

**Statement in Support of GM Properties LLC**  
**Application to City of Worcester Zoning Board of Appeals for Grant of Variance for**  
**Noncompliance with Minimum Frontage Requirement for Property at**  
**16 Tamar Avenue, Worcester, Massachusetts**

**I. Background and Project Scope.**

GM Properties LLC (the “Applicant”) seeks a grant of a variance from the minimum frontage requirement in connection with its proposed construction and development of an approximately 2,200 square foot single family dwelling (the “New Dwelling”) and related site improvements at the property known and numbered as 16 Tamar Avenue, Worcester Massachusetts (the “Property”).<sup>1</sup>

The Property currently contains approximately 0.85 acres (36,950+/- square feet) of land, and is located entirely within the Residence, Single Family (“RS-7”) zoning district with no overlays. The Property currently contains one single family dwelling (the “Existing Dwelling”) and is bounded by Tamar Avenue to the north and single family residences to the east, west and south.

The Applicant is seeking the grant of a variance from the minimum frontage requirement in the RS-7 from the Worcester Zoning Board of Appeals (the “Board”) as more particularly described herein in connection with its construction and development of a new single family dwelling along with a new access driveway, landscaping and other related site improvements on a portion of the Property lot (the “Project”). In order to accommodate the Project, the existing Property lot will be split into two separate lots, which will include an approximately 7,878 square foot lot that will contain the Existing Dwelling and existing access (“Lot 1”) and an approximately 31,769 square foot lot that will contain the proposed New Dwelling and other Project improvements (“Lot 2”).<sup>2</sup>

**II. Requirement for Variance.**

A variance is required to be granted by the Board<sup>3</sup> for noncompliance with the minimum frontage requirement pursuant to Article IV, Table 4.2, which requires a minimum of 65 feet of frontage for properties located in the RS-7 district. Division of the Property lot under the Project will result in Lot 1 and Lot 2 having 65 feet and 62.46 feet of frontage, respectively. Accordingly, Lot 2 requires 2.54+/- feet of relief from the minimum frontage requirement.

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<sup>1</sup> The Property has a parcel identification of 34-030-00014. The current owner of the Property is Bahnan Brothers Investments, LLC by virtue of a deed recorded in the Worcester District Registry of Deeds in Book 70153, Page 324.

<sup>2</sup> The Applicant will prepare and file an ANR plan with the Worcester Planning Board in order to create the new lots.

<sup>3</sup> The Board is the permit granting authority for issuance of variances pursuant to Article II, Section 6.A.3 of the Zoning Ordinance.

**III. Reasons for Approval of Variance.**

The Board should grant the requested variance for the reasons set forth below.

**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 would suffer substantial hardship if literal enforcement of the minimum frontage requirement of the Zoning Ordinance was to be enforced. Compliance with the minimum frontage would require the Applicant to acquire title to a portion of land from one or more neighbors on either side of the Property lot, which would make the Project financially infeasible.

Denial of the requested variance would result in the Applicant being unable to subdivide the Property lot, thereby depriving the Applicant of the beneficial use of the unused portion of the Property lot, which area is unusually long and provides a significant developable area.

**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.**

There exist circumstances relating to shape and size of the lot that especially affect the Property, but do not affect generally properties in the RS-7 zoning district. Unlike many other neighboring properties, the Property lot substantially exceeds the minimum lot area requirement, yet is unusually narrow given its size. Many of the nearby lots along Tamar Avenue and Massasoit Road are smaller and more rectangular in shape and/or have frontage lengths that are shorter than the Property lot.

**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 variance may be granted without detriment to the public good and without nullifying or substantially derogating from the intent or purpose of the Zoning Ordinance. Granting this relief will promote the highest and best use of the Property, which is presently underutilized. The Project will provide much needed housing, and will promote economic vitality by creating construction-related jobs and generating new tax revenues and fees for the City. The Project is in conformance with the purposes and intent of the Zoning Ordinance, as it will encourage the most appropriate use of the land in a manner that protects natural resources as well as the architectural, scenic and aesthetic qualities of the neighborhood and protects against the uses of land which are incompatible with nearby uses, undue intensity of noise and danger and congestion in travel and transportation.

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 variance from the minimum frontage requirement as requested herein are no greater than the minimum necessary to provide relief from the statutory hardship.