

City of Newburyport Zoning Board of Appeals

Application for a VARIANCE

Instructions:

1. The petitioner shall submit nine (9) copies of the following information *complied in the following order*:
 - a. _____ Completed Application for Variance form.
 - b. _____ Building Commissioner's/Zoning Code Administrator's permit denial form indicating the need for a variance.
 - c. _____ A written memo addressing the following variance criteria:
 - A. State the particular use proposed for the land or structure. (Ex. – Single family, office building, etc.)
 - B. Explain the conditions and circumstances related to soil conditions, shape, or topography of the land that are unique to the applicant's lot, structure, or building and do not apply to the neighboring lands, structures, or buildings in the same district.
 - C. Explain how strict application of the ordinance would deprive the applicant of reasonable use of the lot, structure, or building in a manner equivalent to the use permitted by other owners of neighboring properties in the same district.
 - D. Explain how the unique conditions are not the result of actions taken by the applicant subsequent to the adoption of the ordinance.
 - E. Explain how relief will not constitute a grant of special privilege inconsistent with the limitations upon other properties in the district.
 - d. _____ Assessor's Card available from the Assessor's Office or from www.visionappraisal.com.
 - e. _____ Plans and drawings clearly representing existing and proposed conditions. Elevation plans shall show the median height of the existing and the proposed structure. Plans shall include all measurements. An architectural scale or ruler should not be required to read plans. Plans shall not exceed 36" x 24" and must be folded to an approximate size of 8 ½" x 11". Plans shall include the following:
 - North point, Date of Plan; Title of Plan, Location Address; Graphic Scale
 - Zoning district(s) and dimensional control requirements;
 - Wetlands (if applicable);
 - Property boundaries; locations of buildings on adjacent properties and dimensional setbacks from property lines;
 - Indicate the proposed dimensional setbacks of the proposed structure with the existing structure(s) dimensional controls;
 - Deed restrictions, easements, etc.;
 - Proposed features in solid lines; Features that are to be removed in dashed lines;
 - Name, address, and phone numbers of the Applicant, Owner, Designer, Engineer, or Surveyor.
 - f. _____ Any other supplemental information such as narratives, memos, letters of support, reports, photos, etc.
2. The petitioner shall submit .pdf files of the above information via disk or email to planning@cityofnewburyport.com.

Filing fees: An administrative fee of \$200.00 per application is required at the time of application, plus a publication/abutters notification fee of \$350 per project. Please make checks payable to the "City of Newburyport."

The Newburyport Zoning Board of Appeals requests that applicants make an effort to reduce the use of paper and printing materials when filing applications with the Board. Please use the following guidelines:

- *Eliminate transmittal sheets, cover letters, section dividers, and tables of contents*
- *Eliminate folders, envelopes, plastic covers, spiral/GBC binders, and excess binding materials*
- *Submit smaller sized plans as long as they are legible*
- *Double sided copies are encouraged*

City of Newburyport Zoning Board of Appeals

Application for a VARIANCE

Petitioner: _____

Mailing Address: _____

Phone: _____ Email: _____

Property Address: _____

Assessor's Map and Lot(s): _____ Zoning District: _____

Book and Page(s): _____ Years owned land: _____

Owner(s) Name: _____

Mailing Address (if different): _____

The petitioner is requesting a Variance from section(s):

Use Regulations (V)

Parking (VII)

PIOD (XXI)
 ___ FAR
 ___ 2 ½ stories
 ___ Footprint expansion

Dimensional Controls (VI)

 ___ Lot Area ___ Front Yard
 ___ Open Space ___ Side Yard
 ___ Lot Coverage ___ Rear Yard
 ___ Height ___ Lot Width
 ___ Frontage

Other: _____

Request:

	Existing	Proposed
Ground Floor Square Feet		
Number of Floors		
Total Square Feet		
Use		

City of Newburyport Zoning Board of Appeals
Application for a VARIANCE

	Existing Dimensional Controls	Proposed Dimensional Controls	Required Dimensional Controls
Lot Area			
Frontage			
Height			
Lot Coverage (%)			
Open Space (%)			
Front Setback			
Side A Setback			
Side B Setback			
Rear Setback			
Parking Spaces			
FAR*			

*FAR is only applicable in the Plum Island Overlay District (PIOD).

Any advice, opinion, or information given by any board member or any other official or employee of the City of Newburyport shall not be binding on the Zoning Board of Appeals. Every application for a Variance shall be made on this form, which is the official form of the ZBA. It shall be the responsibility of the petitioner to furnish all supporting documentation with this application. The dated copy of this application received by the City Clerk or Planning Office does not absolve the petitioner from this responsibility. The petitioner shall be responsible for all expenses for the filing, publishing, and legal notification. Failure to comply with the application requirements, as cited herein and in the Zoning Board Rules and Regulations may result in a dismissal of this application as incomplete.

Petitioner's and Owner's signature(s):
