

TOWN OF WAREHAM
ZONING BOARD OF APPEALS

APPLICATION FOR A PUBLIC HEARING FOR A VARIANCE/SPECIAL PERMIT

Certain uses are allowed in several zoning districts only by means of a Variance and/or Special Permit from the Zoning Board of Appeals. Those uses are indicated in the Wareham Zoning By-Laws. To apply for a Variance/Special Permit from the Zoning Board of Appeals, please do the following:

- o Complete this form.
- o Complete information packets. (Directions attached)
- o Submit application form and packet to Town Clerk for signature.
- o Submit application form and packet to Town Collector for signature.
- o Submit completed form, packets, and appropriate fees** to the Zoning Board of Appeals secretary.

**Permits may be issued only after a public hearing. There is a filing fee of \$300.00 per lot, per application for all non-conforming residential lots, whether built upon or not. There is a filing fee of \$750.00 per lot, per application for all commercial applications. In the case of a multi-family development, the fee is \$300.00 plus an additional \$50.00 for every unit over two (2). Please make check payable to the Town of Wareham.

**A check to cover two (2) legal advertisements for the public hearing should be made payable to Wareham Week in the amount of \$80.00.

**The applicant will also be responsible for the costs of sending out abutter notifications by Certified Mail. The cost is \$6.73 per certified letter to each abutter. Please see Zoning Board secretary for cost of mailings. Please make check payable to the Town of Wareham.

I hereby apply for a Variance/Special Permit for a use to be made of the following described place:

STREET & NUMBER: 140 Minot Ave MAP: 43 LOT: 1069

ZONING DISTRICT: MR30

USE REQUESTED: _____

OWNER OF LAND & BUILDING: Tyrone & Jenna Cardoza TEL.# 774-330-9277

ADDRESS OF OWNER: 4 Old Onset Road Onset, MA 02558

PERSON(S) WHO WILL UTILIZE PERMIT: _____

ADDRESS: _____

DATE: _____ SIGNATURE: Ay-T.C. & Jenna Cardoza

This application was received on the date stamped here:

WAREHAM TOWN CLERK
2022 MAY 18 PM 3:42

Town Clerk: _____ Date: _____

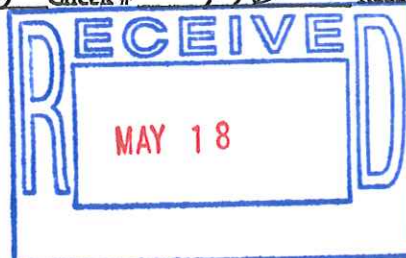
Tax Collector: Brigitte Benoit Date: 5/11/2022

Planning/Zoning Dept.: Vincent Raposo Date: _____

Application fee paid: 750.00 Check #: 794 Receipt: _____

Advertising fee paid: 100.00 Check #: 795 Receipt: _____

Abutters fee paid: 84.33 Check #: 796 Receipt: _____



TOWN OF WAREHAM

APPLICANT/CONTRACTOR/REPRESENTATIVE INFORMATION SHEET

Check Applicable: Variance Special Permit Site Plan Appeal

Date stamped in: _____ Date decision is due _____

Applicant's Name: Tyrone & Jenna Cardoza

Applicant's Address: 4 Old Onset Road, Onset, MA

Telephone Number: 774-330-9277

Cell Phone Number: 774-330-9277

Email Address: jenna@cardozacontracting.com

Address of Property/Project: 140 Minot Ave

Landowner's Name: Tyrone & Jenna Cardoza

Owner's Address: 4 Old Onset Road

Telephone Number: 774-330-9277

Contact Person: Jenna Cardoza Telephone Number: 774-330-9277

Map 43 Lot 1069 Zone MR 30

Date Approved _____ Date Denied _____

Comments: _____

140 Minot Ave Proposed Plan

Currently 140 Minot Ave consists of two commercial units on the first floor, two three-bedroom apartments on the second floor, and the third floor is unfinished space. We are requesting to come before the board to propose a change of use special permit to convert the building to six residential apartments. In the proposed plan the first floor would consist of two one-bedroom apartments, the second floor would remain two three-bedroom apartments, and the third floor would consist of two, two-bedroom apartments. We created drawings using the existing square footage of the building with an architect, which is included in our packet.



TOWN of WAREHAM

Massachusetts

BUILDING DEPARTMENT

David L Riquinha
Director of Inspectional Services

Jenna Cardoza
P.O. Box 822
Onset, MA 02558

March 2, 2022

RE: 140 Minot Ave. (Change of Use)

Map #43, Lot #1069

I have reviewed your application to change the Use of your building at 140 Minot Ave. in Wareham, MA. You are proposing to change the use of the existing structure from a mixed use building, to a six unit residential structure. The proposed six family use is not permitted by right; however, it is permitted by Special Permit after review and approval of the Wareham Zoning Board of Appeals.

Your application to change the use of your existing structure is being denied under the following sections of the Wareham Zoning By-Law:

- **Article 3, Section 320, Table of Principal Use Regulations**, five or more family residential dwelling in an existing structure is permitted by Special Permit after review and approval of the Zoning Board of Appeals.

The subject building is located in the MR-30 zoning district.

Respectfully,

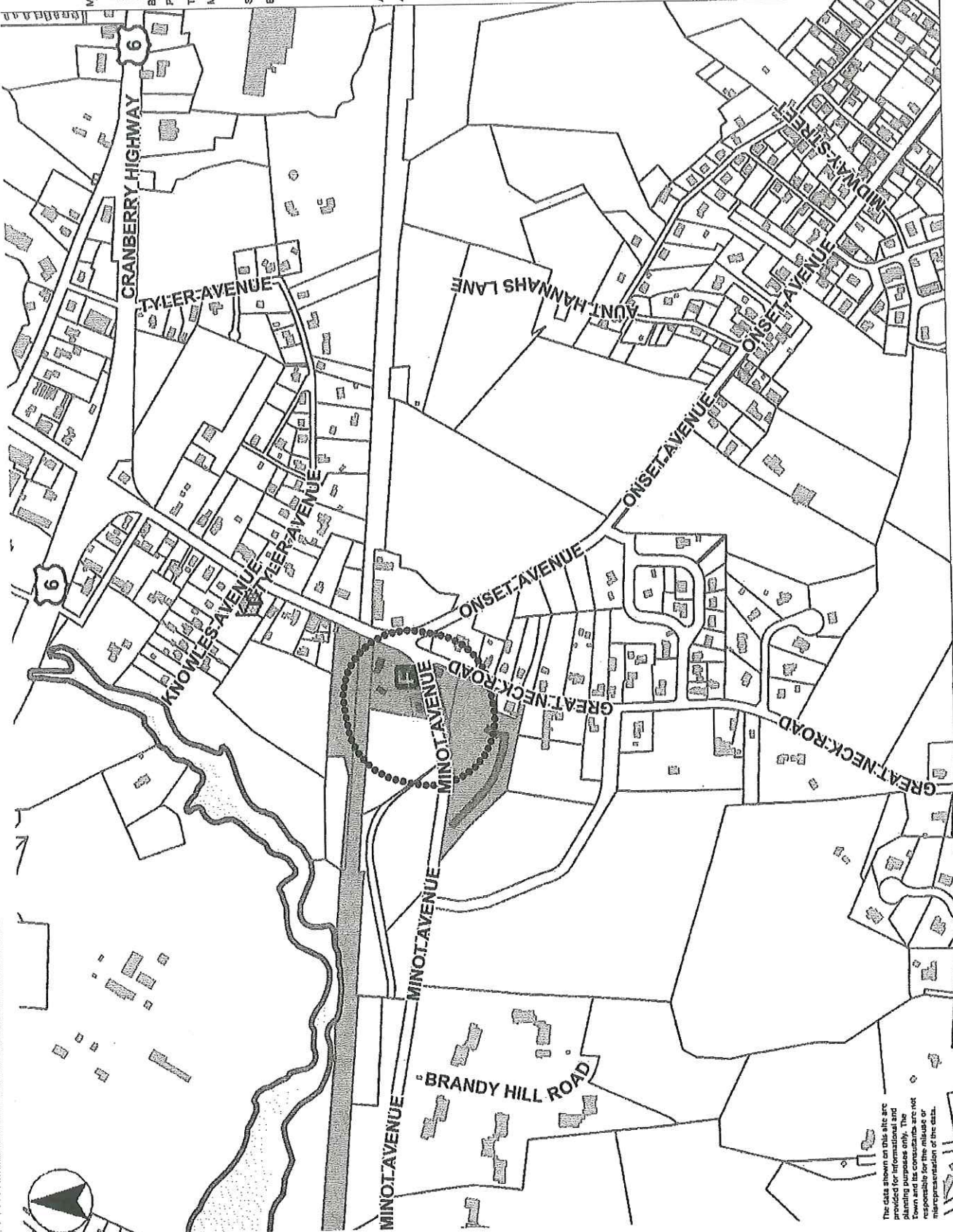
David Riquinha
Building Commissioner
Zoning Enforcement Officer

