yard Set	back
Square footage required:	4,000	Setback required:		Setback required:	
Square footage provided:	3,750	Setback provided:		Setback provided:	
Relief requested:	250	Relief requested:		Relief requested:	
Frontage		Side Yard \$	Setback	Exterior Side Yard	Setback
Frontage required:		Setback required:		Setback required:	
Frontage provided:		Setback provided: Relief		Setback provided:	
Relief requested:		requested:		Relief requested:	
Off-street Parking/Loading		Height		Accessory Structure 5-foot Setback	
Parking required:		Height permitted:		Type of structure:	
Parking provided:		Height provided:	6.8	Square footage of structure:	
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Relief requested:		Zoning Ordinance Article & Section:			
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Area permitted:		Provided:			
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Relief requested:					
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Relief requested:					



LOT 4B

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

Lot Area		Front Yard	Setback	Rear Yard Setbac	ck
Square footage required:	4,000	Setback required:		Setback required:	
Square footage provided:	3,750	Setback provided:	JKI	Setback provided:	
Relief requested:	250	Relief requested:		Relief requested:	
Frontage		Side Yard S	Setback	Exterior Side Yard Set	back
Frontage required:		Setback required:	91	Setback required:	
Frontage provided:		Setback provided:		Setback provided:	
Relief requested:		Relief requested:		Relief requested:	
Off-street Parking/l	Off-street Parking/Loading Height		nt	Accessory Structure 5-foot Setback	
Parking required:		Height permitted:		Type of structure:	
Parking provided:		Height provided:		Square footage of structure:	
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Loading required:			Othe	er Variances	
Loading provided:		Relief requested:			
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Signs		Requirement:			
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Relief requested:	9.				
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Relief requested:					



LOT 5A

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

Lot Area		Front Yard	Setback	Rear Yard Seth	eack
Square footage required:	4,000	Setback required:		Setback required:	
Square footage provided:	3,750	Setback provided:		Setback provided:	
Relief requested:	250	Relief requested:		Relief requested:	
Frontage		Side Yard	Setback	Exterior Side Yard S	etback
Frontage required:		Setback required:		Setback required:	
Frontage provided:		Setback provided: Relief		Setback provided:	
Relief requested:		requested:		Relief requested:	_
Off-street Parking/l	oading	Height		Accessory Structure 5-foot Setback	
Parking required:		Height permitted:		Type of structure:	
Parking provided:		Height provided:		Square footage of structure:	
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Loading required:			Oth	er Variances	
Loading provided:		Relief requested:			
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Signs		Requirement:	29		
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LOT 5B

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

Lot Area		Front Yard	Setback	Rear Yard Setback	
Square footage required:	4,000	Setback required:		Setback required:	
Square footage provided:	3,750	Setback provided:		Setback provided:	А
Relief requested:	250	Relief requested:		Relief requested:	
Frontage		Side Yard	Setback	Exterior Side Yard Se	etback
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Frontage provided:		Setback provided: Relief		Setback provided:	
Relief requested:		requested:		Relief requested:	
Off-street Parking/	Loading	Height		Accessory Structure 5-foot Setback	
Parking required:		Height permitted:	İ	Type of structure:	
Parking provided:		Height provided:		Square footage of structure:	
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Relief requested:]			

LOT 6A

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

Lot Area		Front Yard	Setback	Rear Yard Setb	ack
Square footage required:	4,000	Setback required:		Setback required:	
Square footage provided:	3,750	Setback provided:		Setback provided:	8 %
Relief requested:	250	Relief requested:		Relief requested:	
Frontage		Side Yard	Setback	Exterior Side Yard S	ethack
Frontage required:	H	Setback required:	N .	Setback required:	J. J
Frontage provided:		Setback provided: Relief		Setback provided:	
Relief requested:		requested:		Relief requested:	
Off-street Parking	Loading	Height		Accessory Structure 5-foot Setback	
Parking required:		Height permitted:		Type of structure:	
Parking provided:		Height provided:	: 8	Square footage of structure:	
Relief requested:		Relief requested:		Relief requested:	
Loading required:		_	Oth	er Variances	
Loading provided:		Relief requested:			
Relief requested:		Zoning Ordinance Article & Section:			
Signs		Requirement:			
Area permitted:		Provided:			
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Setback permitted:					
Setback provided:					
Relief requested:					

LOT 6B

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

Lot Area		Front Yard	Setback	Rear Yard Setback	
Square footage required:	4,000	Setback required:		Setback required:	
Square footage provided:	3,750	Setback provided:		Setback provided:	
Relief requested:	250	Relief requested:		Relief requested:	
Frontage		Side Yard	Setback	Exterior Side Yard Sett	oack
Frontage required:		Setback required:		Setback required:	
Frontage provided:		Setback provided:		Setback provided:	
Relief requested:		Relief requested:		Relief requested:	
Off-street Parking/	Loading	Height		Accessory Structure 5-foot Setback	
Parking required:		Height permitted:		Type of structure:	
Parking provided:		Height provided:		Square footage of structure:	
Relief requested:		Relief requested:		Relief requested:	
Loading required:			Othe	er Variances	
Loading provided:		Relief requested:			
Relief requested:		Zoning Ordinance Article & Section:			
Signs		Requirement:			
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Relief requested:				you are applying tot.	
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Setback provided:					
Relief requested:					

1. Assessor's ADDRESS OF SUBJECT PROPERTY: 24 Simone Street (List property subject to the application and include any lot numbers. Please note: The street number may be different than the Assessor's address).
2. Is this property known by any other address: No.
3. OWNER OF RECORD: JAE Word LLC (The owner of record is the person or entity who owns title to the property as of today's date)
4. Address (es) of owner of record is /are 90 Madison Street, Suite 610, Worcester, MA 01608
5. Worcester District Registry of Deeds (WDRD) Book(s) 67595 , Page(s) 247 (List Book and Page number of deed filed for the subject property as recorded at the WDRD)
6. City of Worcester Assessor's Office Map 34 Block 010 Lot 00004 (List MBL number for the subject property as listed at Assessor's Office) 7. NAME OF APPLICANT(S): JAE Worc LLC
7. NAME OF APPLICANT(S): JAE Word LLC
8. Address of Applicant: 90 Madison Street, Suite 610, Worcester, MA 01608
9. Telephone: (774) 696-3814
annaszeto.fm@gmail.com
11. Check if you are an: owner (s lessee (s optionee (s you are not the owner of the subject property and are a lessee or optioned is recommended that you provide supporting information such as a lease or a purchase and sale agreement that shows your interest in the property.)
12. Zoning district(s) of the property (Indicate if more than one zoning district and any zoning overlay districts): RL-7
13. Describe what is presently located on the property (Use as much detail as possible including all uses and square footage of each use): Existing single family dwelling with detached garage and barn structure.
14. The applicant seeks to (Describe what you want to do on the property in as much detail as possible): Demolish existing structures, divide the property into four ANR lots each containing 7,500 square feet of area. Said lots to be further subdivided into eight lots each containing 3,750 square feet of area with the construction of four single family semi-detached structures for a total of eight dwelling units thereon.
15. Such a use is permitted only by the City of Worcester Zoning Ordinance under Article (Insert Article, Section (s) of the Zoning Ordinance which permits the proposed used of the property): Article II, Section 6 A 3

16. 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):

Planning Board approval obtained on August 18, 2022 for division of property into four conforming lots. See ANR Plan filed herewith recorded in Worcester District Registry of Deeds Plan Book 966, Plan 25.

17. 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)? If so, explain:

No.

18. List any additional information relevant to the Variance (s):

The land in question has a total of 30,000 square feet of area which represents 93.75 % of the lot area required for the propsed use. In addition the frontage for the lots proposed exceeds the minimum frontage required in every case and the proposed structures to be built thereon will meet all other applicable set back requirements and satisfy the off street parking requirements.

VARIANCE FINDINGS OF FACT

Complete the following questions. Your responses should provide justifications as to why the requested Variance(s) should be granted. Attach additional documentation as necessary.

- 1. Describe how a literal enforcement of the provision of the City of Worcester Zoning Ordinance would involve a substantial hardship, financial or otherwise, to the petitioner or appellant:
 - The by right use of the property, as currently configured, is limited to four single family dwelling units which is well below the carrying capacity of the property given that the area and frontage available are sufficient to support eight to ten single family dwelling units if the property were to be divided into two lots and granted Special Permits for said use. The limitation on the use of the property to four units presents a financial hardship for the owner since it denies the owner to right to fully utilize the area available and put said property to its highest and best use.
- 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 land in question has a total of 30,000 square feet of area with 150 feet of frontage on Valmor Street, 200 feet of frontage on Simone Street and 150 feet of frontage on Maranda Street. The available frontage for the lot is not typical for lots in the RL-7 Zoning District and provides ample access to the proposed dwelling units in a manner that is not generally possible for similarly zoned parcels. The Applicant believes and maintains that said improved access justifies the granting of relief for the minor deficiency in lot area given that all other applicable set back requirements can be easily satisfied.

Page 7 of 12

- '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 requested relief will allow for the construction of four additional dwelling units to be built, to meet the growing need for the same, without over burdening the lot with an over all density that is not inconsistant with the controls provided in the Zoning Ordinance. The single family semi-detached unit style proposed is consistent with surrounding property uses and presents no detriment to the public good given that all applicable building set-backs will be complied and applicable off street parking requirements satisfied.
- 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 for the proposed use.

