



# Town of Georgetown

## Zoning Board of Appeals Application

Memorial Town Hall ♦ One Library Street ♦ Georgetown, MA 01833

Phone: (978) 352-5742 ♦ Fax: (978) 352-5725

For Town Use:

Please make sure you have submitted a Building Application with a Certified Plot Plan first, as his determination may or may not require a Zoning Hearing. Application: If this Application is incomplete or missing any information, it will not be accepted by the Board Staff and will be rejected; therefore we strongly recommend that you set an appointment with the Board Staff person to review the application for completeness. If it is submitted to Town Clerk and is incomplete the Zoning Board Staff person will reject the application. Bylaws are located on Town Website.

**DO NOT MANIPULATE IF DOWNLOADING FROM WEBSITE –PRINT OUT AND HAND WRITE**

### 1. Location:

	No.	Street			
<b>Assessor's</b>					
<b>Records:</b>	Map	Lot (s)	Lot size	Zoning District	

**2. APPLICANT:**      ☐ Owner                              ☐ Licensee                              ☐ Buyer/ Purchase & Sale

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

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

Home Telephone: \_\_\_\_\_ Cell: \_\_\_\_\_ Email: \_\_\_\_\_

**Co-Applicant or \_\_\_\_\_ Attorney/Representative \_\_\_\_\_:** Name: \_\_\_\_\_

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

Phone : \_\_\_\_\_ Email: \_\_\_\_\_

**OWNER if different from Applicant:** Name: \_\_\_\_\_

Address: \_\_\_\_\_ Phone: \_\_\_\_\_

### 3. Application: Description of proposed work or use/ Nature of relief requested: *(Attach letter if necessary)*

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- ☐ Application is hereby made for a **Variance** from the requirement of the Georgetown Zoning Bylaw Code Chapter 165, Section (s) \_\_\_\_\_ and M.G.L Ch. 40A §10.
- ☐ Application is hereby made for a **Special Permit** from the requirement of the Georgetown Zoning Bylaw Chapter 165, Section (s) \_\_\_\_\_ and M.G.L. Ch. 40A § 9.
- ☐ Appeal made by a person aggrieved by the inability to obtain a permit or enforcement action from the Building Inspector under Georgetown Zoning Bylaw Chapter 165, Section 98.

File number of a previous appeal, under zoning, on these premises: \_\_\_\_\_

**Project Type:** *Check all applicable* \_\_\_\_\_ Use Regulation \_\_\_\_\_ Non-Conforming use \_\_\_\_\_ Non-Conforming Structure  
\_\_\_\_\_ Floodplain \_\_\_\_\_ Wireless Communication \_\_\_\_\_ Commercial/Industrial Use \_\_\_\_\_ Other (see below)  
\_\_\_\_\_ Other; Explain: \_\_\_\_\_

**4. Application Checklist:** Please submit a completed and signed Application to Board Staff, together with  
Make an appointment with the Board Staff Person **before you make copies** – **Office Phone 978-352-5742**

\_\_\_\_\_ **Application Fee** (*made payable to the Town of Georgetown*). Fee schedule on back page/check with Board staff person. Fee is due after application is reviewed by Board Staff and copies are made.

\_\_\_\_\_ **Certified Plot Plan-** Plan shall be Certified (*Stamped & Dated*) by a Registered land surveyor/engineer to include the location and dimensions of all existing and proposed buildings. Also Setback distances (*setbacks from building/s to all lot line/s* for all structures, driveways, easements or right of ways that abut or cross the subject property, i.e. area, boundaries, distances between buildings, front/rear/side yard setbacks; A scale measurement, with compass drawing showing North Arrow on the plan with the address of the property and names and addresses of the owner and the name of the person/ entity preparing the plan with the date of the plan. **MORTGAGE SURVEY PLANS or SEPTIC PLANS ARE NOT ACCEPTABLE, You should have a survey/certified plot plan. Any additions or updated Plans MUST be submitted to Board Staff 2 weeks Prior to hearing date.**

\_\_\_\_\_ **Floor Plans of existing and proposed structures with all dimensions shown** (*if applicable, check with staff*).  
**Must have architect stamp and date and property address and applicants on plans.**

\_\_\_\_\_ **Elevations –Front/rear/side showing measurements of the height of the existing and proposed structures using the definition of Building Height in the Zoning Bylaw** (done by engineer/architect, stamped, dated, and marked).