It is the owners' responsibility to check with other departments, i.e. Health, and conservation, etc. to ensure full compliance.

In accordance with the provisions of MGL chapter 40A §§ 15, you may apply to the Zoning Board of Appeals for the above noted relief within thirty (30) days of receipt of this letter.

MAP & LOT	OWNER	CO-OWNER	STREET ADDRESS	TOWN	STATE	ZIP CODE
TOWN OF WAREHAM ABUTTERS						
MAP 43 LOT 1069						
OWNER TYRONE THOMAS & JENNA CARDOZA						
43-1082/A	COMMONWEALTH OF MASS	EXEC OFFICE OF TRANS & CONST	10 PARK PLAZA RM 3170	BOSTON	MA	02116
41-1003/A	NEW DEPOT CROSSING LIMITED	PARTNERSHIP	PO BOX 52427	ATLANTA	GA	30355
41-1002	TOWN OF WAREHAM		TOWN HALL	WAREHAM	MA	02571
43-1069	CARDOZA TYRONE THOMAS	CARDOZA JENNA	PO BOX 822	ONSET	MA	02558
43-1082/B	ANDRADE WILLIAM P	ANDRADE DAVID A	PO BOX 255	ONSET	MA	02558
41-1000	THOMPSON JOHN H	THOMPSON SHERRON C	PO BOX 65	E WAREHAM	MA	02538
43-1070/B	WAREHAM FIRE DISTRICT		2550 CRANBERRY HWY	WAREHAM	MA	02571
43-1070/A	MCCOY RONALD G		PO BOX 293	ONSET	MA	02558
43-5	DNO REALESTATE		135 MAIN ST	MEDWAY	MA	02053
43-6	DNO REALESTATE		135 MAIN ST	MEDWAY	MA	02053
CERTIFIED ABUTTERS AS THEY APPEAR						
ON OUR TAX ROLLS AS OF 4/28/2022						
<i>J. Jenna Cardoza</i>						
ASSESSORS OFFICE						
REQUESTED BY						
JENNA CARDOZA						
774 330-4277						
JENNA@CARDOZACONTRACTING.COM						

- MA Police Station
- Police Station
- Town Hall
- Public Library
- School
- Buildings
- Parks
- Town Boundary
- MA Highways
- Interstate
- US Highways
- Numbered Routes
- Streets
- Bathymetry
- 0-5 ft
- 5-15 ft
- 15-20 ft
- 20-30 ft
- 30-40 ft
- 40-50 ft
- 50-60 ft
- 60-70 ft
- 70+ ft
- Abutting Town Labels



The data shown on this site are provided for informational purposes only. Planning professionals are not responsible for the misable or misrepresentation of the data.



Printed on 04/28/2022 at 12:09 PM

MapsOnline by PeopleGIS



2022 00022703

Bk: 56563 Pg: 172 Page: 1 of 3

Recorded: 09/16/2022 09:13 AM

ATTEST: John R. Buckley, Jr. Register

Plymouth County Registry of Deeds

Return Deed To:

Tyrone & Jenna Cardoza

P.O. Box 822

Onset, MA 02558

Mail

DEED

WE, Yvonne Vieira-Cardoza, of 11 Tyler Avenue, East Wareham, MA 02538, TYRONE THOMAS CARDOZA AND JENNA CARDOZA both of 4 Old Onset Road, Onset, MA 02558

In consideration of **ONE DOLLAR (\$1.00)**

Grant to **TYRONE THOMAS CARDOZA AND JENNA CARDOZA** both of 4 Old Onset Road, Onset, MA 02558, being married as Tenants By The Entirety

WITH QUITCLAIM COVENANTS

The land in that part of Wareham, Plymouth County, Massachusetts, known as East Wareham, together with the buildings thereon, bounded and described as follows:

Beginning at a stake in the northerly line of Minot Avenue at the Southeasterly corner of the premises to be conveyed, said stake being 79° 14' 40" West, one hundred twenty and no/100 (120.0) feet from a concrete bound;

Thence South 79° 14' 40: West by the northerly line of the said Minot Avenue, one hundred and no/100 (100.0) feet to a stake;

Thence North 9° 14' 40' East by land of Charles Ross et ux, one hundred ans no/100 (100.0) feet to an iron pipe;

Thence North 79° 14' 40' East by land named land, one hundred and no/100 (100.0) feet to an iron pipe;

Thence South 9° 14' 40' West by last named land, one hundred and no/100 (100.0) feet to the point of beginning.

Containing 9,397 square feet, more or less and being shown on "Plan of Land in Wareham, Mass., Surveyed for Charles A Ross, February 1959, Scale: 1"=30', Arthur C. Thompson, Eng. & Sur." Recorded with Plymouth Registry of Deeds in Book2690, Page 286 as Plan#127 of 1959.

property 140 Minot Ave Wareham MA

For my title see deed of Yvonne Vieira-Cardoza to Yvonne Vieira-Cardoza, Tyrone Thomas Cardoza and Jenna Cardoza, dated June 10, 2019, recorded in Plymouth County Registry of Deeds, Book 51210, Pg:346 Page 1 of 2.

EXECUTED AS A SEALED INSTRUMENT this 15 day of March, 2022.

Yvonne Vieira-Cardoza Signature
Yvonne Vieira-Cardoza

Tyrone Thomas Cardoza Signature
Tyrone Thomas Cardoza

Jenna Cardoza Signature
Jenna Cardoza

THE COMMONWEALTH OF MASSACHUSETTS

PLYMOUTH, SS

On this 15th day of March 2022, before me the undersigned notary public, personally appeared Yvonne Vieira-Cardoza proved to me through satisfactory evidence of identification

Massachusetts Driver's License (M.I.D.)