WHEREFORE, the applicant(s) requests that this Bo	ard grant the variance (s) as requested shows
By: (Signature of Applicant or Applicant's Agent) If more than one applicant, all applicants must fill out information. JAE Wor LLC	By: (Signature of Property Owner or Owner's Agent) If more than one property owner, all owners must fill out information. JAE Worc Inc.
(Name of Applicant)	(Name of Property Owner)
90 Madison Street, Suite 610, Worcester, MA 01608	90 Madison Street, Suite 610, Worcester, MA 01608
(Address)	(Address)
(774) 696-3814	(774) 696-3814
(Contact Phone Number)	(Contact Phone Number)
annaszeto.fm@gmail.com	annaszeto.fm@gmail.com
(Email)	(Email)
September 20, 2022	September 20, 2022
(Date)	(Date)

(3) If a Corporation: Full Legal Name JAE Word Inc State of Incorporation Massachusetts Principal Places of Business Massachusetts Place of Business in Massachusetts 90 Madison Street, Suite 610, Worcester, Ma 01608 Printed Names of Officers of Corporation: Joseph Charpentier Manager Owners of Corporation: Printed Names Address % of stock Joseph Charpentier 90 Mad son St. Suite 610, Worcester, MA 01608 100% Signature of all owners of property (certifying payment of all municipal charges -attach multiple pages if Date: 9/20/22 Date: Date: Date: (4) If a Trust: Name of Trust _____ Business Address Printed Names of Trustees: Address Printed Names of Beneficiaries: Address Signature of trustees of property (certifying payment of all municipal charges -attach multiple pages if necessary) ______ Date: _____ Date: _____ ____ Date:

Printed Name of Applicant:

(5) Signature of Applicant (if different from owner, certifying payment of all municipal charges):

______ Date: _____

Signature of Applicant: _____ Date: ____

Edward M. Augustus, Jr. CITY MANAGER

Total Count: 52



Timothy J. McGourthy CHIEF FINANCIAL OFFICER

Samuel E. Konieczny CITY ASSESSOR

WORCESTER MA 01604

ADMINISTRATION & FINANCE

Certified Abutters List

A list of 'parties in interest' shall be attached to the application form and shall include the names and addresses. All such names and addresses shall be obtained from the most recent applicable tax list maintained by the City's Assessing Department. The Assessing Department certifies the list of names and addresses.

Parcel Address: Assessor's Map-Block-Lot(s): Owner: Owner Mailing:		24 SIMON 34-010-000		
		JAE WOR LLC 90 MADISON ST WORCESTER, MA 01602		
Petitioner (if other than owner): Petitioner Mailing Address: Petitioner Phone:		DONALD J. O'NEIL 688 PLEASANT ST WORCESTER, MA 01602 508-755-5655		
Planning:		oning: X	Liquor License:	
Historical:		nabis:	Other:	ConComm:
34-012-001+4	CRANTZ SCOTT + JULI			
34-012-001+2	GITAU PENINA W +	E.	0058 COUNTY ST	WORCESTER MA 01604
34-012-001+1	SMITH PATRICIA A		0087 VALMOR ST	WORCESTER MA 01604
34-012-001+5	LOPES JESSICA ROBIDOUX RAYMOND R + MARCIA M SAKHAT NABIL JAE WOR LLC		0089 VALMORE ST	WORCESTER MA 01604
34-012-001+3			0056 COUNTY ST	WORCESTER MA 01604
34-010-00030			0060 COUNTY ST	WORCESTER MA 01604
34-010-00004			0013 MARANDA ST	WORCESTER MA 01604
34-010-002-1		DONNE V	0090 MADISON ST SUITE 610	WORCESTER MA 01608
34-010-00044	GINGRAS MICHAEL T + DONNA M HALL RICHARD W JAE WOR LLC		0079 MARANDA ST	WORCESTER MA 01604
34-010-00006			0362 HIGH ST	UXBRIDGE MA 01569
34-010-00198			0090 MADISON ST SUITE 610	WORCESTER MA 01608
34-010-00284	RITCHIE HALEY KELLICKER JEFFREY P + ANNE T		0109 SUNDERLAND RD	WORCESTER MA 01604
34-010-0043A		+ ANNE I	0119 SUNDERLAND RD	WORCESTER MA 01604
34-010-02R-A	FOSTER JOHN		0115 SUNDERLAND RD	WORCESTER MA 01604
34-010-00008	CLAIREMONT EVAN		0084 VALMOR ST	WORCESTER MA 01604
34-010-00031	MEYER MICHELLE E +		0024 VALMOR ST	WORCESTER MA 01604
34-010-00031	ZORGE MICHAEL		0006 CORRINE ST	WORCESTER MA 01604
34-010-00007	SULLIVAN LAWRENCE	A + SUZANNE	20 SIMONE ST	WORCESTER MA 01604
34-010-00442	JEAN ANOULD		0016 MARANDA ST	WORCESTER MA 01604
34-011-00022	- WEST TER STRANGT THA		0015 CORRINE ST	WORCESTER MA 01604
3011-00023	OFACKI ANGELA S + T	HUMAS M	0022 COUNTY ST	WORCESTER MA 01604

34-010-00001	GUIRY MATTHEW + MEGAN C	0080 VALMOR ST	WORCESTER MA 01604
34-010-00043	MAHONEY MICHAEL ANTHONY	0077 CORRINE ST	WORCESTER MA 01604
34-010-0043B	ABDULMASSIH JOSEPH +	0028 MARANDA ST	WORCESTER MA 01604
34-012-0001A	BOZIL LAURETTE + JEAN MICKER +	0091 VALMOR ST	WORCESTER MA 01604
34-011-00027	AUCLAIR DAWN E	0047 VALMOR ST	WORCESTER MA 01604
34-010-00021	SANTIAGO MARGARITA + LUZ A	0017 CORRINE ST	WORCESTER MA 01604
34-010-00033	GRAMPEITRO EDMUND B + BARBARA L	0018 SIMONE ST	WORCESTER MA 01604
34-011-0027A	PINTO ABIGAIL + NICHOLAS	0021 JASMINE DR	WORCESTER MA 01605
34-012-00027	RICHARDS KATHERINE J +	0024 COUNTY ST	WORCESTER MA 01604
34-012-02-3R	TATE SUZAN + KENYON ANGELA	081B VALMOR ST	WORCESTER MA 01604
34-012-00001	SKOCZYLAS BETA M + HENRYK W	0009 FAIRFIELD DR	DUDLEY MA 01571
34-010-00272	COVELLO ANTHONY F	0025 SIMONE ST	WORCESTER MA 01604
34-010-00019	FRECHETTE JOSEPH GERARD	0029 SIMONE ST	WORCESTER MA 01604
34-012-00026	LUCK SEAN	0028 COUNTY ST	WORCESTER MA 01604
34-010-0239B	WEEMS DARIUS A + NUGENT KRYSTAL J	0024 MARANDA ST	WORCESTER MA 01604
34-010-00018	COVELLO MICHAEL R +	65 CORRINE ST	WORCESTER MA 01604
34-010-00002	HERNANDEZ FRANCISCO	0125 SUNDERLAND RD APT A	WORCESTER MA 01604
34-010-0239A	BARTLETT TRACY S	0026 MARANDA ST	WORCESTER MA 01604
34-012-00025	DUGGAN DEBRA A	0054 COUNTY ST	WORCESTER MA 01604
34-010-0002A	HAMMOND JULIANNE K	0081 MARANDA ST	WORCESTER MA 01604
34-010-02R-B	CLAIREMONT EVAN + KIMBERLY	0082 VALMOR ST	WORCESTER MA 01604
34-010-0002B	BREEN JEAN	0141 SUNDERLAND RD	WORCESTER MA 01604
34-010-00038	PERRY JOAN F + MICHELE	0078 VALMOR ST	WORCESTER MA 01604
34-011-00022	SWIDLER RONALD A+MARIA M	0018 COUNTY ST	WORCESTER MA 01604
34-011-29-D2	ISUFI AFRIM D	0029 VALMOR ST	WORCESTER MA 01604
34-011-29-DI	ISUFI EMINE	0027 VALMOR ST	WORCESTER MA 01604
34-011-0001A	DASILVA ALESSANDRE + ROSEMAR P	0040 COUNTY ST	WORCESTER MA 01604
34-011-28-E2	LOPEZ AGUSTIN	0033 VALMOR ST	WORCESTER MA 01604
34-011-28-E1	DUNLEVY KEVIN P	339 BROOKS ST	WORCESTER MA 01606
34-012-02-3L	AFABLE JOLYON PHILIP A +	0110 BELLE AVE	BOSTON MA 02132
34-012-00002	BROUGH AUSTIN + FERRARONE CHLOE	0079 VALMOR ST	WORCESTER MA 01604
34-012-002-1	MUJJUZI MARVIN S	0077 VALMOR ST	WORCESTER MA 01604

This is to certify that the above is a list of abutters to Assessor's Map-Block-Lots 34-010-00004 as cited above.

