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WORCESTER CITY CLERK

VARIANCE & SPECIAL PERMIT APPLICATION

CITY OF WORCESTER ZONING BOARD OF APPEALS **2025 FEB 25 PM 3:47**
 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.

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:	80	Setback required:	10	Setback required:	
Frontage provided:	68	Setback provided:	8	Setback provided:	
Relief requested:	12	Relief requested:	2	Relief requested:	
Off-street Parking/Loading		Height		Accessory Structure 5-foot Setback	
Parking required:	14	Height permitted:		Type of structure:	Wall
Parking provided:	8	Height provided:		Square footage of structure:	
Relief requested:	6	Relief requested:		Relief requested:	5
Loading required:	0	Other Variances			
Loading provided:	0	Relief requested:			
Relief requested:		Zoning Ordinance Article & Section:			
Signs		Requirement:			
Area permitted:		Provided:			
Area provided:		Indicate if Variances are being requested for more than one structure or more than one lot. Only complete the sections which pertain to the Variances (s) you are applying for.			
Relief requested:					
Height permitted:					
Height provided:					
Relief requested:					
Setback permitted:					
Setback provided:					
Relief requested:					

SUGGESTIONS FOR THE PLAN OF LAND SHOWING THE PROPOSED DEVELOPMENT

A plan of land, at least 8 ½" x 11" or 11" x 17", and drawn to scale (at least 1 inch = 40 feet) should show the following:

- North point.
- Names of streets.
- Zoning districts (Include overlay zones – floodplain overlay, water resource protection overlay, flexible parking overlay, mixed-use overlay, arts district overlay, adaptive reuse overlay, etc.).
- Names of owners of properties up to abutters of abutters of the subject property within 300 feet.
- Property lines, locations of buildings or use of the property where a variance or special permit is requested.
- Existing & proposed porches, decks, garages, sheds, pools, stairs and any other accessory buildings, uses or ground-level projections.
- Distances from adjacent buildings and property lines. These should be verified in the field.
- The dimensions of the lot.
- All existing uses (i.e. types of businesses, types of residences) on the entire parcel and any future proposed uses. Indicate where each different use is located and how much square footage is dedicated to each use.
- Table of dimensional requirements (including exterior side yard setback for corner lots) and proposed setbacks as well as relief requested or relief previously granted and dates of such granting.
- Percentage of the lot covered by the principal and accessory uses (impervious surface) and percentage of open space.
- Required off-street parking spaces for each use on the lot. If there are multiple uses, applicants must label which parking spaces are dedicated to each use. Even if the applicant is leasing parking spaces, all other parking spaces that are leased to other uses must be shown. Required parking may not be taken away from required parking from any other uses. Parking spaces should measure 9' x 18' for a standard space, 25% of parking spaces may be compact 8' x 16' spaces (except for uses that do not have parking lots). For business or manufacturing districts, applicants may also provide proof of a five-year parking lease on-site or off-site (must be within 1,000 square feet of use). Parking cannot be located in required front yard and *exterior* side yard setbacks.
- Location and dimensions of required loading spaces for entire site, if applicable.
- Existing and proposed driveways, entrances, exits, circulation, alleys, paths, access aisles (access aisles must be 24' wide for two-way traffic or 12' wide for one-way traffic), and drive-through lanes.
- Include a parking table with a breakdown of existing parking spaces, proposed parking spaces, required number of parking spaces (by different use), required handicap accessible spaces, including one van space per every eight accessible parking spaces with a 8-foot access aisle (for parking lots over 15 spaces). Please note: proposed developments may not reduce the number of required off-street parking spaces for adjoining lots in such a way as to make lots once held in common ownership or currently held in common ownership nonconforming.
- Required five-foot landscaped buffer where parking, work or service areas of a proposed project abut a street, public park or residential property (except 1, 2, 3 families). Trees should be the main element in landscape screening and should be planted 20-25 feet on center.
- Location, height, dimensions, type and distance from lot lines of any existing or proposed signs.
- Proposed outdoor seating, proposed ATM machines, utility boxes, other design features, etc.
- Proposed multi-family dwellings should show proposed usable open / recreation space (at least 10% of lot).
- Location of dumpsters and snow storage (snow storage cannot be located in the 5-foot parking buffer).
- Height and location of existing and proposed signs.
- Location and type of existing and proposed lighting fixtures.
- Location and species of any trees over 9 inches in diameter that are proposed to be removed as part of the development.
- Provide any information regarding proposed low-impact or sustainable design (i.e. green roofs, permeable pavement, rainwater gardens, ecological landscaping, passive solar design, etc.)