To be the person whose name is signed on the preceding document, and acknowledge to me that she signed it voluntarily for its stated purpose.

Maria J. Carvalho
MARIA J. CARVALHO
NOTARY PUBLIC

THE COMMONWEALTH OF MASSACHUSETTS



OFFICIAL SEAL
MARIA J. CARVALHO
NOTARY PUBLIC - MASSACHUSETTS
BRISTOL COUNTY
My Commission Expires March 9, 2029

3-9-29

PLYMOUTH, SS

On this 15th day of March 2022, before me the undersigned notary public, personally appeared Tyrone Thomas Cardoza proved to me through satisfactory evidence of identification

Massachusetts Driver's License (M.I.D.)

To be the person whose name is signed on the preceding document, and acknowledge to me that she signed it voluntarily for its stated purpose.

Maria J. Carvalho
MARIA J. CARVALHO
NOTARY PUBLIC

THE COMMONWEALTH OF MASSACHUSETTS



OFFICIAL SEAL
MARIA J. CARVALHO
NOTARY PUBLIC - MASSACHUSETTS
BRISTOL COUNTY
My Commission Expires March 9, 2029

PLYMOUTH, SS

On this 15th day of March 2022, before me the undersigned notary public, personally appeared Jenna Cardoza proved to me through satisfactory evidence of identification

Massachusetts Driver's License / MA ID

To be the person whose name is signed on the preceding document, and acknowledge to me that she signed it voluntarily for its stated purpose.

Maria J. Carvalho
MARIA J. CARVALHO
NOTARY PUBLIC



OFFICIAL SEAL
MARIA J. CARVALHO
NOTARY PUBLIC - MASSACHUSETTS
BRISTOL COUNTY
My Commission Expires March 9, 2029



DRAWING INDEX

COVER

A1.10 NOTES, CODE SUMMARY

A3.00 ACCESSABILITY GUIDES

A3.10 1ST FLOOR PLAN

A3.20 SECOND FLOOR PLAN

A3.30 ATTIC FLOOR PLAN

A5.10 EXTERIOR ELEVATIONS

30 MAR 2022_ CARDOZA APARTMENTS

GENERAL REQUIREMENTS

NOTE! The General Requirements are an integral part of this document set. Any part of the project not installed according to these requirements may be subject to removal and reinstallation at the GC's expense.

- Do not scale drawings, use written dimensions & notations only. Order of hierarchy: Equal Equal (EO) and Alignment lines take precedence over hard dimensions. Detailed drawings take precedence over general plans. All dimensions are from face of framing unless otherwise indicated.
- General Contractor and Subcontractors (GC) or Owner shall notify Austin Design Inc (ADI) of any discrepancies or inconsistencies in dimensions, notes, or other information in architectural drawings. Failure of Owner and/or GC to notify ADI of any error found in these drawings and/or to give ADI the opportunity to correct those errors shall indemnify ADI from all and any claims and damages relating to this project. Any changes made to these drawings by any person or entity other than ADI shall indemnify ADI from all and any claims and damages related to this project. Any variation in construction of the project from these drawings by Owner and/or the GC without written notice to ADI shall indemnify ADI from all and any claims and damages related to this project. Use of some or all of these drawings in any other project is not permitted without written permission of ADI.
- All framing tolerances will be within 1/4". All finish tolerances will be within 1/8". If foundation does not permit this, contact ADI.
- GC shall be responsible for securing all applicable permits as required for their respective trades. This includes providing respective engineering, if required to obtain permit.
- All structural information provided in these plans for pre-engineered & manufactured structural elements is for illustrative purposes only. The GC shall be responsible for submitting all structural specifications as indicated in plans by structural engineer, including stamped engineering drawings for manufactured structural components if required, and submitting them to ADI for review prior to ordering and/or purchasing.
- Information on any page of this set of drawings relates to information on other pages of this set of drawings. GC/Owner shall not submit partial sets of construction documents to subcontractors. All work shall be priced from a full and complete set of documents. The GC shall be responsible for errors or omissions of work or pricing caused by working from incomplete sets of documents.
- All products shall be installed per manufacturer's specifications. GC shall verify all rough openings, and installation requirements for all fixtures, doors, windows, and mechanicals etc., prior to installation. GC must notify ADI if plans/SPECs conflict with MANF requirements.
- Complete all work in a workmanlike manner consistent with all applicable building, zoning and fire codes and with all rules, laws and regulations having jurisdiction over this project.
- At completion of job, GC shall provide Owner with a project manual containing copies of all material and equipment specs, warranty information, users manuals, installation specs, maintenance info, and all similar information.
- The final means and methods of construction as well as the sequence of construction for this project are to be determined by the GC and the Owner.
- Energy Analysis: Architect recommends that homeowners apply to the Energy Star Program. A blower door is recommended prior to insulation installation (air seal as needed after test). Recommended target maximum HERS rating <50.

Building Code Narrative

Existing Conditions and Summary of Proposed Work

The property at 140 Minot Ave was conceived as a mixed-use building with an offices on the first floor and apartments on the upper floors. One office had been constructed on the first floor, 2 apartments on the second floor and the other spaces have been vacant. The purpose of the proposed work is to formally change the use and occupancy from office to residential on the first floor and add two more apartments on the third floor. There will be a total of 6 units with an R2 use classification.

Proposed work includes:

- Interior renovations to build out the apartments, including new kitchens and baths, with new partitions and some changes to door and window locations. The work area is well over 50% of the floor area. MEP systems will be modified.
- Code related work in response to change in occupancy to residential:
 - Horizontal Unit Separations: Altering ceilings which separate units by ensuring fire rating all ceilings for 30 minute fire separation
 - Vertical Unit Separations: Altering partitions which separate units and corridors to ensure 30 minute fire separation with 5/8" drywall and rated doors with closers where appropriate.
 - Fire Area Separations: Maintaining fire barrier to divide each floor into two distinct fire areas. The entire building is less than 12,000 GSF thus qualifies for a 13R sprinkler system.
 - Installation of new emergency lighting and exit signs as required.
- Exterior stair will be upgraded to include a second means of egress for third floor units. Envelope will be maintained and improved by adding windows and doors.

IEBC classifications for work include Chapter 10 Change of Occupancy, Chapter 9 Level 3, Chapter 8 Level 2, and Chapter 7 Level 1 Alterations. All new work will conform to 780 CMR ninth edition and the IBC.

Applicable Codes:

- MGL ch 148, section 26G requiring enhanced sprinkler protection in certain buildings which total more than 7,500 gsf in floor area.
- 2015 IEBC International Existing Building Code with MA Amendments 780 CMR Eighth Addition.
- 2015 IBC International Building Code with MA Amendments 780 CMR Ninth Addition.
- 2018 IECC International Energy Code.