Certified by:

Signature

07/12/2022

Date

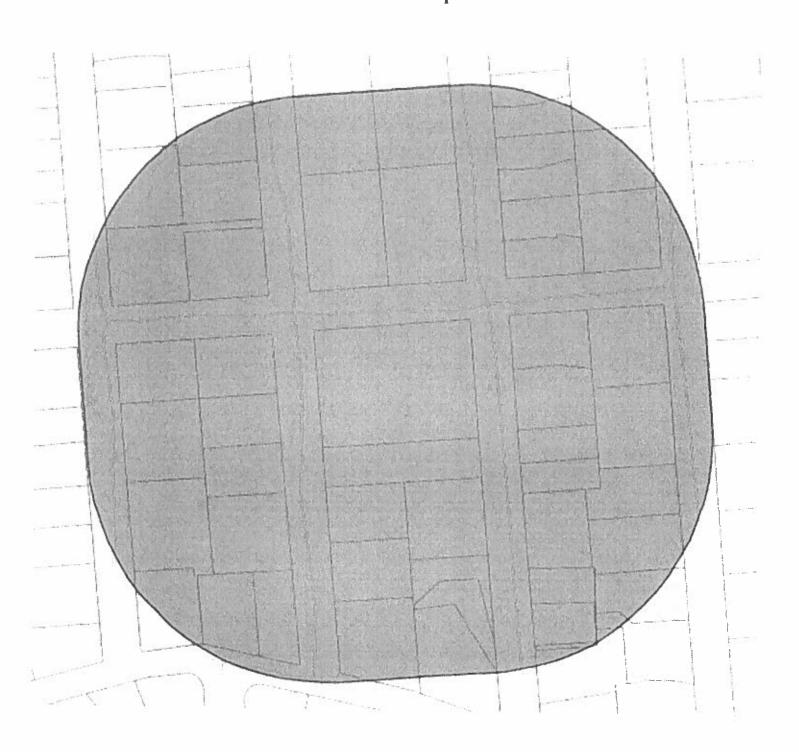


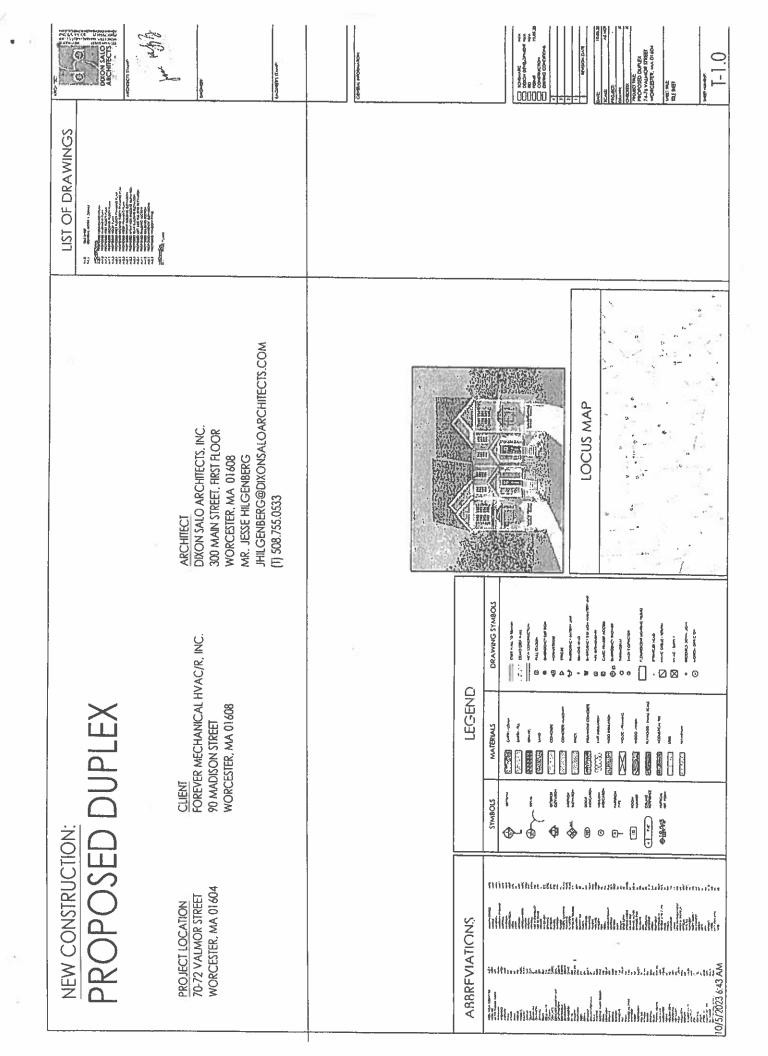
Timothy J. McGourthy CHIEF FINANCIAL OFFICER

Samuel E. Konieczny City Assessor

ADMINISTRATION & FINANCE

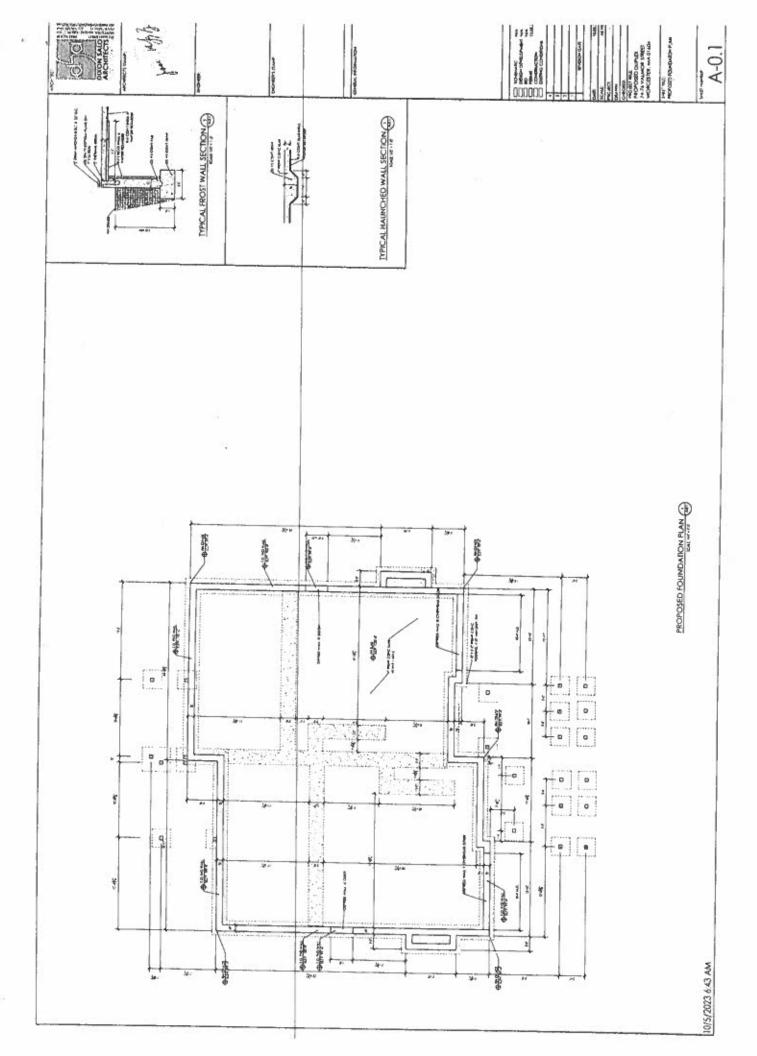
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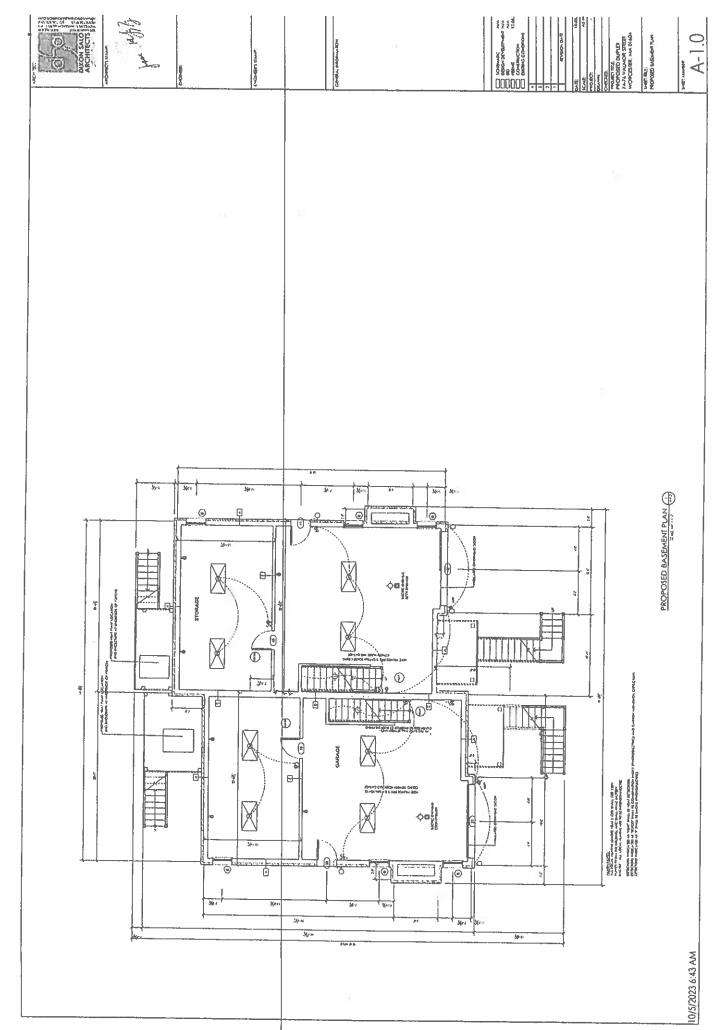