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

TYPE OF SPECIAL PERMIT (check the Special Permit you are requesting and describe what you are requesting)

1. Extension, Alteration or Change of a Privileged Pre-existing, Nonconforming Structure and/ or Use (Article XVI, Section 4)
2. Residential Use allowed only by Special Permit (Article IV, Section 2, Table 4.1)
3. Non-Residential Use allowed only by Special Permit (Article IV, Section 2, Table 4.1)
4. Non-Accessory Sign (Article IV, Section 6)
5. Residential Conversion (Article IV, Section 9)
6. Placement of Fill/Earth Excavation (Article IV, Section 5)
7. Modification of Parking/Loading Requirements (Article IV, Section 7)
8. Modification of Landscaping Requirements for Parking/Loading (Article IV, Section 7)
9. Other Special Permit (Describe Special Permit sought):

-
1. Assessor's ADDRESS OF SUBJECT PROPERTY: 56 May 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: May Enterprises 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 53 Blue Bell Road, Worcester, MA 01606
 5. Worcester District Registry of Deeds (WDRD) Book(s) 59622, Page(s) 64
(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 06 Block 22 Lot 38
(List MBL number for the subject property as listed at Assessor's Office)
 7. NAME OF APPLICANT(S): May Enterprises LLC
 8. Address of Applicant: 53 Blue Bell Road, Worcester, MA 01606
 9. Telephone: 774-5026195
 10. Email: mrourkem@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):
RG-5

13. Describe what is presently located on the property (Use as much detail as possible including all uses and square footage of each use):

Unimproved lot

14. The applicant seeks to (Describe what you want to do on the property in as much detail as possible):

Construct a 7-unit hi-rise structure

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 IV, Table 4.2 (dimensions) ; Article IV, Section 7 (Parking)

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):

no

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) and Special Permit (s):

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 property has a noticeable slope. In order to construct a multi-family dwelling and parking area with enough units to make economic sense, the minimum number of units was determined to be seven which exceeded the Ordinance's dimensional requirements.

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 is sloped which required a creative design of the site and placement of the structure in order to allow sufficient parking in the rear to accommodate the use.

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 lot provides an opportunity for multi-family housing and associated parking which a strict enforcement of the Ordinance would not.

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:

Our design is based upon the minimum numbers required to make the highest and best use of the property without overloading.

SPECIAL PERMIT FINDINGS OF FACT

In the spaces below 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)(2) of the Zoning Ordinance. (Attach additional supporting documentation as necessary.)

1. Social, economic or community needs that are served by the proposal:

Providing new multi-family housing is always in the community interest. The building was designed with the idea of fitting into the neighborhood while, at the same time, offering a new concept architecturally.

2. Traffic flow and safety, including access, parking and loading areas:

The site was designed to accommodate at least one parking space per dwelling with adequate space for garbage collection and access to street.

3. Adequacy of utilities and other public services:

All utilities are municipal.

4. Neighborhood character and social structure:

The neighborhood is a mix of mostly multi-family dwellings interspersed with older and larger single family dwellings. The location on May Street, which itself is a busy thoroughfare, puts the proposed building just one block off of Park Avenue which provides access by car and public transportation to other parts of the city.

5. Impacts on the natural environment:

The lot was previously home to a multi-family dwelling but now vacant for many years and has not supported any real habitat other than as a disposal area for illegally-dumped trash.

6. Potential fiscal impact, including city services needed, tax base, and employment:

Construction of residential units on an empty lot generally has positive effects on a neighborhood. This lot will no longer attract litter, illegally-dumped trash bags and unsightly growth. Overall, a neighborhood always stands to benefit from well-thought out development. The fiscal impact, like other developments of this size, is that it will certainly generate more tax dollars while not requiring municipal trash removal services.