Existing

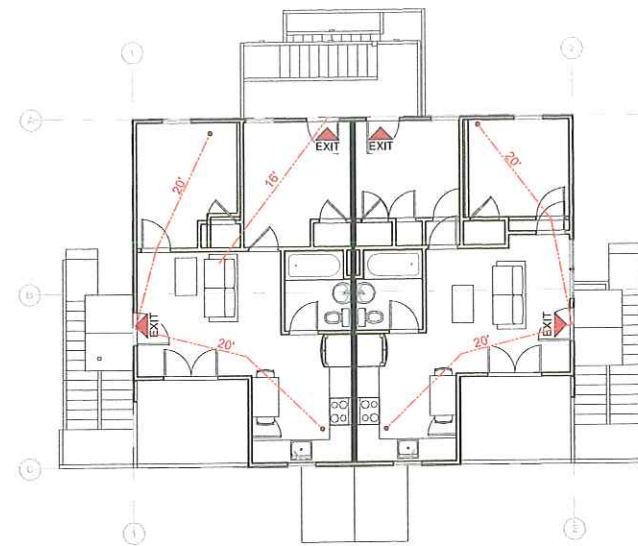
Core Building Data: Actual (Code Requirement) if different

- Total Gross of floor area = 3,798 gsf
- Total Gross of fire area = 3,798 gsf
- Use group and Occupancy: Mixed use – non separated, B and R:
- Table 504.3 Allowable Building Height: Type B, NS 34' (40)
- Table 504.4 Allowable No. of Stories: Type B, NS 2.5 stories (2)
- Table 506.2 Allowable Floor Area: Type B, NS 3,798 (7,000)
- Construction Type Table 601: Type VB
- Partition Ratings:
 - Corridors 1 hr 7/8 door
 - Unit separations .5hr., .5hr. dr.
- Egress:
 - Number of Exits 11 (2)
 - Stairway Width 36" Min.
 - Corridor Width 36"
 - Travel Distance 32' max. (250')
 - Egress Illumination Yes
 - Exit Signs Yes
 - Emergency Escape Yes
 - Common Spaces Accessible
- Accessibility:

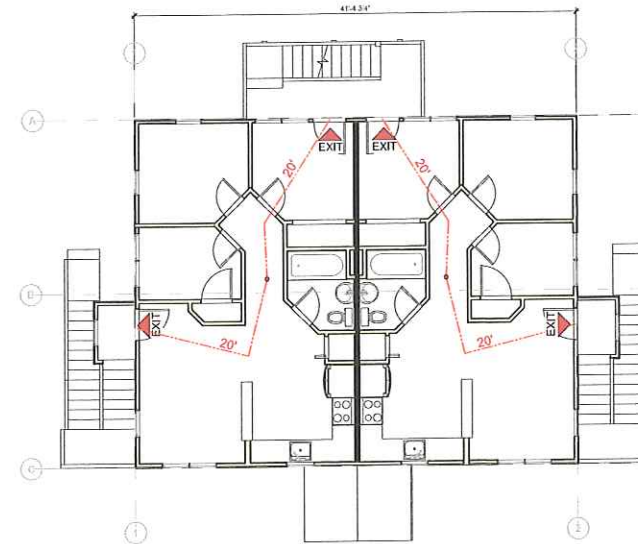
Proposed: See table at end of report

Core Building Data: Actual (Code Requirement) if different

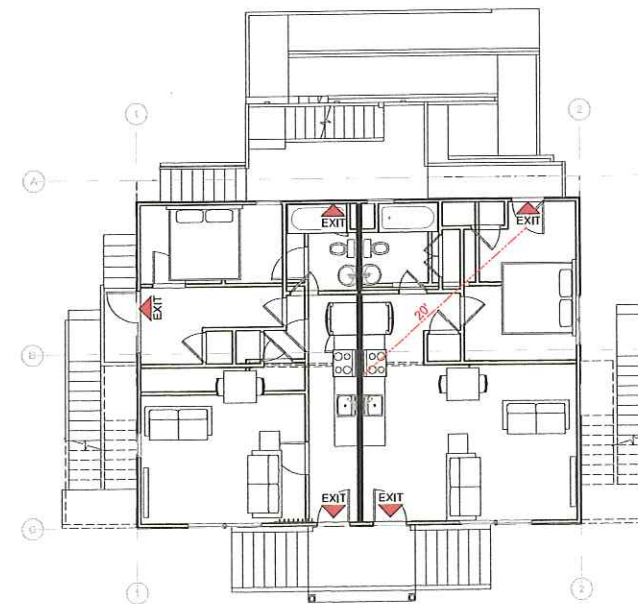
- Total Gross of floor area = 3,798 gsf
- Total Gross of fire area = 3,798 gsf
 - Fire Area 1 = 628 gsf
 - Fire Area 2 = 628 gsf
 - Fire Area 3 = 669 gsf
 - Fire Area 4 = 669 gsf
 - Fire Area 5 = 602 gsf
 - Fire Area 6 = 602 gsf
- Use group and Occupancy: R2:
- Table 504.3 Allowable Building Height: Type R, 13R 34' (60)
- Table 504.4 Allowable No. of Stories: Type R, 13R 3 stories (3)
- Table 506.2 Allowable Floor Area: Type R2, 13R 3,798 (7,000)
- Construction Type Table 601: Type VB
- Partition Ratings:
 - Stairs 1 hr, 60 min. door
 - Corridors 30 min, 20 min. door
 - Unit separations 30 min, 20 min. door
- Structure to be fully sprinklered according to NFPA 13R with fully addressable fire alarm system.
- Egress:
 - Number of Exits 13 (2)
 - Stairway Width 36" Min.
 - Corridor Width 36"
 - Travel Distance 16' max. (250')
 - Egress Illumination Yes
 - Exit Signs Yes
 - Emergency Escape Yes
- Accessibility: N/A



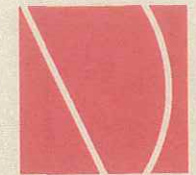
3 Attic Floor Use & Occupancy
Scale: 1/8" = 1'-0"



2 2nd Floor Use & Occupancy
Scale: 1/8" = 1'-0"



