



# *Town of Dartmouth*

MASSACHUSETTS

## ZONING BOARD OF APPEALS AGENDA

August 9, 2011

### PUBLIC HEARINGS

*Continued from July 26, 2011*

**6:00 P.M.     Petitioner:     Stephen & Joanne Cabral**  
**Stephen's Styling, Inc.**  
**8 Champion Terrace**  
**Gen. Residence A, Gen.Business, Aquifer Protection**  
**Case #2011-26**

The Petitioners are seeking an Amendment to the Variance issued in 1984 regarding parking requirements. The Petitioners are proposing a new parking plan for the Board of Appeals to consider, which does not meet the Off Street Parking Plan Regulations outlined in Section 16 of the Town of Dartmouth's Zoning By-laws. Variances are required to allow parking in a district in which the use is not allowed, relief from the setback requirements, relief from the end stall width, and relief from the 12' wide landscaped islands at the end of parking spaces requirement. The Petitioners are also proposing off-site parking for employees, which requires a Special Permit. As the property is in the Aquifer Protection District, a Variance is required as this property exceeds the 10% maximum impervious area. A Variance from the percentage of lot coverage is also being requested. The Petitioners are seeking to clarify the number of parking spaces required as the By-law requires 3 parking spaces per operator's station. If the Board finds that the number of parking spaces exceeds the number of spaces provided, the Petitioners are seeking a Variance from the number of spaces required. The property is located at 8 Champion Terrace, Dartmouth, MA in a General Residence A, General Business, and Aquifer Protection District.

(Section 16.104B-Parking located in district in which the use is not allowed; Section 16.202B-15' setback from residential property lines required, 4' is proposed; Section 16.202C-5' setback from building to drive aisle and to a parking space is required, 1' is provided in one location; Section 16.203A-End stalls are required to be 10' wide, 9' is provided; Section 16.204A-12' wide landscaped islands at end of parking spaces are required, 1' is provided in one location; Section 16.202A-Location of facilities; Section 25.510-10% maximum impervious area is allowed in aquifer protection district; Section 16.201A-Define number of operator's stations; Section 16.201-Number of spaces required; Section 25.200 and 4B.406-Percentage of lot coverage)

MAP: 168     LOT: 19

*Continued from July 26, 2011 – Original hearing date 8/3/10*

**6:15 P.M.      Petitioner: Stephen & Joanne Cabral**  
**Stephen's Styling, Inc.**  
**8 Champion Terrace**  
**Gen. Residence A, Gen. Business, Aquifer Protection**  
**Case #2010-19**

The Petitioners are seeking an Administrative Appeal from the Letter of Violation and Order to Cease, Desist and Abate by the Director of Inspectional Services, Joel S. Reed. Petitioners are asking to continue the use as Stephen & Co. Hair Designers. The property is located at 8 Champion Terrace in a General Business District.  
(Section 27.501 – Appeal)  
MAP: 168      LOT: 19

*Continued from July 26, 2011*

**6:20 P.M.      Alan Mercer, President, Smith Mills Christian Congregational Church**  
**11 Anderson Way**  
**Single Residence B, Aquifer Protection**  
**Case #2011-27**

The Petitioner is seeking an Amendment to modify an existing Variance. The Petitioner is seeking to allow twenty (20) of the existing parking spaces located in a Single Residence B zone to be used for an off-site business, Stephen's Styling, Inc., when they are not needed by the church. A Change of Use Variance is also being requested to allow commercial parking in a district in which the use is not allowed. The property is located at 11 Anderson Way, Dartmouth, MA in the Single Residence B/Aquifer Protection District.  
(Section 16.202 – Location of Facilities; Section 16.104B – Parking Facility)  
MAP: 168      LOT: 24

**6:30 P.M.      Joyce and David Sheridan**  
**25 Lakewood Road**  
**Single Residence B**  
**Case #2011-28**

The Petitioners are requesting a Special Permit pursuant to Section 3B.202 of the Town of Dartmouth Zoning By-laws. The petitioners are seeking to raze the existing house and construct a new single-family house at nearly the same location as the old house in accordance with current regulations. The property is located at 25 Lakewood Road, Dartmouth, MA in a Single Residence B District.  
(Section 3B.202 – Expansion of Non-Conforming One or Two Family Structures)  
MAP: 171      LOT: 33

*Continued from July 12, 2011*

**6:45 P.M. Petitioner: Carl John Lima**

**Allen Street**

**Single Residence A District**

**Case #2011-20**

The Petitioner is seeking Variances from the Zoning By-laws of the Town of Dartmouth to create a buildable lot. This vacant lot is located on Allen Street in the Single Residence A District between 863 Allen Street and 1 Oaklawn Drive. A lot in this district should have 40,000 square feet of area, 150 feet of frontage, and a 50 foot setback from the street right-of-way. The petitioner is seeking permission to construct a single-family home on a lot with 13,126 square feet of area, 125 feet of frontage, and with setbacks at 25 feet from the street right-of-way.

(Section 4A.401-Lot Area; Section 4A.403-Frontage; Section 4A.404-Setbacks; Section 36 -Board of Appeals; Subsection 36.200-Variances; Section 23-Frontage, Subsection 23.100-Single Residence A; Section 22-Minimum Lot Area, Subsection 22.100-Single Residence A)

MAP: 150      LOT: 71

## **ADMINISTRATIVE**

### **Approval of Minutes**