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

By: Mike O'Rourke
(Signature of Applicant or Applicant's Agent)
If more than one applicant, all applicants must fill out information.

May Enterprises LLC
(Name of Applicant)

53 Blue Bell Road, Worcester, MA 01606
(Address)

774-502-6195
(Contact Phone Number)

mrourkem@gmail.com
(Email)

Nov. 19, 2024
(Date)

By: Mike O'Rourke
(Signature of Property Owner or Owner's Agent)
If more than one property owner, all owners must fill out information.

(Same)
(Name of Property Owner)

(Address)

(Contact Phone Number)

(Email)

(Date)

SUPPLEMENTARY QUESTIONS FOR SPECIAL PERMITS ONLY

Complete the requested information for the Special Permit requested. Attach additional documentation as necessary. Only complete the sections which pertain to the Special Permit (s) you are applying for.

**Extension, Alteration or Change of a Privileged Pre-existing, Nonconforming Structure
(Article XVI, Section 4)**

1. Describe what is currently nonconforming about this structure (list specific dimensional nonconformities)

2. Indicate how long the nonconforming aspects of the structure have been in existence:

3. At the time of construction, did the structure meet applicable zoning requirements? (Check with the zoning ordinance, as amended, that would have been in effect at the time of construction. Past zoning ordinances are available for research at the City Clerk's office. Past zoning maps are available at the Division of Planning and Regulatory Services)

4. Describe the proposed extension, alteration or change and the total square footage of any physical expansion:

5. Explain how the extension, alteration, or change itself complies with the current Ordinance requirements:

6. Indicate the number of off-street parking spaces currently provided and to be provided for the proposed structure as extended, altered or changed: Note: In residential districts, the structure as extended, altered or changed shall meet the off-street parking requirements of the zoning ordinance.

7. Explain how the structure as extended, altered or changed will not be substantially more detrimental to the neighborhood than the existing structure:

**Extension, Alteration or Change of a Privileged Pre-existing, Nonconforming Use
(Article XVI, Section 4)**

1. Describe what is currently nonconforming about this use:

2. Indicate how long the nonconforming use has been in existence? What year did the use begin? (Check with the zoning ordinance, as amended, that would have been in effect at the time of construction. Past zoning ordinances are available for research at the City Clerk's office. Past zoning maps are available at the Division of Planning and Regulatory Services)

3. At the time the use was initiated, was the use allowed under the then applicable Zoning Ordinance?

4. Describe the proposed extension, alteration or change of use and the total square footage to be utilized for the use:

5. Explain how the extension, alteration, or change itself complies with the current Ordinance requirements:

6. Indicate the number of off-street parking spaces currently provided and to be provided for the proposed structure as extended, altered or changed: Note: In residential districts, the use as extended, altered or changed shall meet the off-street parking requirements of the zoning ordinance.

7. Explain how the use as extended, altered or changed will not be substantially more detrimental to the neighborhood than the existing use:

**Residential Use allowed only by Special Permit in a particular zoning district
(Article IV, Section 2, Table 4.1)**

1. Describe the proposed residential use:

2. Total number of dwelling units proposed, number of bedrooms per unit, and square footage of units:

3. Number and dimensions of off-street parking spaces to be provided and location (garage, driveway). Off-street parking spaces must be located outside of the front yard and exterior side yard setbacks.

**Non-Residential Use allowed only by Special Permit
(Article IV, Section 2, Table 4.1)**

1. Describe the proposed use (include description of business, proposed hours of operation, and number of employees)

2. Total square footage of proposed use:

3. Number of off-street parking spaces to be provided. Indicate location of those parking spaces: garage, parking lot, parking spaces on a different lot provided through the same ownership and/or leased spaces (a 5-year minimum lease with renewal options must be provided) within 1,000 feet of the use it will serve.

4. For a proposed animal hospital, animal clinic, pet shop or animal shelter, per Article IV, Section 2, Notes to Table 4.1, Note 4, indicate the location of any animal runs if a residential zoning district is within 200 feet of the subject property.