1 First Floor Use & Occupancy
Scale: 1/8" = 1'-0"



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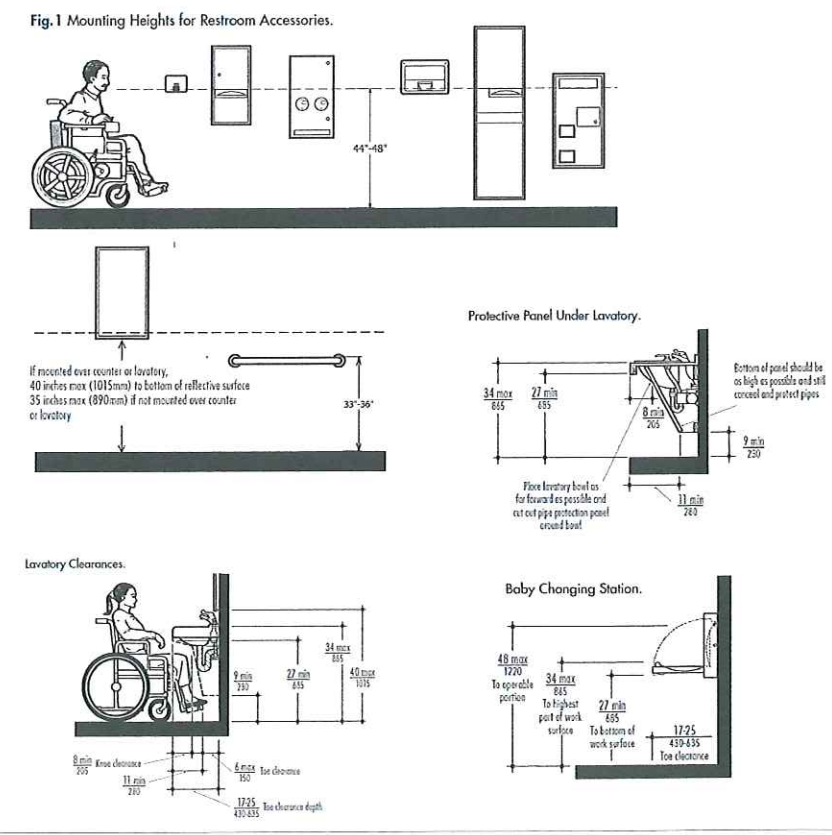
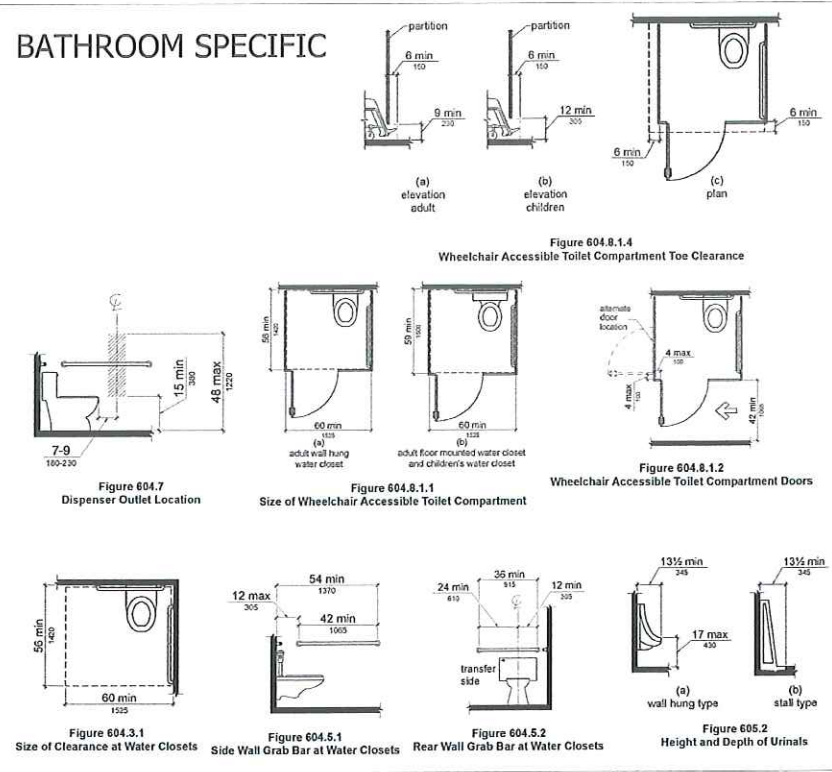
187 Main St
Brimleyboro, VT 05301
802 451 5956

CARDOZA APARTMENTS

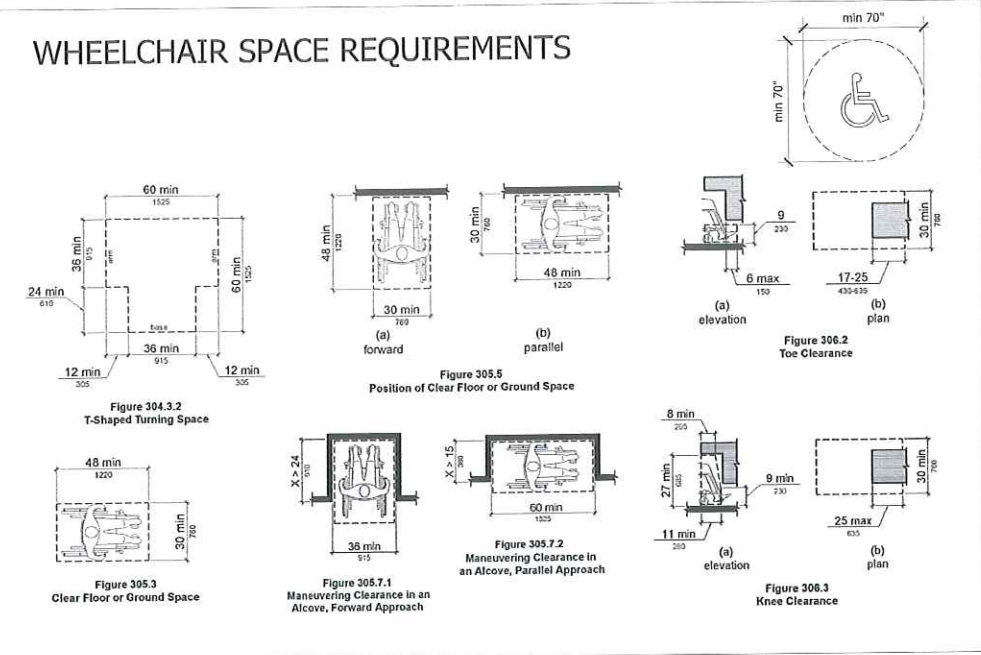
30 MAR 2022

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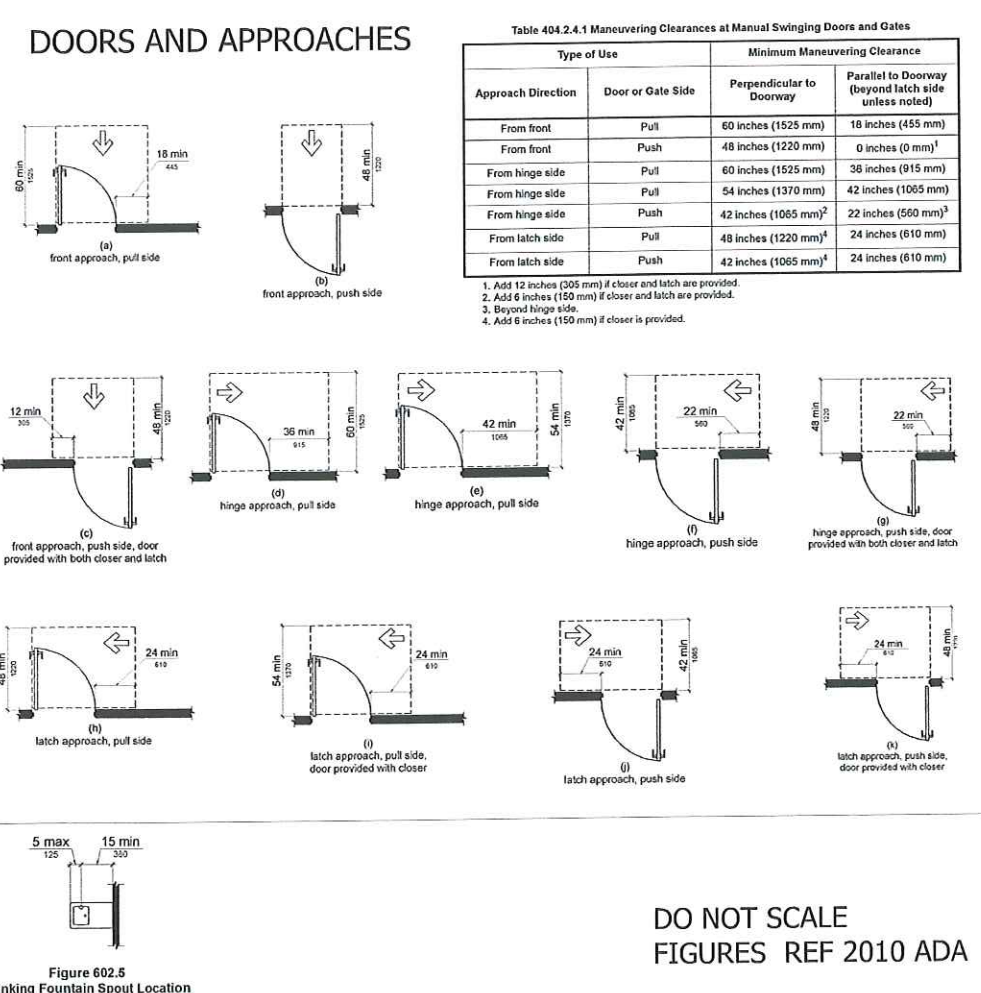
BATHROOM SPECIFIC



