



# CITY OF LYNN

INSPECTIONAL SERVICES DEPARTMENT

Room 401, 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 structures with dimensions, floor area(s) and elevation(s), as well as all relevant features (topography, floor plain, wetlands, etc.) and shall be prepared by a licensed professional engineer or architect. Proposed developments/additions 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).

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

Inspectional Services Department  
Zoning Board of Appeals Applications  
City Hall, Room 401  
Lynn, MA 01901

Email: ISDonline@lynnma.gov  
Facsimile: (781) 477-7031

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. Please ensure that your name and contact information, as well as the name and address of the establishment appear on the cover page of materials delivered by facsimile.

**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 for 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.	Variance Application Fee		
	a. Minimum Side/Back Yard Encroachment		
	• 1-3 Family Residential Dwelling .....	150.00	<input type="checkbox"/>
	• Commercial/All Others.....	350.00	<input type="checkbox"/>
	b. Minimum Lot Area Variance		
	• 1-3 Family Residential Dwelling .....	300.00	<input type="checkbox"/>
	• Commercial/All Others.....	500.00	<input type="checkbox"/>
	c. Non-conforming Building/Use.....	250.00	<input type="checkbox"/>
	d. Subdivide Lots (per Lot subdivided) .....	1000.00	<input type="checkbox"/>
	e. Additional Dwelling Unit (per Unit added) .....	1000.00	<input type="checkbox"/>
	f. Waiver Off-Street Parking (per Space to be waived)		
	• 1 & 2 Family Residential Dwelling .....	50.00	<input type="checkbox"/>
	• Commercial/All Others.....	350.00	<input type="checkbox"/>

**TOTAL APPLICATION FEE:**

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

**OFFICIAL USE ONLY**

Method of Payment:

Cash

Business/Cashier’s Check or Money Order

Processed by:

Credit/Debit Card