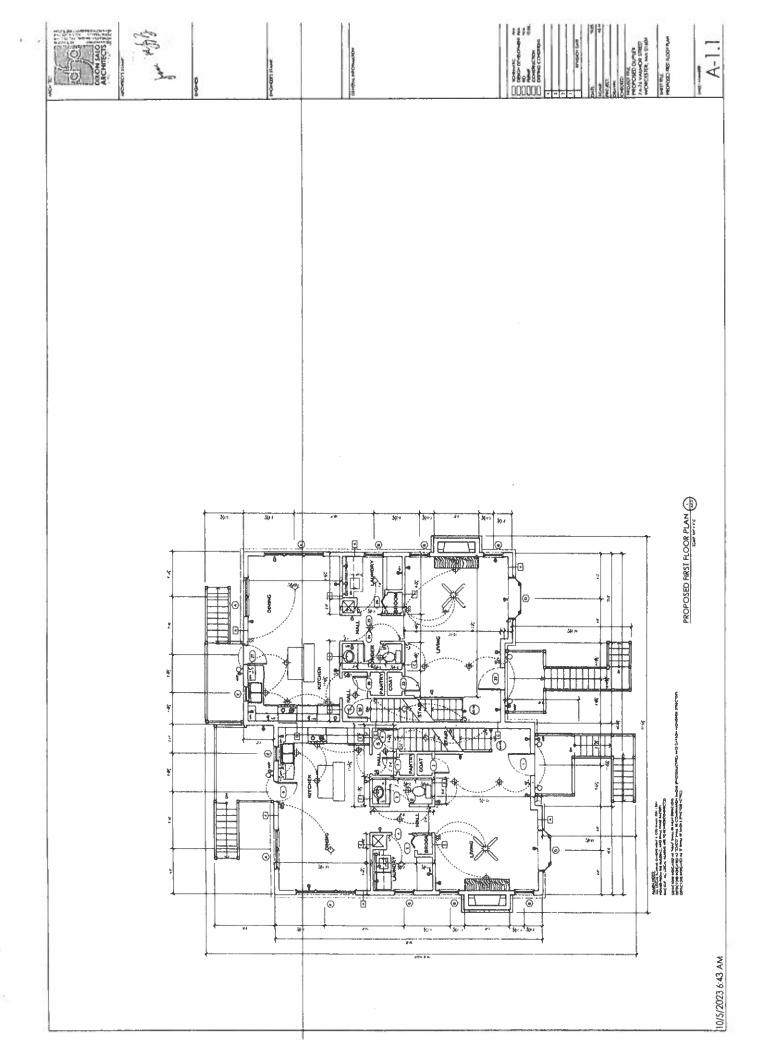
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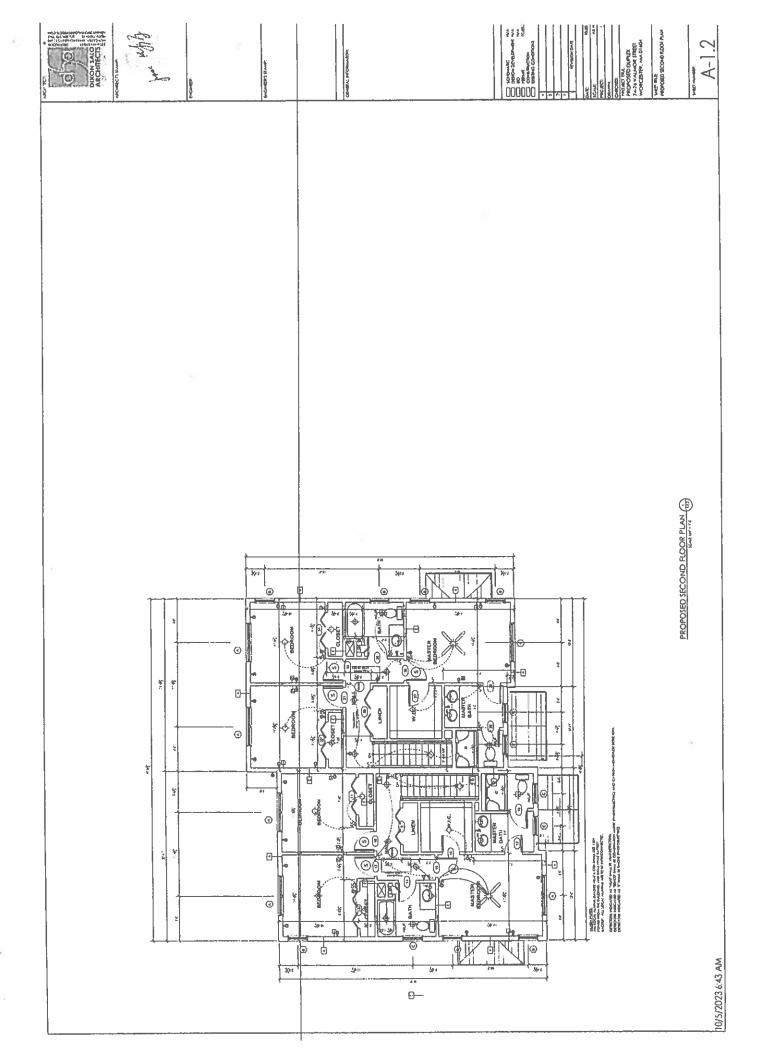
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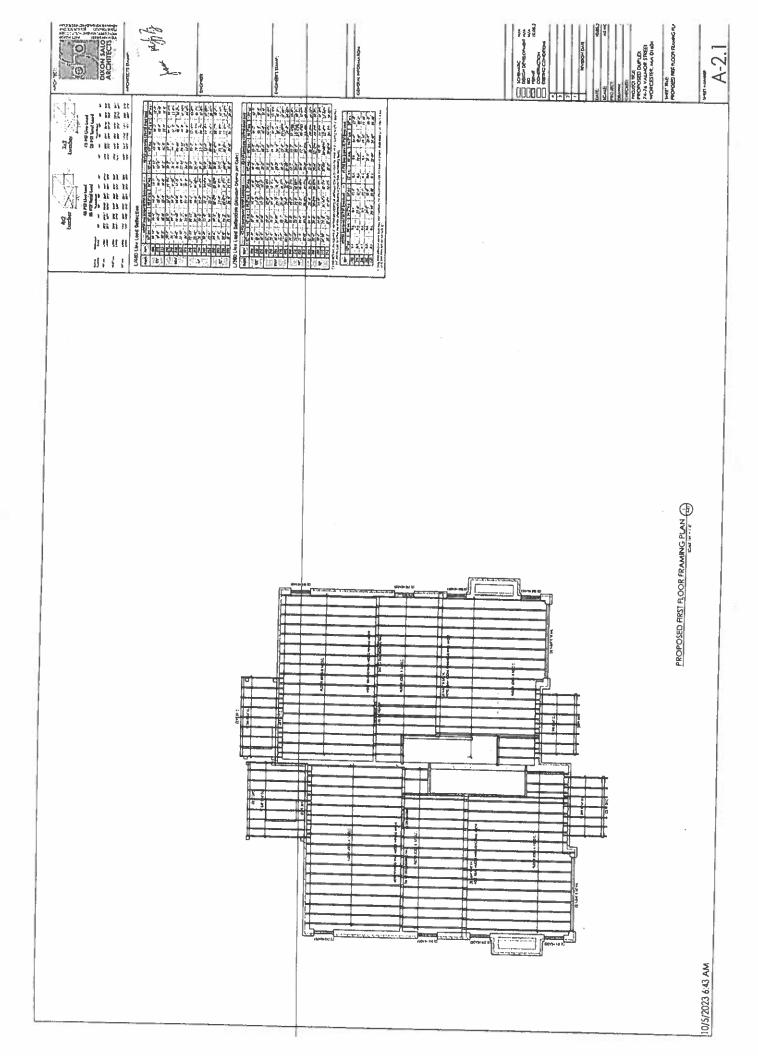