5. For a proposed Bed and Breakfast use, provide additional documentation per Article IV, Section 11.

8. For a proposed Adult Entertainment use, provide additional documentation per Article IV, Section 10.

9. For a proposed Limited Residential Hospice House, provide additional documentation per Article IV, Section 2, Notes to Table 4.1, Note 10.

10. For a proposed non-accessory parking lot or a motor vehicle display lot, provide additional documentation showing compliance with Article IV, Section 7B.

**Non-Accessory Sign
(Article IV, Section 6)**

1. Square footage, length and width of proposed sign, and height of total structure:

2. Distance of proposed sign from other non-accessory signs along each side of a street.

3. Indicate on the submitted plan the type and style of sign, exact location, etc.

**Residential Conversion
(Article IV, Section 9)**

1. Total number of existing units/Total number of proposed units:

2. Will the external appearance of the structure remain unchanged except for new doors, windows, fire escapes, and stairways?

3. Number of off-street parking spaces to be provided (If new parking is being created, the applicant(s) may need to seek a Special Permit for extension, alteration or change of a pre-existing, nonconforming structure if existing structure does not meet current zoning dimensional requirements. If additional parking cannot be provided for new dwelling unit(s), the proposed conversion may also require a Variance or Special Permit from off-street parking requirements):

4. Which dimensional requirements/setbacks are you seeking relief by the Special Permit?

**Placement of Fill/Earth Excavation
(Article IV, Section 5)**

1. Indicate whether the Special Permit is for Placement of Fill or Earth Excavation:

2. Attach documentation showing proposed measures to protect pedestrians and vehicles.

3. Provide a proposed timeline for completion of placement of fill.

4. Attach documentation from the Director of Public Health and the Conservation Commission as outlined in the City of Worcester Zoning Ordinance Article IV, Section 5.

5. Attach a site plan with all required information in support of the application per the City of Worcester Zoning Ordinance Article IV, Section 5.

**Modification of Parking/Loading Requirements
(Article IV, Section 7)**

1. Indicate what relief is being sought under the Special Permit:
 1. Relief from landscape buffers
 2. Relief from parking lot dimensions for driveway

2. If applicable, indicate locations, square footages, and dimensions of relief sought under the Special Permit:
 1. Relief from landscape buffers around the entire perimeter
 2. Driveway width is less than 24'

2. If applicable, provide number of parking/loading spaces required and relief requested through the Special Permit:

Other Special Permits

1. Describe Special Permit sought and provide relevant details on the plan of land and rendering. Provide square footage and height of any structures and indicate percentage of lot structure will occupy:

CERTIFICATION OF COMPLIANCE WITH WORCESTER REVISED ORDINANCES GOVERNING REVENUE COLLECTION

***Note: This form must be completed and signed by both the applicant(s) and owner(s) 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:

Name of Owner May Enterprises LLC

Business Address 59 Blue Bell Rd., Worcester, MA 01606

Home Address same

Business Phone 774-502-6195 Home Phone _____

Signature of owner (certifying payment of all municipal charges):

 Date: Nov. 19, 2024

(2) If a Partnership or Multiple Owners of residential property:

Full names and address of all partners

Printed Names	Addresses
_____	_____
_____	_____
_____	_____
_____	_____

Business Address _____

Business Phone _____

Signature of all owners of property (certifying payment of all municipal charges -attach multiple pages if necessary)

_____ Date: _____
Date: _____
Date: _____
Date: _____

(3) If a Corporation:

Full Legal Name May Enterprises LLC

State of Incorporation MA

Principal Places of Business Worcester

Place of Business in Massachusetts Worcester

Printed Names of Officers of Corporation: _____ Title

Michael O'Rourke

Manager/Member

Owners of Corporation:

Printed Names _____ Address _____ % of stock _____

Signature of all owners of property (certifying payment of all municipal charges -attach multiple pages if necessary)

Date: _____

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: _____

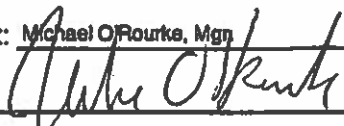
Date: _____

Date: _____

Date: _____

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

Printed Name of Applicant: Michael O'Rourke, Mgr

Signature of Applicant:  Date: Nov. 19, 2024