\_\_\_\_\_ **Denial letter from Building Inspector**

\_\_\_\_\_ **Copy of Deed** (*proof of ownership with Registry Book & Page*)

\_\_\_\_\_ **Letter of Authorization to represent the owner/applicant.** (*If using attorney etc.*)

\_\_\_\_\_ **Current copy of paid tax bill.**

\_\_\_\_\_ **Recorded copy** (with book & page) of any previous ZBA Decisions or from any Town Boards on the property.

\_\_\_\_\_ **Abutter List for 300 ft. Radius of property**, certified by the Assessor's Office, within last 6 months.

\_\_\_\_\_ **Field Card of Property from Assessor's Office.**

\_\_\_\_\_ **Electronic copy of application/plans after the application has been reviewed by Board staff for completeness.**

After staff person has reviewed the original application for completeness, the applicant shall make **14 sets (collated)** of application and detailed plans, **folded not rolled.** (Twenty-five (25) if a MGL Chapter 40B application). The size of the Plans shall be **11x 17 and one full size plan 24x36** (full size plan goes with your original set) keep all original documents in one set and do NOT staple. Have staff person review before you make any copies.

\_\_\_\_\_ **If Floodplain application, please have all wetlands and floodplain delineated per Bylaw, done by a professional engineer. You must prove the area is not subject to flooding by an engineer. Provide floodplain Map.**

The Legal Advertisement will be placed by the ZBA, the applicant will receive a bill from the newspaper, the fee is the responsibility of the applicant/petitioner and **shall be paid promptly.**

All information should be measured and calculated in accordance with Zoning By-laws; the information shall be based on architect/engineer/surveyor prepared plans and/or calculations.

**5. Dimensional Information:**

<u>Zone/District</u>	<u>Existing</u>	<u>Proposed</u>
Lot Area (sf):		
Frontage (ft):		
Front Yard Setback (ft):		
Side Yard Setback (ft) side: _____		
Side Yard Setback (ft) side: _____		
Rear Yard Setback (ft):		
Height (ft):		

**Additional Information required if Accessory Apartment application: (see Zoning Bylaw 165-69 (a-d)).**

**\_\_\_\_\_ Accessory Apartment**

- A. Total sq. ft. of Primary Dwelling: \_\_\_\_\_
- B. Calculated Livable Floor Area (see definition in bylaw of livable fl. Area) of Primary Dwelling: \_\_\_\_\_
- C. Calculated sq. ft. of proposed accessory apt. livable floor area: \_\_\_\_\_ (this is not to exceed the greater of either 700 sq. ft. or 33% of the livable floor area of the existing primary dwelling).
- D. Show on a separate sheet the calculations of each room existing and proposed both existing sq. footage & livable floor area sq. footage and list the exclusions re: the livable floor area definition in the Zoning Bylaw.
- E. Who will occupy the accessory apartment & how related; Name & Address; \_\_\_\_\_

**6. Special Permits – M.G.L. 40 A§9 – Zoning Bylaw Chapter 165-78/79**

Applicant should also read the Zoning Board's Rules of Procedure for prerequisites for special permits which includes Changes to Pre-Existing Nonconforming Structures and Uses, pages 5-7. Available online and from Board Staff.