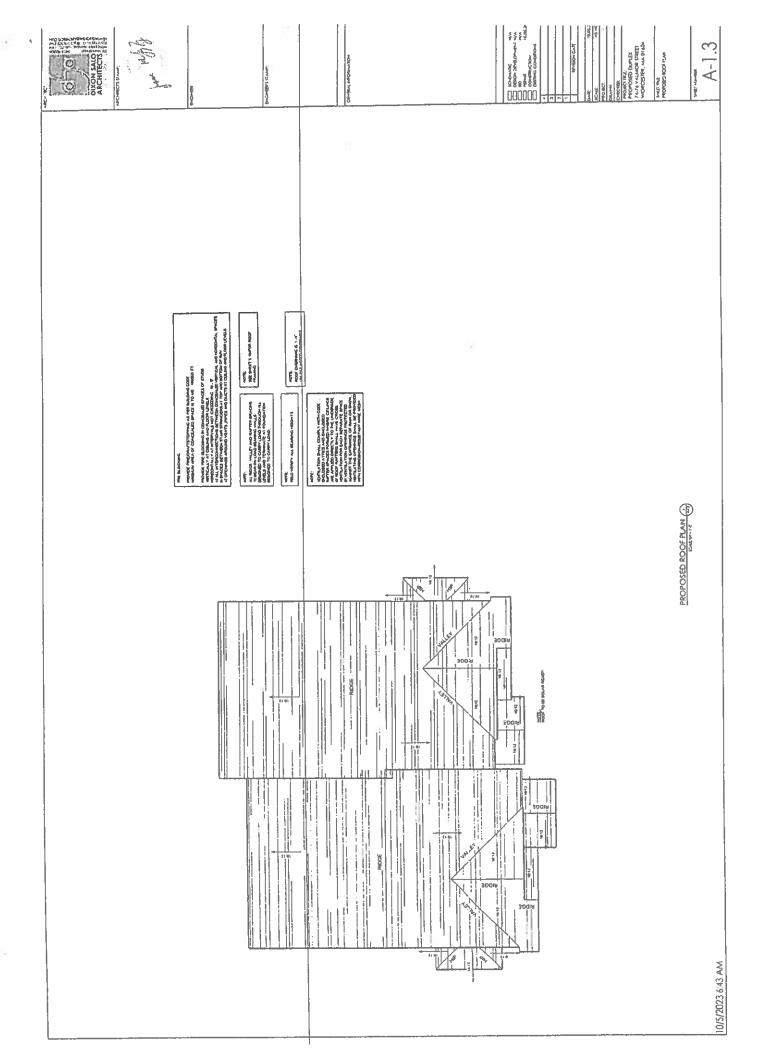


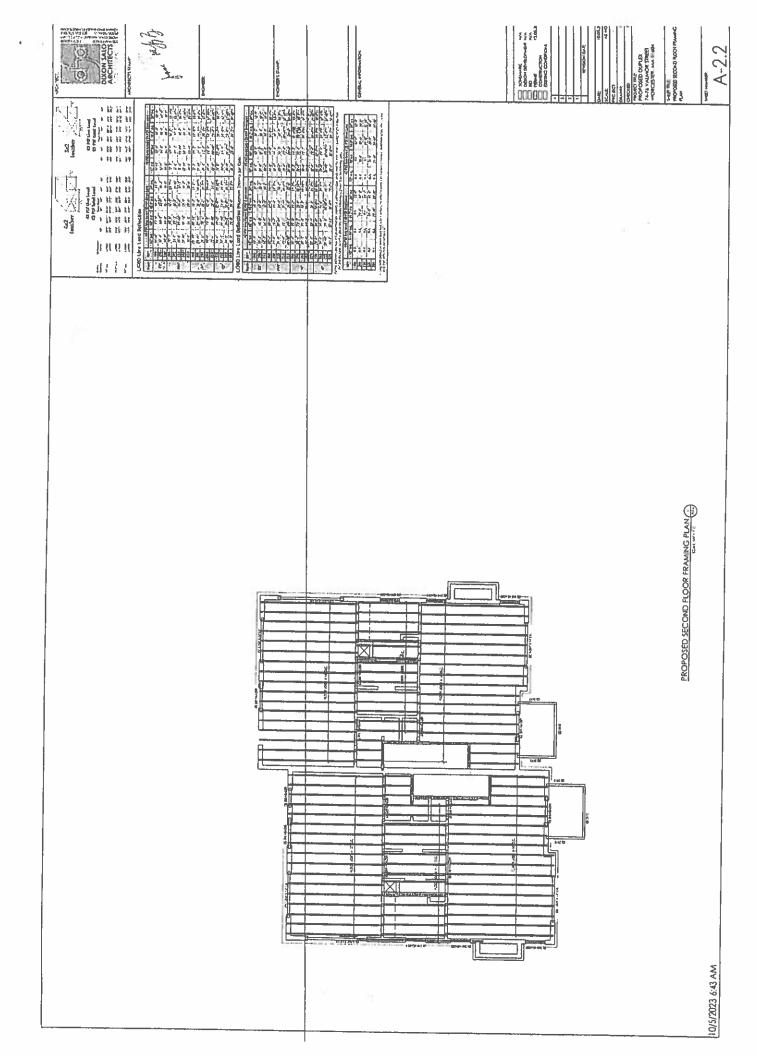
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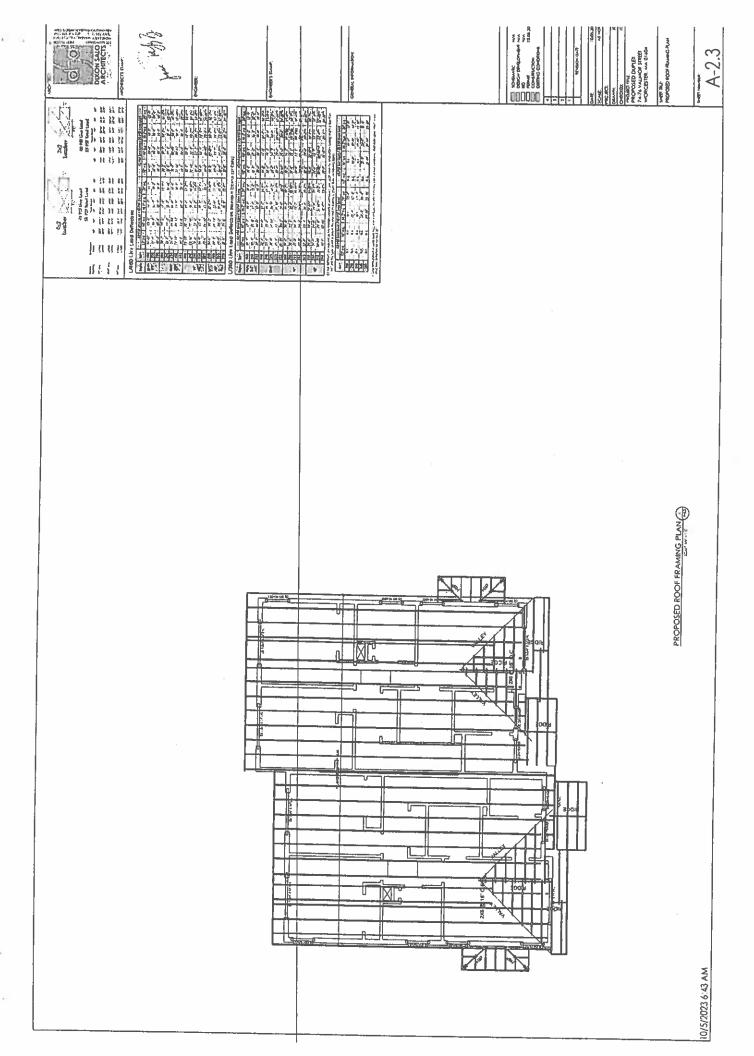