WHEELCHAIR SPACE REQUIREMENTS



DOORS AND APPROACHES

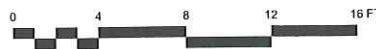
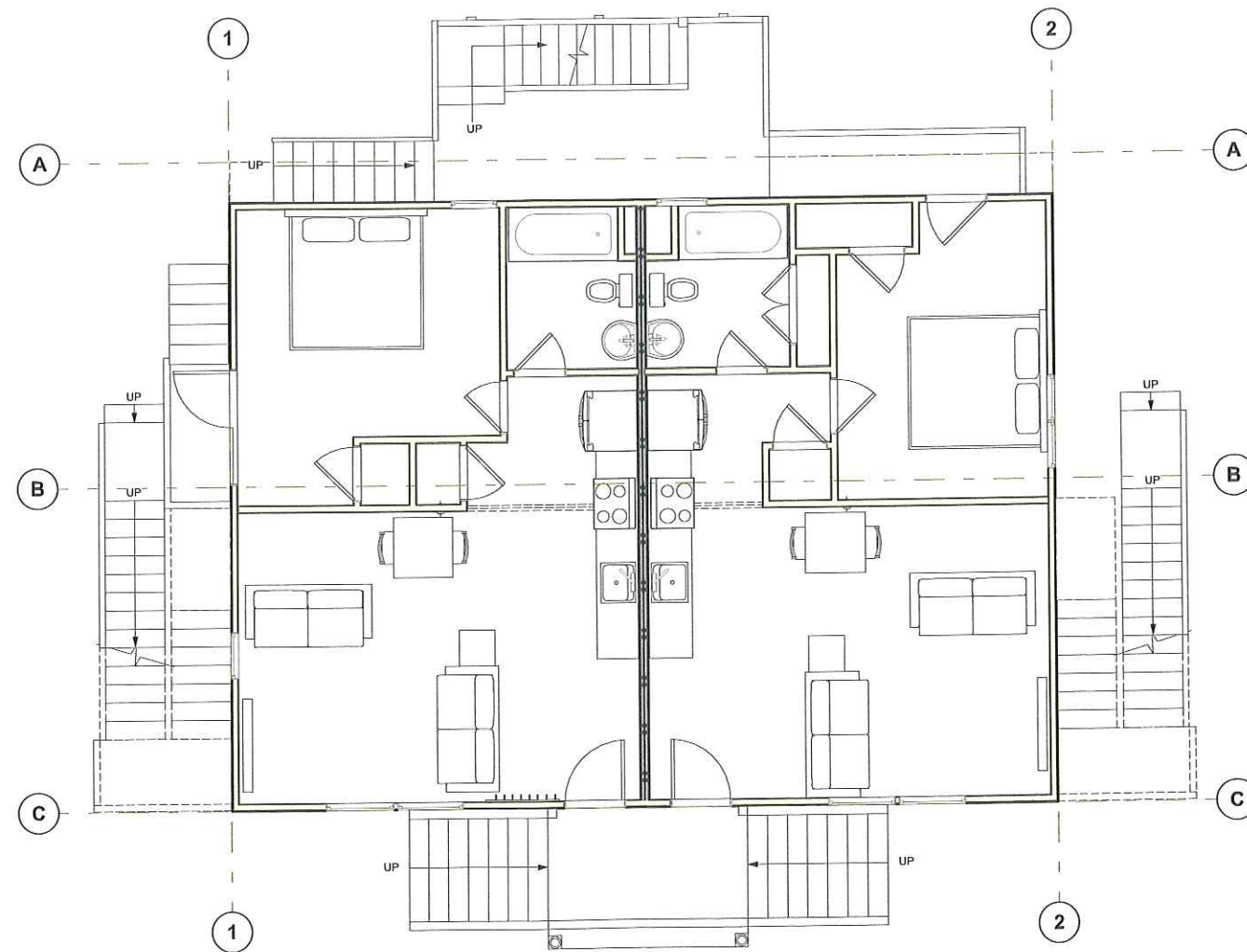


DO NOT SCALE
FIGURES REF 2010 ADA

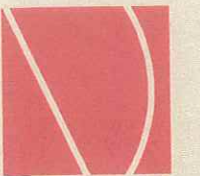


Area Table (gross sq. ft.)

1st	Unit 2	628
1st	Unit 1	628
2nd	Unit 4	669
2nd	Unit 3	669
3rd	Unit 5	602
3rd	Unit 6	602
Total all		3798



Proposed
1st Floor Plan
Scale: 1/4" = 1'-0"



