



Brewster Zoning Board of Appeals

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www.brewster-ma.gov

Date + Time Stamped
By Town Clerk

ZBA CASE FILE # _____
APPLICATION FOR BREWSTER ZONING BOARD OF APPEALS
SPECIAL PERMIT/ VARIANCE/ ZBA APPEAL APPLICATION
(\$300 Filing Fee)

NAME OF APPLICANT _____

REPRESENTATIVE _____ **PHONE NUMBER** _____

MAILING ADDRESS _____

PROPERTY ADDRESS _____

CURRENT PROPERTY OWNER(S) _____

REGISTRY OF DEEDS TITLE REFERENCE **BOOK** _____ **PAGE** _____ **OR**

CERT. OF TITLE # _____ **LAND COURT #** _____

PLAN # _____

TOWN MAP # _____ **LOT #** _____

ZONING DISTRICT _____ **YEAR BUILT** _____

STATEMENT OF PROJECT

SIGNATURE OF OWNER OR AGENT FOR OWNER

DATE

NOTE: This petition is NOT COMPLETE until all information is provided. Accuracy of this information is the responsibility of the petitioner.

DATA SHEET

Complete this form for **every structure** on the site that is in some way **nonconforming**.

Identify structure: primary house, garage, tool shed, other _____

STREET ADDRESS _____ **YEAR BUILT** _____

MAP # _____ **LOT #** _____

ZONING DISTRICT _____

List only the nonconformities below: **Identify all nonconforming setbacks.**

LOCATION	EXISTING	REQUIRED	PROPOSED
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____

- **Location** is used to identify the setback: I.E. front, back, left side, right side, N-north, S-south, E-east, W-west,
- **Existing** is the setback that currently exists on the ground
- **Required** is the applicable setback required currently in the Brewster zoning bylaw
- **Proposed** is the setback being requested

FRONTAGE: EXISTING _____ **REQUIRED** _____

LOT SIZE: _____

LOT COVERAGE EXISTING % _____ **PROPOSED %** _____ **ALLOWED %** _____

SIZE OF PARCEL _____ sq. ft. **BUILDABLE UPLAND** _____ sq. ft.

BUILDING COVERAGE/PRIMARY STRUCTURE _____ sq. ft.

BUILDING COVERAGE ALL OTHER STRUCTURES _____ sq. ft.

BUILDING HEIGHT: EXISTING _____ **PROPOSED** _____

SPECIAL PERMITS:

- ☐ **APPLICATION FOR SPECIAL PERMIT AS SET FORTH IN M.G.L. 40A, § 6, or § 9 and SECTION 179-25, BREWSTER BYLAW UPON WHICH THE BOARD IS EMPOWERED TO ACT.**

SECTION(S) PARAGRAPH(S) OF BREWSTER BYLAW UNDER WHICH THE SPECIAL PERMIT IS SOUGHT AND A BRIEF DESCRIPTION OF THE PROPOSAL.

VARIANCES:

- ☐ **APPLICATION FOR VARIANCE AS SET FORTH IN M.G.L. 40A, § 10**

SECTION(S) PARAGRAPH(S) OF BREWSTER BYLAW UNDER WHICH THE VARIANCE IS SOUGHT AND A BRIEF DESCRIPTION OF THE PROPOSAL. In order to grant a Variance, the ZBA must find all three of the following to be true:

- ☐ Owing to circumstances relating to the soil conditions, shape, or topography of such land or structures and especially affecting such land or structures but not affecting generally the zoning district in which it is located, and
- ☐ A literal enforcement of the provisions of the ordinance or by-law would involve substantial hardship, financial or otherwise, to the petitioner or appellant, and
- ☐ That desirable relief may be granted without substantial detriment to the public good and without nullifying or substantially derogating from the intent or purpose of such ordinance or by-law

- ☐ **APPEAL IN ACCORDANCE WITH M.G.L. 40 A, § 8, 14**

CITE ORDER OR DECISION OF ZONING AGENT OR OTHER ADMINISTRATIVE OFFICIAL OR ATTACH LETTER FROM ZONING AGENT/ADMINISTRATIVE OFFICIAL.

ZONING BOARD OF APPEALS FILING PROCEDURES

Completed application packages are required to be submitted and time stamped by the Town Clerk at least thirty-five (35) days prior to the requested hearing date. Town Hall hours are 8:30 am – 4:00 pm Monday- Friday.

Complete application (**12 copies**) checklist:

- ☐ Application
- ☐ Professionally engineered site plan
- ☐ Assessor's map showing the applicant's lot
- ☐ Building plans, including floor layout, elevations and dimensions
- ☐ Decision letter from the zoning agent, if applicable
- ☐ \$300 Filing Fee (made payable by check)

Photographs are recommended.

Please also provide one (1) pdf or electronic copy of the completed application package.

An Abutter's List will be requested by the Zoning Board Clerk when the application is filed.

In accordance with Massachusetts General Laws, Chapter 40A, Section 11, the Appeal will be advertised in the local newspaper for two (2) consecutive weeks prior to the public hearing. The agenda will also be posted of the Meeting Board on the main floor of the Town Offices.

A copy of the Zoning-By-Law, Chapter 179, is available at the Brewster Ladies' Library. It may also be purchased at the Town Offices for \$25.00 or downloaded without charge from The Town of Brewster e-code website: <http://www.ecode360.com/BR1068>

Any Decision of the Board of Appeals may be appealed to Superior Court, Land Court or District Court within twenty (20) days from the time that the decision is filed with the Town Clerk.