

City of Newburyport Zoning Board of Appeals Instructions for an Application for a VARIANCE

In order to be scheduled for a public hearing before the Zoning Board of Appeals, the petitioner shall submit the following information. If materials are not included because they are not applicable then the applicant must request a waiver from the Office of Planning and Development in order to consider the application complete.

1. Two (2) hard copies of the following information.
- a. _____ Completed "Application for a Variance" form.
 - b. _____ Zoning Determination form from the Zoning Administrator indicating the need for a variance.
 - c. _____ Assessor's Card available from the Assessor's Office or from www.visionappraisal.com.
 - d. _____ A written memo addressing the following variance criteria:
 - i. State the particular use proposed for the land or structure. (Ex. – Single family, office building, etc.)
 - ii. 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.
 - iii. 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.
 - iv. Explain how the unique conditions are not the result of actions taken by the applicant subsequent to the adoption of the ordinance.
 - v. Explain how relief will not constitute a grant of special privilege inconsistent with the limitations upon other properties in the district.
 - e. _____ Site plans or survey clearly showing existing and proposed conditions. Plans shall include the following:
 - North point;
 - Zoning district(s)
 - Names of streets
 - Wetlands (if applicable);
 - Dimensional control requirements;
 - 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, and other restrictions that may affect the proposal;
 - Proposed features in solid lines; Features that are to be removed in dashed lines;
 - Title block including the Drawing Title, Location Address, and Date of Plan;
 - Graphic scale;
 - Existing and proposed parking spaces
 - f. _____ Elevation plans showing all four sides of the existing building(s) and any proposed work to be highlighted. Plans shall include the following:
 - Title block including the Drawing Title, Location Address, and Date of Plan;
 - Setbacks of any proposed dormers;
 - Height of ridge and median roof lines
 - g. _____ Any other supplemental information such as narratives, memos, letters of support, reports, photos, etc.
2. **Pdf files** of the above information sent via file transfer or email to planning@cityofnewburyport.com, or provided on disc or thumb drive.
3. 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. Fees may be combined into one check made payable to the "City of Newburyport."

City of Newburyport Zoning Board of Appeals

Application for a VARIANCE

Petitioner: _____

Mailing Address: _____

Phone: _____ Email: _____

Property Address: _____

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

Book and Page(s): _____

Owner(s) Name: _____

Mailing Address (if different): _____

The petitioner is requesting a Variance from section(s):
(Refer to the Zoning Determination form supplied by the Zoning Administrator)

- | | |
|--|--|
| <input type="checkbox"/> Dimensional Controls (VI) | <input type="checkbox"/> Parking (VII) |
| <input type="checkbox"/> Lot Area | <input type="checkbox"/> Front Yard |
| <input type="checkbox"/> Open Space | <input type="checkbox"/> Side Yard |
| <input type="checkbox"/> Lot Coverage | <input type="checkbox"/> Rear Yard |
| <input type="checkbox"/> Height | <input type="checkbox"/> Lot Width |
| <input type="checkbox"/> Frontage | |
| <input type="checkbox"/> Modification of existing variance (please attach) | <input type="checkbox"/> Other: _____ |

Request:

All information contained within this application will become a formal part of the Zoning Board of Appeals proceedings and decision.

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Application for a VARIANCE

	Required Dimensional Controls from Section VI.A	Existing Dimensional Controls from survey or site plan	Proposed Dimensional Controls from proposed plans
Lot Area			
Frontage			
Height*			
Max. Lot Coverage (%)**			
Min. Open Space (%)***			
Primary Front Setback			
Side A Setback/Secondary Front Setback			
Side B Setback			
Rear Setback			
Parking Spaces			
FAR****			

*Height is measured to *median* roofline.

**Total building footprint divided by the lot area expressed as a percentage.

***Area unoccupied by building, parking areas, or driveways expressed as a percentage of lot area. Pools, patios, and decks may be included in open space.

****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. 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, publication, 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 by the ZBA of this application as incomplete.

By checking this box and typing my name below, I am electronically signing this application.

Petitioner

By checking this box and typing my name below, I am electronically signing this application.

Owner (if different)