



# CITY OF LYNN

INSPECTIONAL SERVICES DEPARTMENT

Room 103, Lynn City Hall, Lynn, MA 01901 Tel: (781) 598-4000 Fax: (781) 477-7031

## ZONING BOARD OF APPEALS APPLICATION

The Zoning Board of Appeals ("ZBA") has the authority, upon petition or appeal, to grant a variance from strict enforcement of the zoning ordinance if it finds that:

*[O]wing to circumstances relating to the soil conditions, shape, or topography of such land or structures ... literal enforcement of [the ordinance] would involve substantial hardship ... and that desirable relief may be granted without substantial detriment to the public good and without nullifying or substantially derogating the intent or purpose [of the zone ordinance].*

In granting such variances, the ZBA may impose such conditions, safeguards and limitations (both of time and of use), including the continued existence of any particular structures as they deem appropriate.

A variance must be exercised within one year of the date granted, or such rights shall lapse. Grantees may seek an extension of time to exercise rights provided application is filed before the expiration of one year. If the ZBA does not grant an extension within thirty days, grantees rights may be reestablished only after notice and (new) hearing consistent with G.L. c. 40A.

### FILING INSTRUCTIONS

- **Completed applications, including all required supplemental documentation, must be received AT LEAST 3 weeks prior to the ZBA meeting at which you wish to be heard. The ZBA may grant a variance only after a public hearing. The public hearing must be advertised for two weeks prior.**
- In addition to the fully completed application, petitioners shall submit:
  1. **Evidence of Standing to Seek Relief:** Deed or certificate of title, signed option to purchase or written authorization from Lessor/Condominium Association.
  2. **Site & Plot Plans:** Six (6) plans showing scale, north arrow, lot dimensions and area, existing and proposed parking, existing and proposed structures with dimensions, floor area(s) and elevation(s), as well as all relevant features (topography, floor plain, wetlands, etc.) shall be prepared by a licensed professional surveyor, engineer or architect. Proposed developments/additions and lot lines shall be staked upon the property.
  3. **Photos of each side of the building/lot:** One (1) photo from each side of the building/lot.
  4. **Prior ZBA actions relating to the property:** Applicants shall identify prior actions relating to the property including date(s), docket number(s), subject of application(s) and decision(s).
  5. **Site Preparation:**

### COMPLETED APPLICATIONS MAY BE SUBMITTED BY DELIVERING TO:

Inspectional Services Department  
Zoning Board of Appeals Applications  
City Hall, Room 105  
Lynn, MA 01901

Application fees may be paid by **business check, cashier's check or money order** payable to: **City of Lynn**. Please be sure to include the property address and parcel ID number if paying by check.

**ZONING BOARD OF APPEALS APPLICATION**

Petition seeks the following relief:  Variance  Special Permit  Appeal

Location Address: \_\_\_\_\_ Zoning District: \_\_\_\_\_

Map: \_\_\_\_\_ Block: \_\_\_\_\_ Lot: \_\_\_\_\_

Detailed Description of Proposed Work:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Applicant Name: \_\_\_\_\_

Organization/DBA: \_\_\_\_\_

Applicant Address: \_\_\_\_\_

Applicant Telephone: \_\_\_\_\_ Email: \_\_\_\_\_

(If applicable)

Petitioner's Agent/Representative: \_\_\_\_\_

Agent/Representative's Address: \_\_\_\_\_

Agent/Representative's Telephone: \_\_\_\_\_ Email: \_\_\_\_\_

Signature of Applicant: \_\_\_\_\_

Signature of Agent/Representative: \_\_\_\_\_

ZONING BOARD OF APPEALS TIMELINE

- Petitioner and abutter's will receive notice of public hearing. The hearing will be advertised twice, on two consecutive weeks, before the public hearing.
- Public hearing to be held within sixty-five (65) days of filing completed application package.
- ZBA shall vote to grant/deny application within one hundred (100) days of filing. Written decision shall be filed with the City Clerk within fourteen (14) days of the vote.
- Notice of Appeal may be filed with the City Clerk and the ZBA within twenty (20) days after the decision is filed with the City Clerk. If no appeal is filed upon a granted variance, it shall take effect when the appeal period ends.
- Petitioners shall file a granted variance with the Southern Essex Registry of Deeds within one (1) year of the date of decision to perfect their property right.

APPLICATION FEE WORKSHEET

- |    |  |               |                                     |
|----|--|---------------|-------------------------------------|
| 1. | Advertising/Mailing Fee .....  | \$150.00      | <input checked="" type="checkbox"/> |
| 2. | Dimensial Variance Application Fee                                   |               |                                     |
|    | a. Setback, lot area, stories, height, lot coverage, etc.            |               |                                     |
|    | • 1-2 Family Residential Dwelling .....                              | 400.00        | <input type="checkbox"/>            |
|    | • Commercial/All Others .....  | 800.00        | <input type="checkbox"/>            |
| 3. | Administrative Appeal Application Fee                                |               |                                     |
|    | • 1-2 Family Residential Dwelling .....                              | 250.00        | <input type="checkbox"/>            |
|    | • Commercial/All Others .....  | 250.00        | <input type="checkbox"/>            |
| 4. | Non-Conforming Structure/Use Application Fee                         |               |                                     |
|    | • 1-2 Family Residential Dwelling .....                              | 250.00        | <input type="checkbox"/>            |
|    | • Commercial/All Others .....  | 500.00        | <input type="checkbox"/>            |
| 5. | Section 9 Off Street Parking Application Fee                         |               |                                     |
|    | • 1-2 Family Residential Dwelling.....100.00 plus 100 per space..... |               | <input type="checkbox"/>            |
| 6. | Use Variance Application Fee   |               |                                     |
|    | • 1-2 Family Residential Dwelling .....                              | 500.00        | <input type="checkbox"/>            |
|    | • Commercial/All Others .....  | 1,000.00      | <input type="checkbox"/>            |
| 7. | Division of Lot with Additional Dwelling Units Application Fee       |               |                                     |
|    | • 1-2 Family Residential Dwelling .....                              | 1,500.00 each | <input type="checkbox"/>            |
|    | • Commercial/All Others .....  | 5,000.00 each | <input type="checkbox"/>            |

**TOTAL APPLICATION FEE:**

\*\* FEE DUE UPON APPLICATION. CERTIFIED BANK CHECK/NON-REFUNDABLE CHECK REQUIRED\*\*

<b>OFFICIAL USE ONLY</b>	
Method of Payment:	
<input type="checkbox"/> Cash	
<input type="checkbox"/> Business/Cashier's Check or Money Order	Processed by: <span style="border: 1px solid black; display: inline-block; width: 100px; height: 15px; vertical-align: middle;"></span>