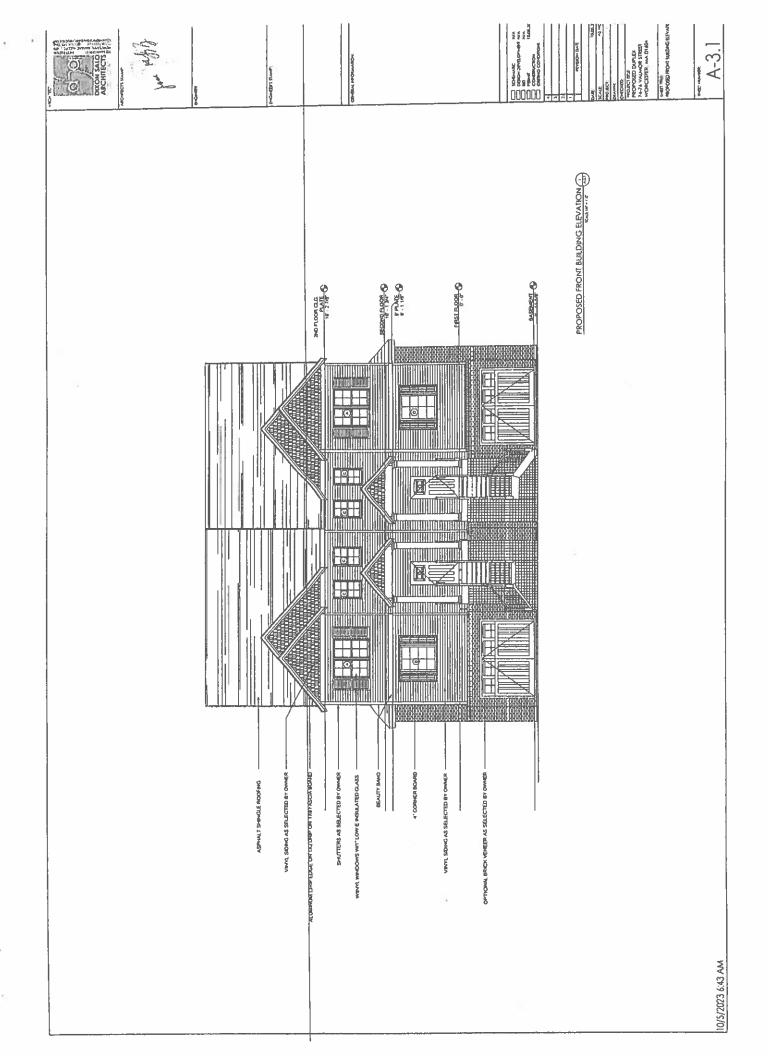


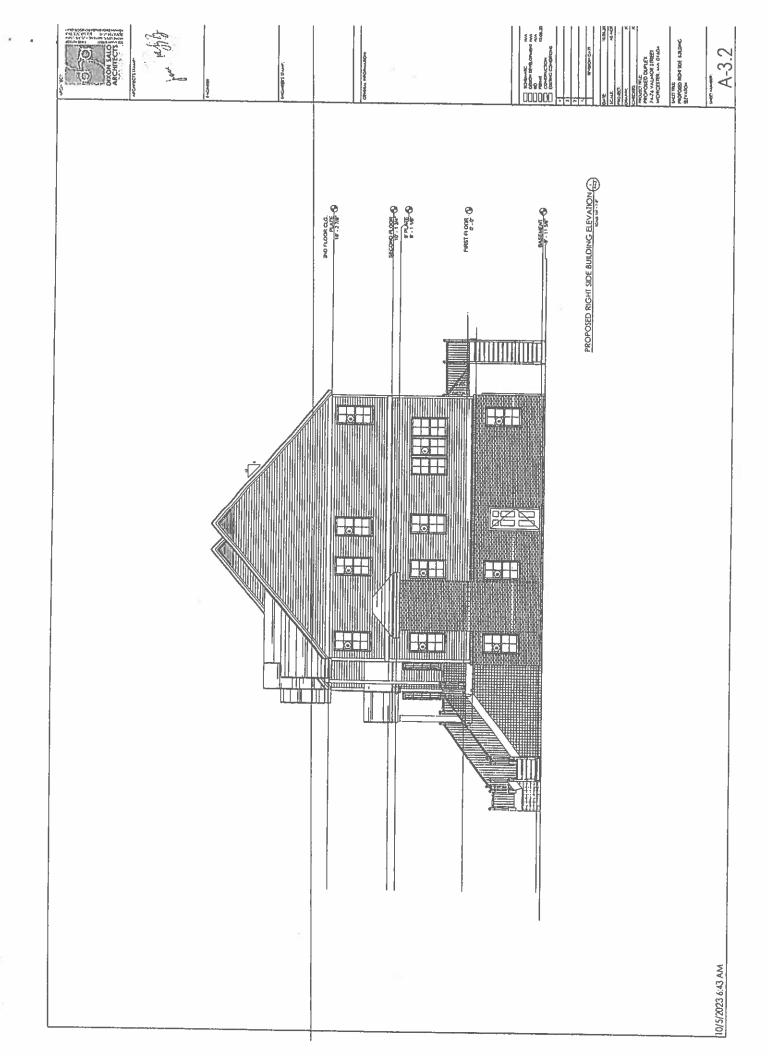


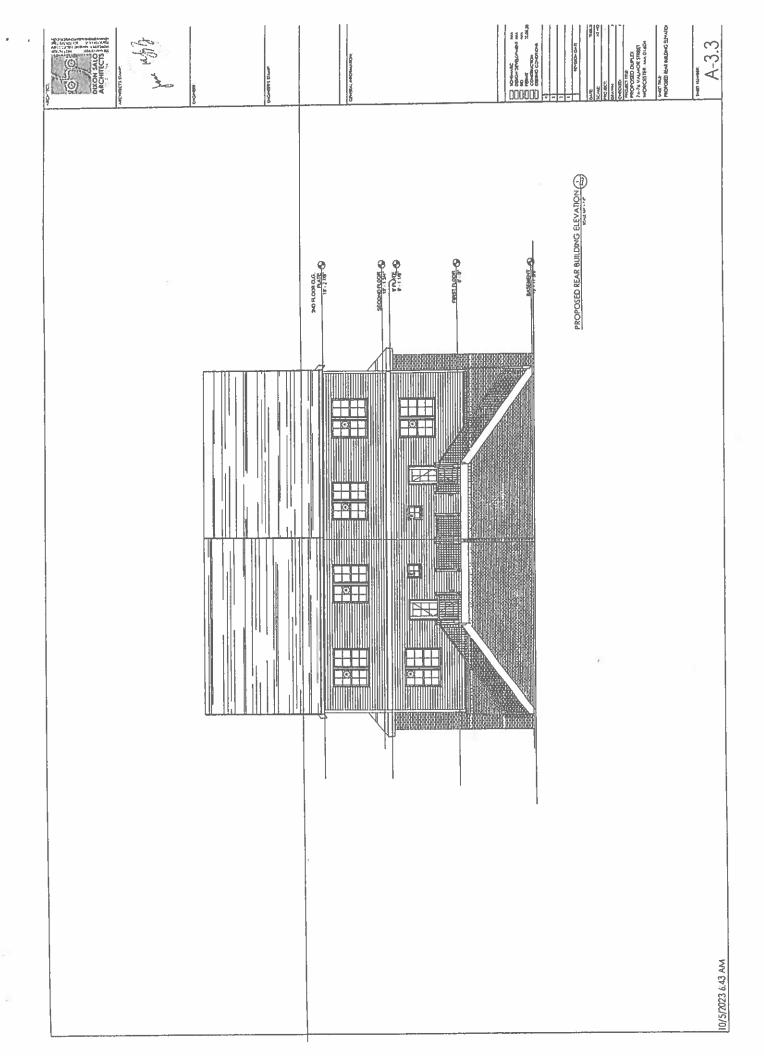


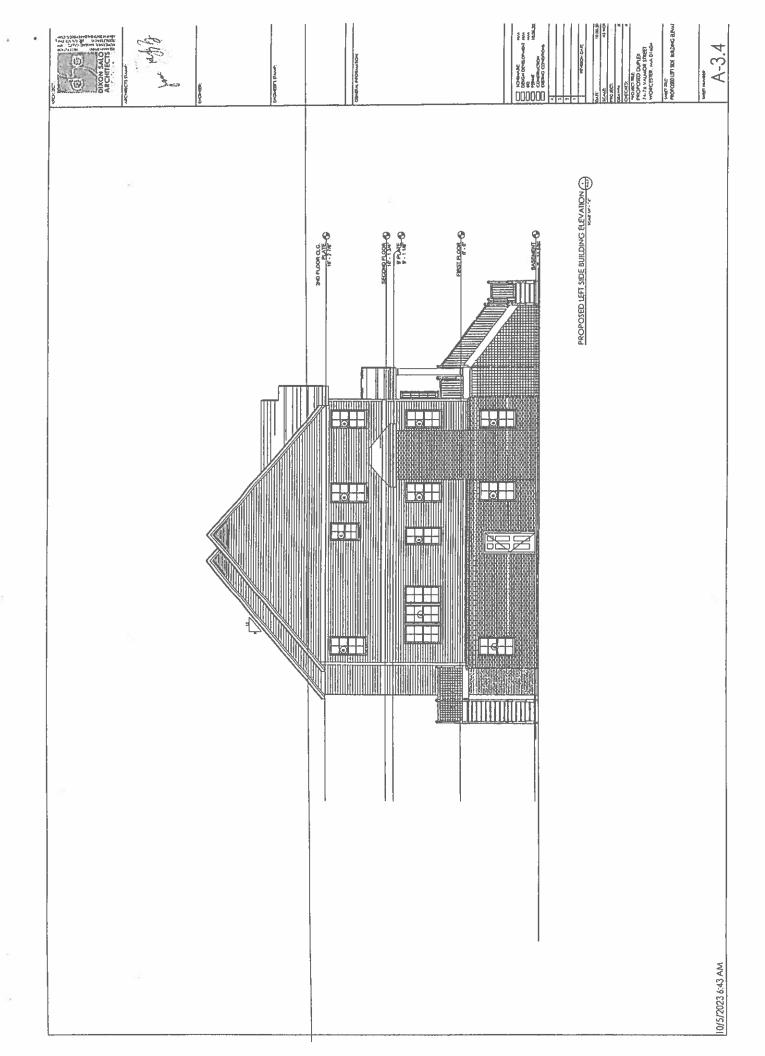


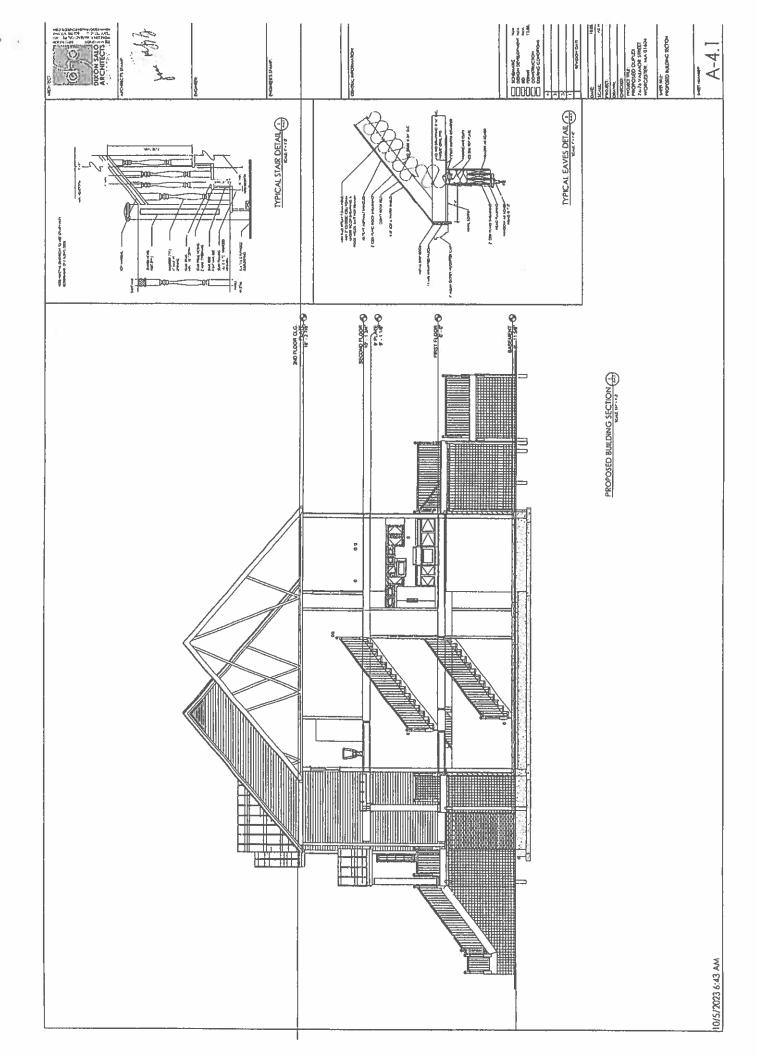


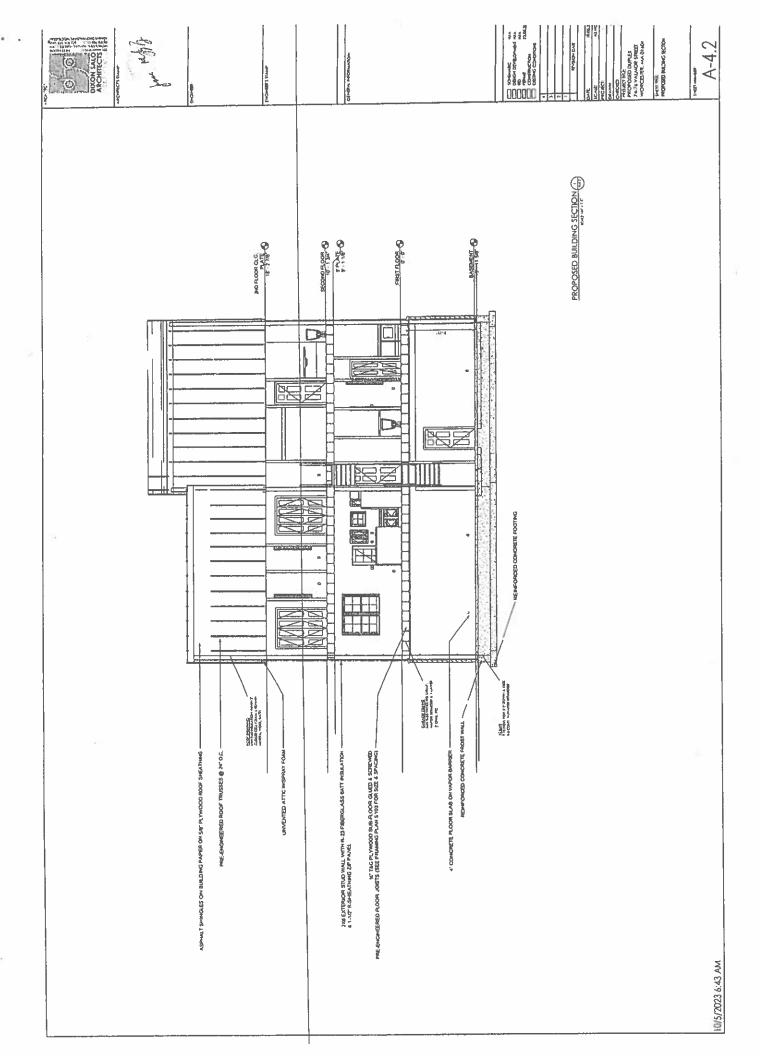


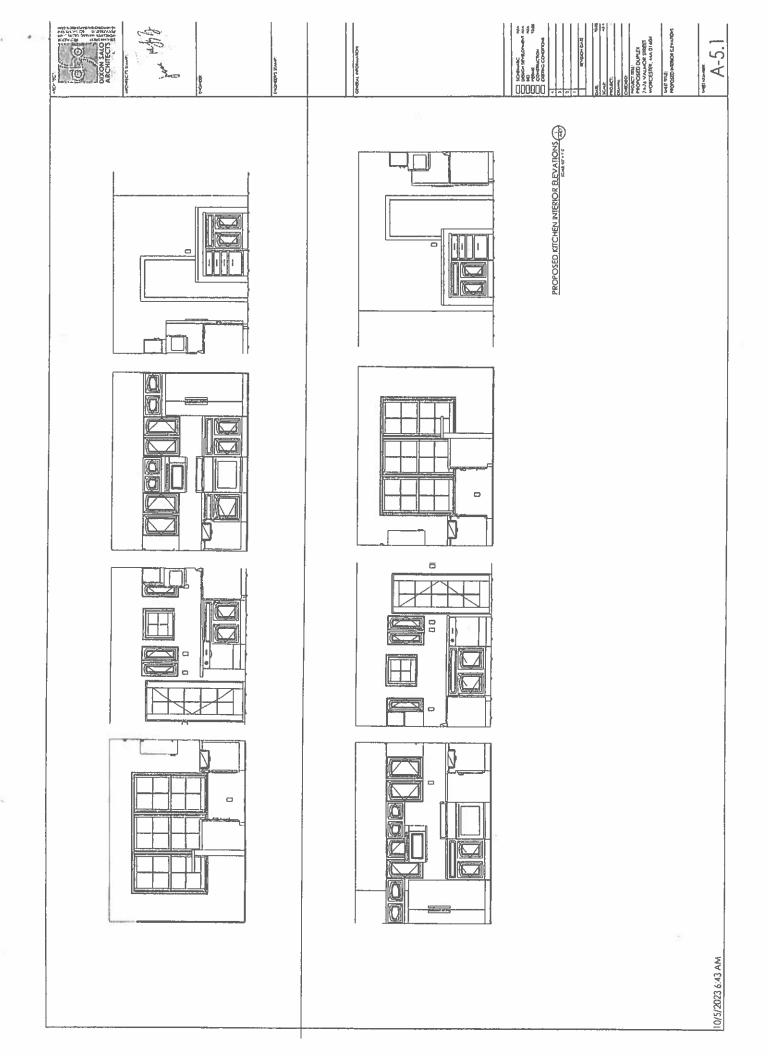