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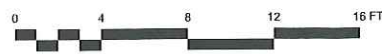
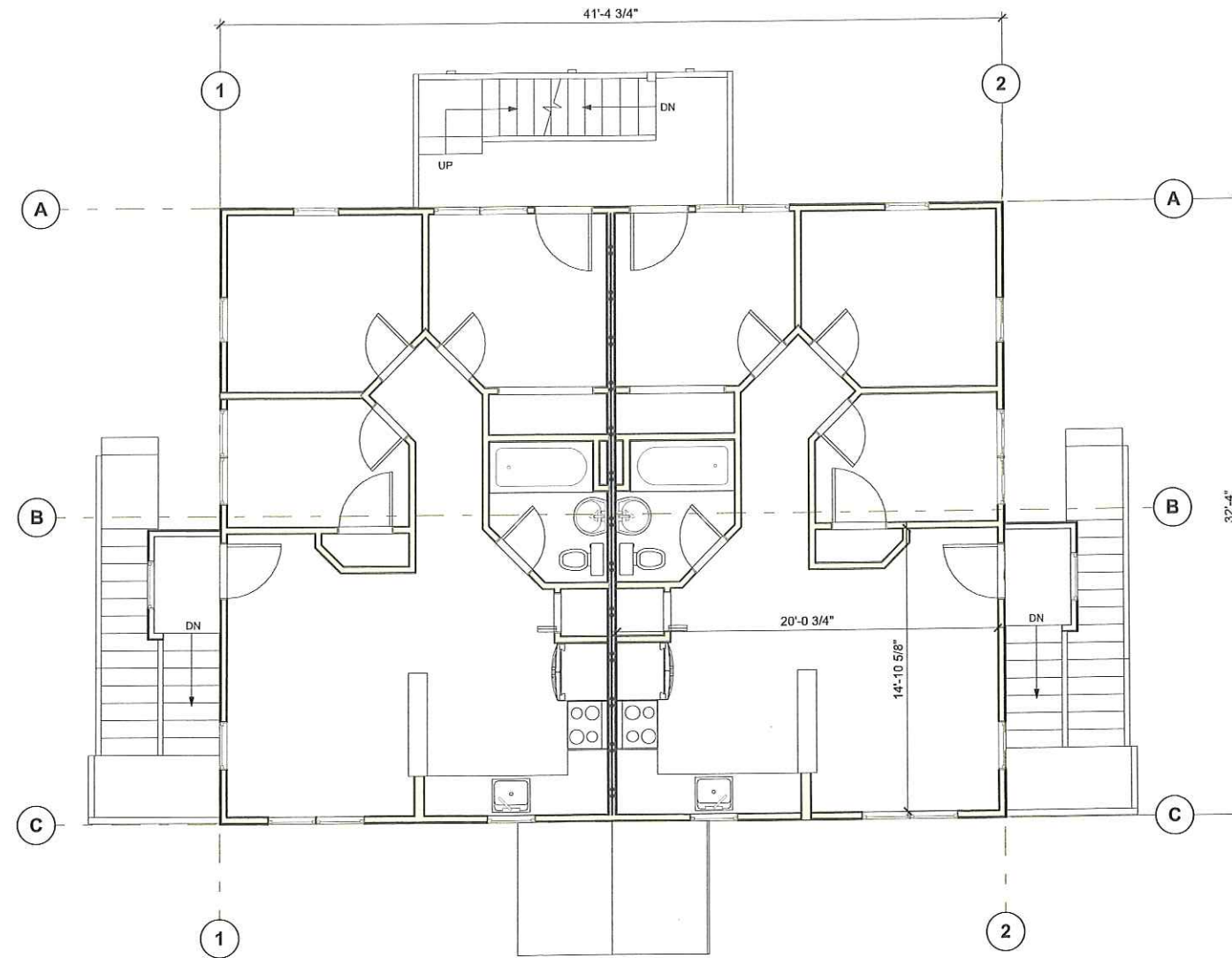
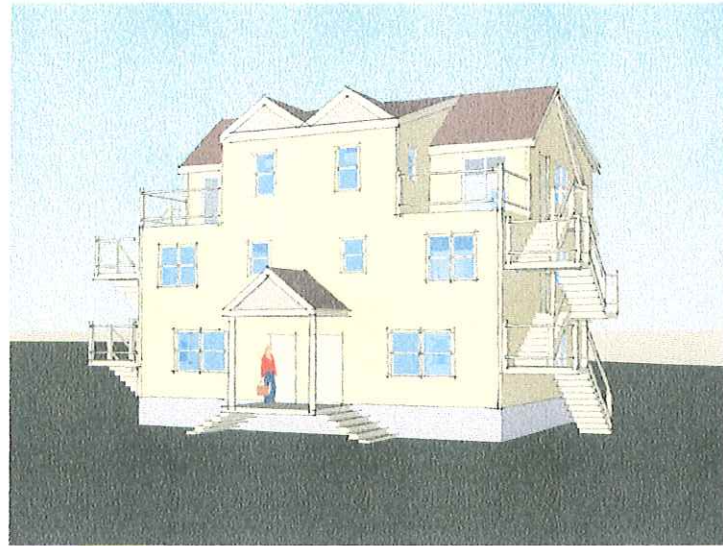
187 Main St.
Brattleboro VT 05301
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**CARDOZA
APARTMENTS**

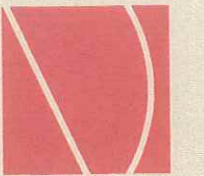
30 MAR 2022

A3.1

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Existing
2nd Floor Plan
Scale: 1/4" = 1'-0"



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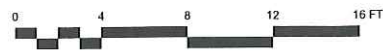
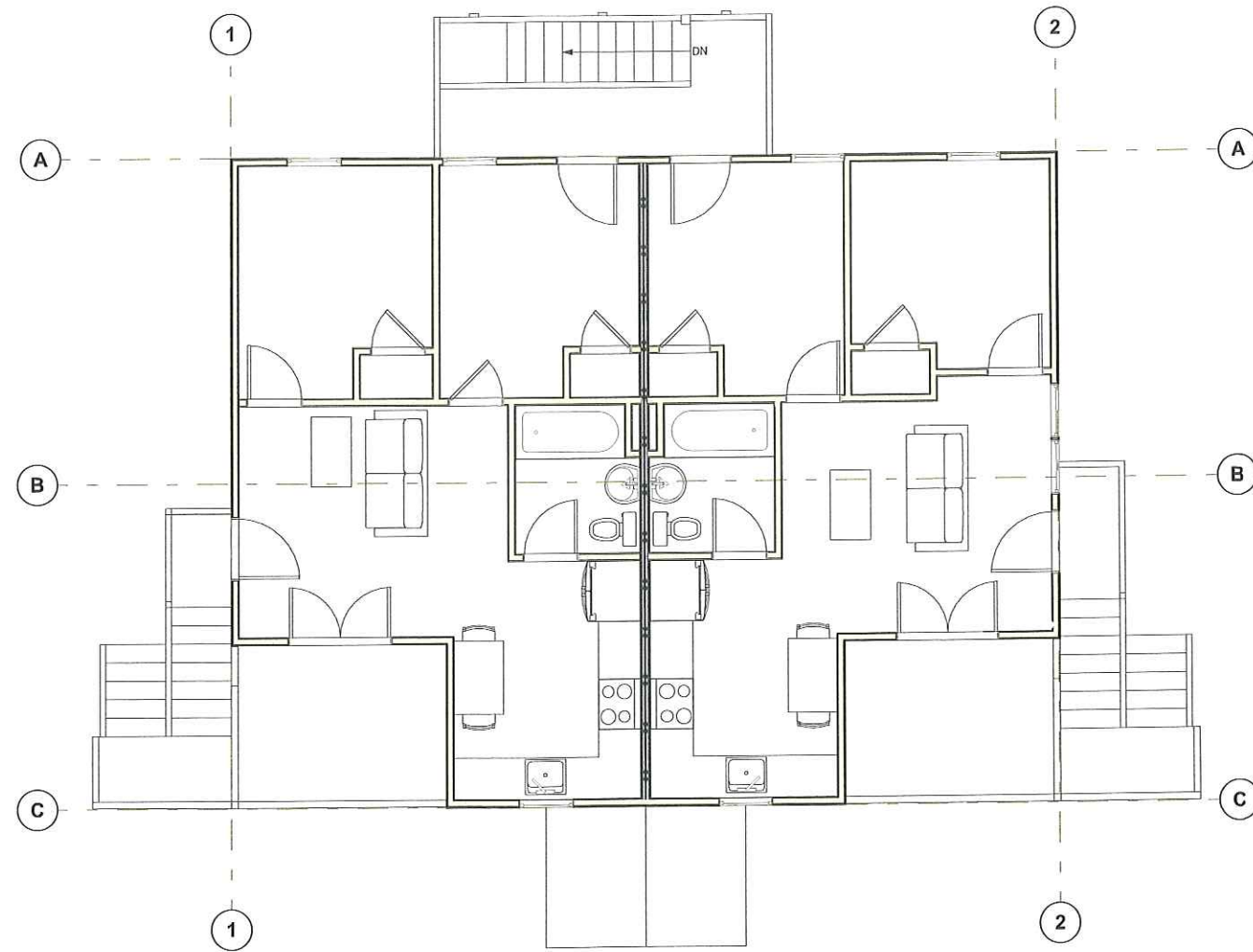
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**CARDOZA
APARTMENTS**

