

GENERAL PROCEDURE for ZONING VARIANCE REQUEST

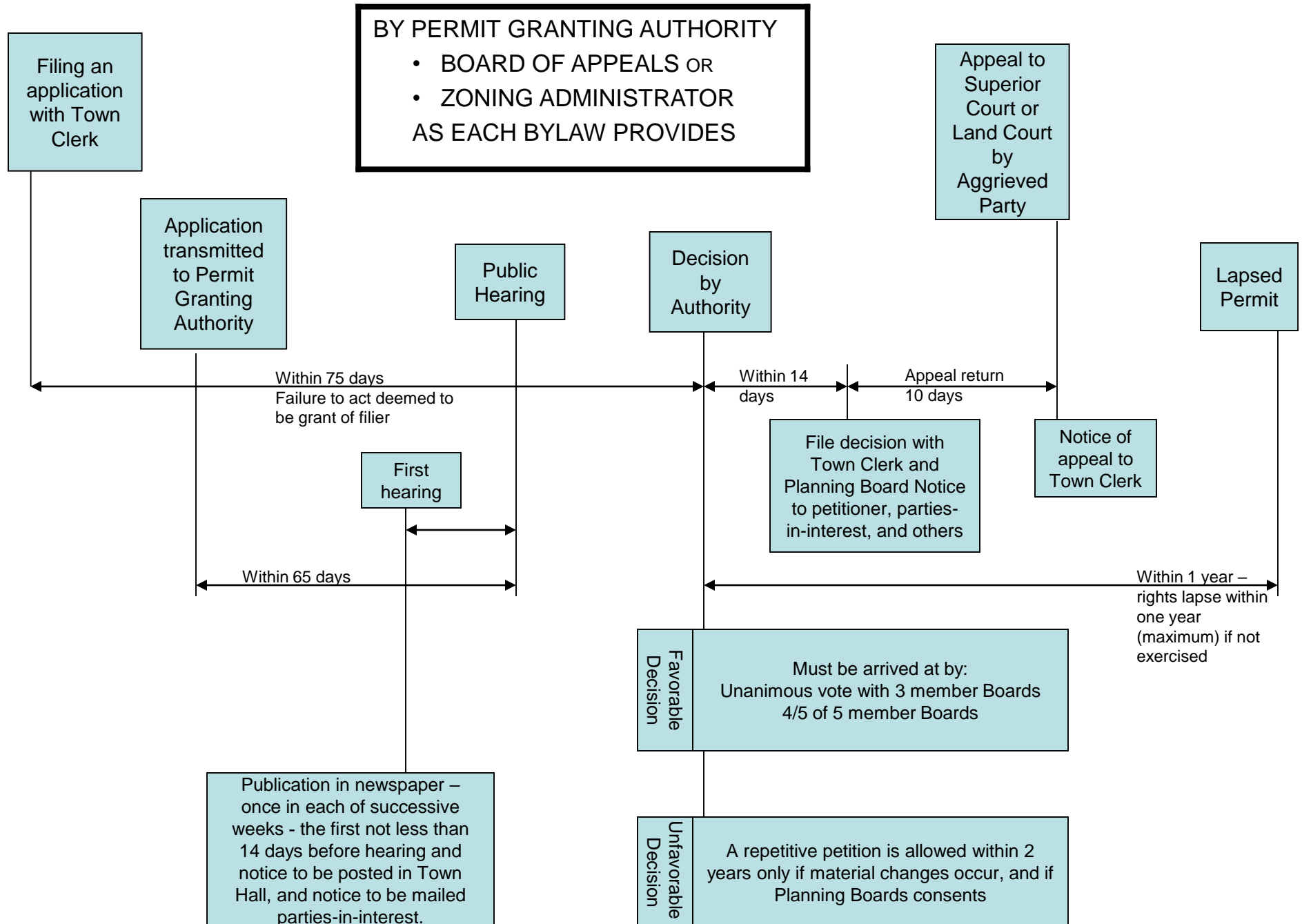
Southwick Zoning Board of Appeals

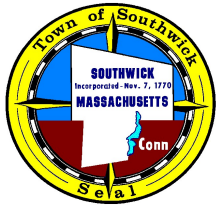
Revised 9/1/21

- 1) A document certifying the legal interest of the applicant must accompany the application.
- 2) The official **Zoning Variance Request** form must be used and include all information pertaining to this variance and the section of the zoning bylaw affected. At a minimum, the information must include:
 - a) The conditions specifically affecting this property which do not generally affect other properties in the zoning district. (ex.: topography, water, lot shape, etc.)
 - b) Facts which describe the hardship, financial or otherwise, which would result from strict enforcement of the applicable zoning restrictions.
 - c) Facts to support a finding that the approved variance will be desirable and without substantial detriment to the public good.
 - d) Fact to support that the variance would not nullify or substantially differ from intent or purpose of the zoning bylaws.
- 3) Two (2) copies of the Zoning Variance Request form must be submitted accompanied by two (2) copies of all sketches, diagrams or plans that clearly indicate the details of the variance request. The illustration shall have a North point, street names, zoning districts, property lines, lot dimensions, building locations (subject property and abutters), parking areas, driveways, and all other information pertinent to the application. All requested variances shall be clearly identified.
- 4) Applications shall be accompanied by a list of names and addresses of all abutters and abutters to abutters. The owner of the property across the street or way is considered an abutter.
- 5) An applicant may appear on his own behalf or be represented by another party (attorney, builder, etc.). If the applicant does not attend the hearing, and is represented by an agent, that representative must have the applicant's written permission and present it to the Board at the time of the hearing. If the applicant does not appear at the hearing, without due cause or notification, the Board will decide on the matter using the information available or dismiss the application at its discretion.
- 6) The filing fee of **\$300.00**, effective **August 15, 2021**, is payable to the Town Clerk by a check in the name of Town of Southwick.