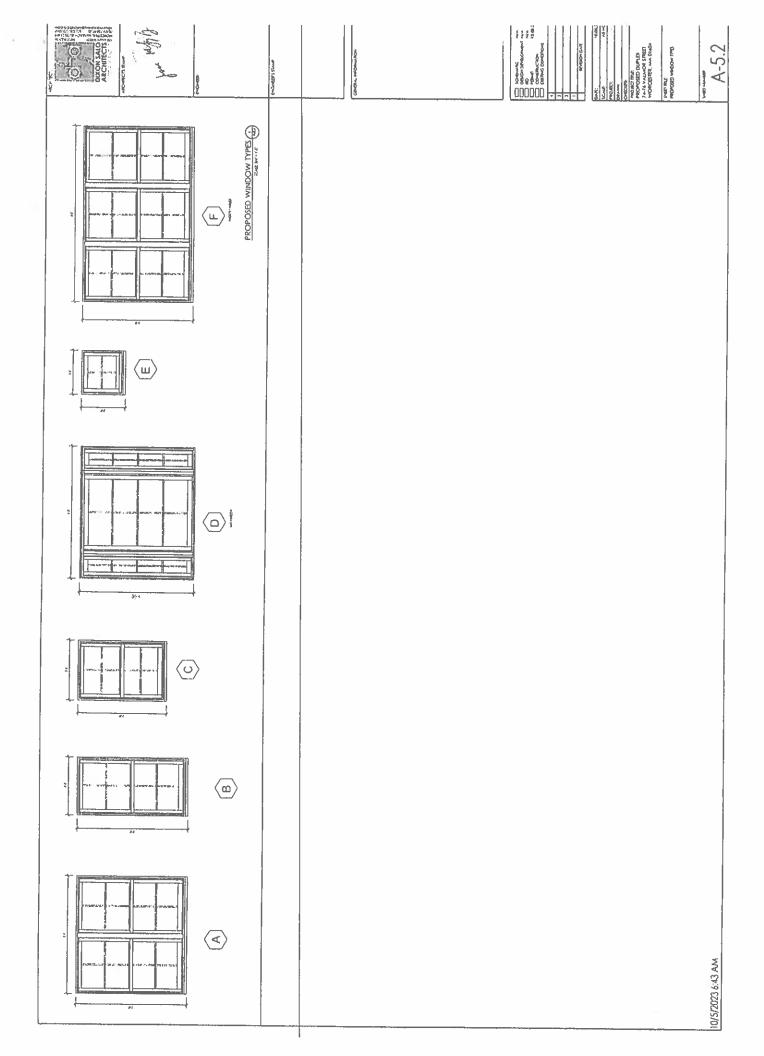












PLAN SHOWING PROPOSED DUPLEX PREPARED FOR JAE WOR, LLC LOT 3 SIMONE STREET WORCESTER, MASSACHUSETTS SEPTEMBER 14, 2022 * TH

SCALE: 1 INCH = 30 FEET

JARVIS LAND SURVEY, INC 29 GRAFTON CIRCLE SHREWSBURY, MA 01545 TEL. (508) 842-8087 FAX. (508) 842-0661 KEVIN@JARVISLANDSURVEY.COM