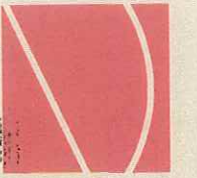
30 MAR 2022

A3.2

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Proposed
Attic Plan
Scale: 1/4" = 1'-0"



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187 Main St
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**CARDOZA
APARTMENTS**

30 MAR 2022

A3.3

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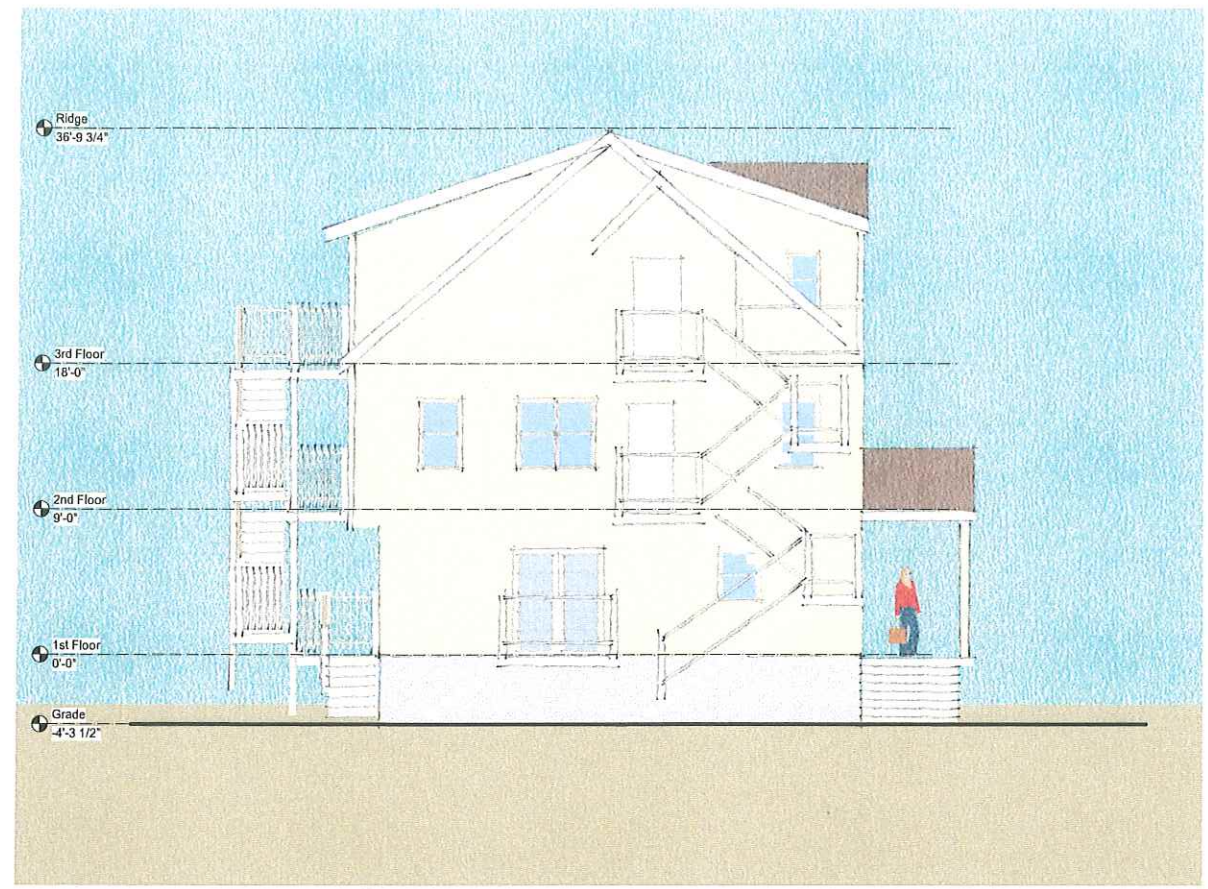
167 Main St.
Brattleboro VT 05301
802 451 6956

CARDOZA APARTMENTS

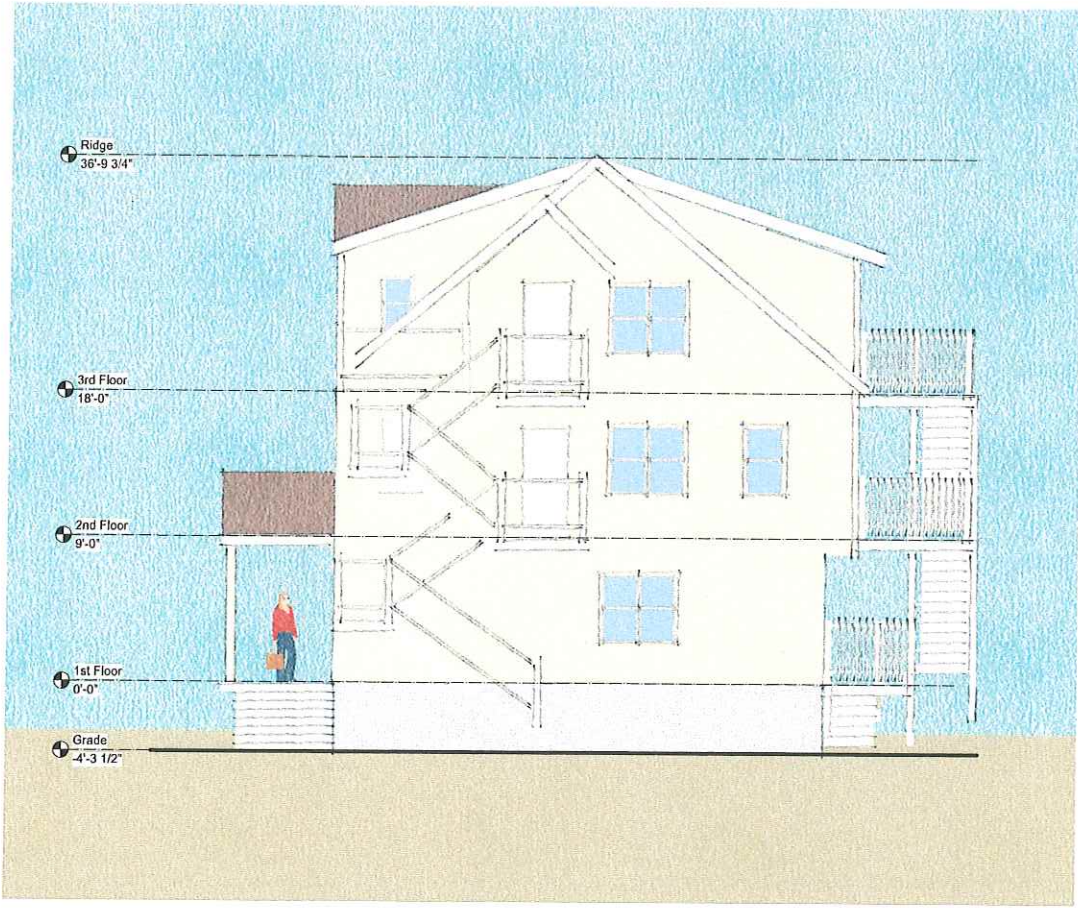
30 MAR 2022



4 South Elevation
A5.10 Scale: 3/16" = 1'-0"



3 West Elevation
A5.10 Scale: 3/16" = 1'-0"



2 East Elevation
A5.10 Scale: 3/16" = 1'-0"



1 North Elevation
A5.10 Scale: 3/16" = 1'-0"



A5.1

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