- 7) Following approval, the decision will be filed with the Town Clerk's office. It must remain there for 20 days before the approval is valid. The applicant must file notices of approval with the Hampden County Registry of Deeds before a variance can take effect.
- 8) Reapplication: To have a petition, which has been denied by the Board, reconsidered within two years, the applicant must request permission from the Planning Board. All but one member of the Planning Board must agree to the re-application under General Laws, Chapter 40A, Section 20. If the Planning Board consents, the applicant must reapply to the Board of Appeals in the same manner as the original submission.
- 9) Any advice, opinion, or information given by any Board member, Town official, or Town employee shall not be binding on the Board.

PROCEDURE FOR VARIANCE (UNDER G.L. 40A, SECTION 10)*

*As included in C. 808 of
Acts of 1975
Town - City
Bylaw - Ordinance





Town of Southwick

Office of the Board of Appeals

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Chairman: Christopher Mastroianni

Members: William Lis (Vice-Chair), Paul Grégoire, Thomas Stapleton, Michael Parent

Secretary: Wendy Cordeiro

ZONING VARIANCE REQUEST

Please refer to "General Procedure for a Zoning Variance Request", included with this form, or at https://www.southwickma.org/sites/g/files/vyhlif1241/f/uploads/boa_procedure_variance.pdf to complete this form. Southwick Zoning Bylaws are available at: <http://ecode360.com/10448337>
Southwick mapping and property information is available at: <https://www.axisgis.com/SouthwickMA/>

To the Board of Appeals:

On, 20....., the undersigned hereby petitions the Southwick Board of Appeals to review the current Town of Southwick Zoning By-Laws, as they apply to the application for the following location.

Street Address

By-law section affected: _____

Type of Variance Requested (Indicate requested dimensions for all that apply):

Lot Area _____ Frontage _____ Front Setback _____ Rear Setback _____ Side Setback _____

Height _____ Other _____

Summary of reasons for variance request: (See Step 2 of the General Procedure instructions. Must include plan/sketch with dimensions.)

Petitioner: _____ Address: _____

Represented by: _____

Submit completed form to Town Clerk.

Submitted By: _____ Date: _____ Submitted To: _____