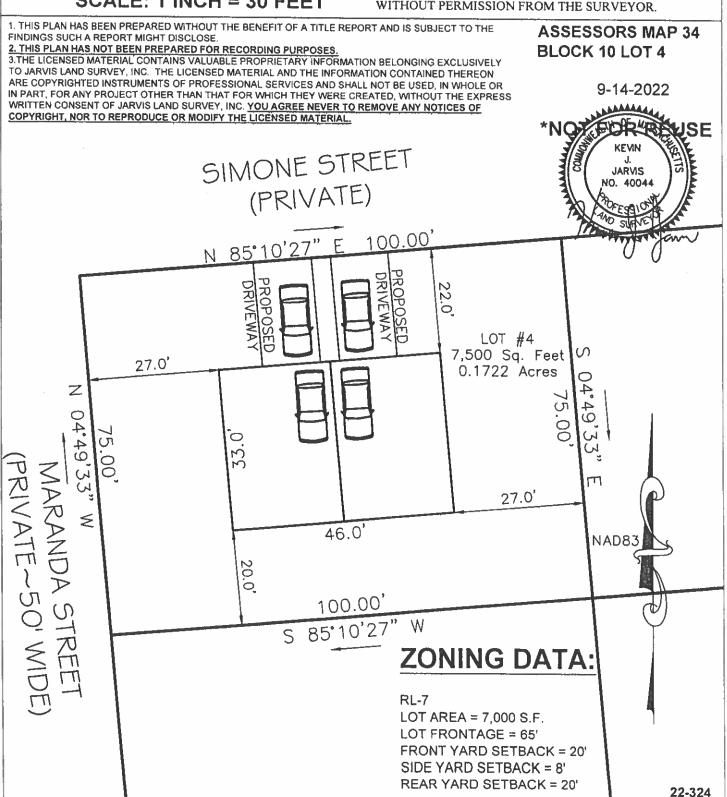
★ THE SURVEYOR RETAINS COPYRIGHT TO THE PLAN OF SURVEY, AND RE-USE OF THIS PLAN IS NOT ALLOWED WITHOUT PERMISSION FROM THE SURVEYOR

WITHOUT PERMISSION FROM THE SURVEYOR. 1. THIS PLAN HAS BEEN PREPARED WITHOUT THE BENEFIT OF A TITLE REPORT AND IS SUBJECT TO THE **ASSESSORS MAP 34** FINDINGS SUCH A REPORT MIGHT DISCLOSE 2. THIS PLAN HAS NOT BEEN PREPARED FOR RECORDING PURPOSES. **BLOCK 10 LOT 4** 3.THE LICENSED MATERIAL CONTAINS VALUABLE PROPRIETARY INFORMATION BELONGING EXCLUSIVELY TO JARVIS LAND SURVEY, INC. THE LICENSED MATERIAL AND THE INFORMATION CONTAINED THEREON ARE COPYRIGHTED INSTRUMENTS OF PROFESSIONAL SERVICES AND SHALL NOT BE USED, IN WHOLE OR IN PART, FOR ANY PROJECT OTHER THAN THAT FOR WHICH THEY WERE CREATED, WITHOUT THE EXPRESS 9-14-2022 WRITTEN CONSENT OF JARVIS LAND SURVEY, INC. YOU AGREE NEVER TO REMOVE ANY NOTICES OF COPYRIGHT, NOR TO REPRODUCE OR MODIFY THE LICENSED MATERIAL. SIMONE STREET **JARVIS** (PRIVATE) NO. 4004 100.00 85°10'27 PROPOSED DRIVEWA PROPOSE DRIVEWA LOT #3 22.0 7,500 Sq. Feet 0.1722 Acres 04.49,33 27.0 ≤ 27.0 46.0 VAD83 100.00 S 85°10'27" W **ZONING DATA:** Since Formily Jeminded tohed RL-7 LOT AREA = 7,000 S.F. LOT FRONTAGE = 65' \(\square\) FRONT YARD SETBACK = 20' SIDE YARD SETBACK = 8' REAR YARD SETBACK = 20' 22-324

PLAN SHOWING PROPOSED DUPLEX PREPARED FOR JAE WOR, LLC LOT 4 SIMONE STREET WORCESTER, MASSACHUSETTS

SEPTEMBER 14, 2022 SCALE: 1 INCH = 30 FEET JARVIS LAND SURVEY, INC 29 GRAFTON CIRCLE SHREWSBURY, MA 01545 TEL. (508) 842-8087 FAX. (508) 842-0661 KEVIN@JARVISLANDSURVEY.COM

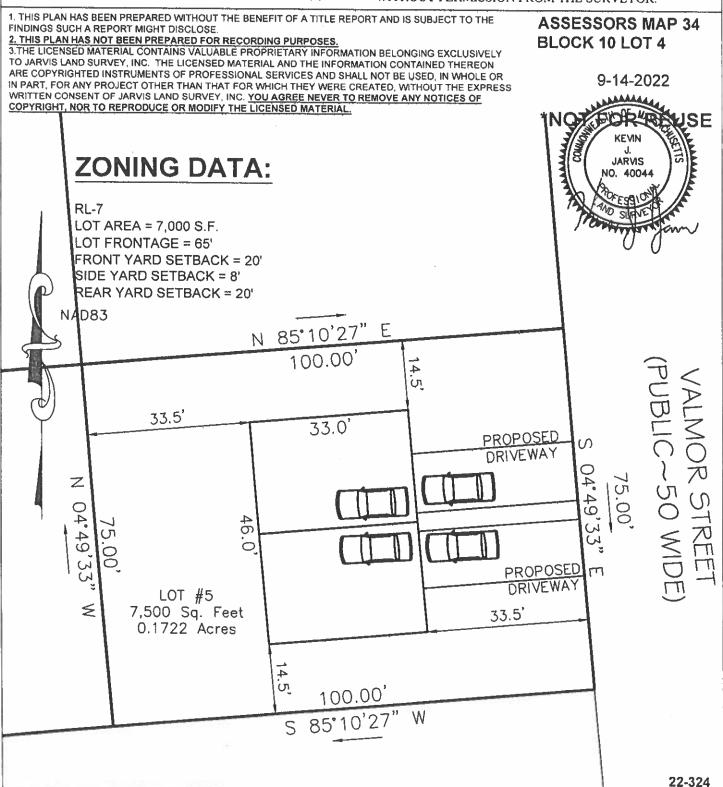
★ THE SURVEYOR RETAINS COPYRIGHT TO THE PLAN OF SURVEY, AND RE-USE OF THIS PLAN IS NOT ALLOWED WITHOUT PERMISSION FROM THE SURVEYOR.



PLAN SHOWING PROPOSED DUPLEX PREPARED FOR JAE WOR, LLC LOT 5 SIMONE STREET WORCESTER, MASSACHUSETTS

SEPTEMBER 14, 2022 SCALE: 1 INCH = 30 FEET JARVIS LAND SURVEY, INC 29 GRAFTON CIRCLE SHREWSBURY, MA 01545 TEL. (508) 842-8087 FAX. (508) 842-0661 KEVIN@JARVISLANDSURVEY.COM

THE SURVEYOR RETAINS COPYRIGHT TO THE PLAN OF SURVEY, AND RE-USE OF THIS PLAN IS NOT ALLOWED WITHOUT PERMISSION FROM THE SURVEYOR.



PLAN SHOWING PROPOSED DUPLEX PREPARED FOR JAE WOR, LLC LOT 6 SIMONE STREET WORCESTER, MASSACHUSETTS SEPTEMBER 14, 2022 * TE

SCALE: 1 INCH = 30 FEET

JARVIS LAND SURVEY, INC 29 GRAFTON CIRCLE SHREWSBURY, MA 01545 TEL. (508) 842-8087 FAX. (508) 842-0661 KEVIN@JARVISLANDSURVEY.COM

★ THE SURVEYOR RETAINS COPYRIGHT TO THE PLAN OF SURVEY, AND RE-USE OF THIS PLAN IS NOT ALLOWED WITHOUT PERMISSION FROM THE SURVEYOR.

1. THIS PLAN HAS BEEN PREPARED WITHOUT THE BENEFIT OF A TITLE REPORT AND IS SUBJECT TO THE FINDINGS SUCH A REPORT MIGHT DISCLOSE. **ASSESSORS MAP 34** 2. THIS PLAN HAS NOT BEEN PREPARED FOR RECORDING PURPOSES. **BLOCK 10 LOT 4** 3. THE LICENSED MATERIAL CONTAINS VALUABLE PROPRIETARY INFORMATION BELONGING EXCLUSIVELY TO JARVIS LAND SURVEY, INC. THE LICENSED MATERIAL AND THE INFORMATION CONTAINED THEREON ARE COPYRIGHTED INSTRUMENTS OF PROFESSIONAL SERVICES AND SHALL NOT BE USED, IN WHOLE OR IN PART, FOR ANY PROJECT OTHER THAN THAT FOR WHICH THEY WERE CREATED, WITHOUT THE EXPRESS 9-14-2022 WRITTEN CONSENT OF JARVIS LAND SURVEY, INC. YOU AGREE NEVER TO REMOVE ANY NOTICES OF COPYRIGHT, NOR TO REPRODUCE OR MODIFY THE LICENSED MATERIAL. **ZONING DATA:** ARVIS RL-7 LOT AREA = 7,000 S.F. LOT FRONTAGE = 65' FRONT YARD SETBACK = 20' SIDE YARD SETBACK = 8' REAR YARD SETBACK = 20' NAD83 N 85°10'27" E 100.00 4.5 LOT #6 33.5 7,500 Sq. Feet MARANDA STR 0.1722 Acres PROPOSED Z DRIVEWAY 04. 46. 49 S PROPOSED DRIVEWAY 33.5 `0.ΣΣ 4 Ġ 100.00 85°10'27 22-324