- A. Article & Section \_\_\_\_\_
- B. For what purpose is the Special Permit requested: \_\_\_\_\_

C. In the event the Special Permit relates to a proposed alteration, modification, extension, or change to a pre-existing non-conforming use or structure, provide the following information:

Year the structure was built: \_\_\_\_\_

Does the proposal include a current pre-existing non-conforming structure: \_\_\_\_\_

- Describe the proposed alteration, modification, extension, or change to a pre-existing non-conforming use or structure: \_\_\_\_\_

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- Describe whether the proposed change will be different from the current use/structure: \_\_\_\_\_

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## 7. VARIANCE SECTION ONLY - M.G. L. Ch. 40A § 10

A person filing a Variance/Use Variance is a **Petitioner**. A Petitioner requesting a Variance from the board must be able to show at the time of the hearing that:

1. There are unique circumstances relative to the soil conditions, shape, or topography which specifically affect the land or structures in question, but not affecting generally the zoning district in which the land/structure are located;
2. Literal enforcement of the by-law would involve substantial hardship, financial (*must relate to the land*) or otherwise, and;
3. Desirable relief may be granted without substantially derogating from the intent and purpose of the zoning ordinance or bylaw.

### QUESTIONS 1-5 MUST BE ANSWERED IN ORDER TO CONSIDER YOUR APPLICATION.

(Use Separate sheet if necessary)

#### 1. What substantial hardship will you suffer if the variance is not granted?

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#### 2. Explain what special conditions affect your land or structure as compared to other properties within the Zoning District. \_\_\_\_\_

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#### 3. How is the financial hardship caused by one or more of the following?

Soil Conditions: \_\_\_\_\_

Shape: \_\_\_\_\_

Topography: \_\_\_\_\_

#### 4. Describe how the Characteristics of your property prohibit you from doing what you are trying to accomplish:

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5. Explain why there would be no substantial detriment to the public good if the variance were granted:

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*Attach separate sheet if necessary*

**8. Hearing Request:** I/We hereby request a hearing before the Georgetown Zoning Board of Appeals for the indicated relief. I/We certify that I/we have read and examined this Application and all the materials submitted that all of the information contained therein or provided therewith is true and correct.

APPLICANT: Signed: \_\_\_\_\_ Date: \_\_\_\_\_  
Signed: \_\_\_\_\_ Date: \_\_\_\_\_  
OWNER OF RECORD:  
Signed: \_\_\_\_\_ Date: \_\_\_\_\_  
Signed: \_\_\_\_\_ Date: \_\_\_\_\_

It is the Applicant's responsibility to assure that all legal requirements are satisfied and all showings are made. The Applicant is encouraged to review the By-Law in its entirety (available on town website or sold at Planning office or Town Clerk's office).

**FEE SCHEDULE**

Fees Adopted 10/24/01 - **Amended** 10/17/95, 4/25/98, 9/1/09 & 4/5/16 & 7/11/23

<b>A. Residential Use (Single Family, Personal Use)</b>	<b>\$ 300.00</b>
<b>B. Conversion of Single Family Dwelling to Multiple Family/ Business Use.</b>	<b>\$ 475.00</b>
<b>C. Apartment Complex/Multiple Lot Development</b>	<b>\$ 950.00</b>
<b>D. Industrial /Commercial Use</b>	<b>\$ 950.00</b>
<b>E. Comprehensive Permit</b>	<b>\$1,425.00 (plus \$235/unit)</b>
<b>F. Water Resource Application</b>	<b>\$ 775.00</b>
<b>G. Wireless Communications Facilities</b>	<b>\$1,425.00</b>
<b>H. Floodplain Application – Residential Zone</b>	<b>\$475.00</b>
<b>Commercial Zone</b>	<b>\$1,425.00</b>
<b>I. Aggrieved decision of the Building Inspector</b>	<b>Fee to reflect A-H of this schedule</b>

*Main Application Amended 7/2/02 6/6/06, 1/6/15.*

**IF ALL OF THE APPLICATION IS INCOMPLETE OR NOT ACCOMPANIED  
BY THE REQUIRED ITEMS ON THIS APPLICATION THE APPLICATION WILL BE REJECTED**