

COMMONWEALTH OF MASSACHUSETTS

ZONING BOARD OF APPEALS (ZBA)

TOWN OF CHESHIRE

APPLICATION FOR REQUEST FOR VARIANCE

Request # _____

A. INSTRUCTIONS:

1. Complete the application Section B. "Information" and Section C. "Criteria" providing detailed drawings/sketches with dimensions of the proposed project and non-conformance to the current Zoning By-law. The Building Inspector must sign off on the completed application **prior to submission** to the Town Clerk
2. The Applicant is to provide six (6) copies plus the original for a total of seven (7) of the complete package, after approval by the Building Inspector, to the Town Clerk along with the \$400.00 application fee payable to the Town of Cheshire. All costs for advertising, abutter notification, mailings, and any costs associated with the processing of this application that are above and beyond the initial \$400.00 application fee shall be incurred by the Applicant(s).

B. INFORMATION:

(Please print)

Name of Applicant(s) _____

Address of Applicant(s) _____

Contact Information _____
(phone and email)

Name of Property Owner(s) _____
If different from Applicant(s)

Address of Property _____
(For proposed variance)

Zoning District (circle one) Business Residential Agricultural/Residential

Applicable Section(s) of Zoning Bylaw _____

Project Description (attach detailed sketches with dimensions) _____

Reason for Variance Request (Noting the non-conformance to the current Zoning By-Law)

C. CRITERIA:

Note: The Applicant shall provide criteria information (By-Law, Ref. 10.2.d) relevant to the requested variance for **only those that apply**.

1. Owing to the circumstances relating to the soil conditions, shape or topography of such land and/or structures and especially affecting such land or structures but not affecting generally the Zoning District in which it is located:

2. A literal enforcement of the by-law would involve a substantial hardship, financial or otherwise.

3. Desirable relief may be granted without:
 - a. Substantial detriment to the public good
 - b. Nullifying or substantially derogating from the intent or purpose of this bylaw.

D. REQUIRED SIGNATURES:

1. Applicant(s) _____ Date _____

2. Property Owner(s) _____ Date _____
(If different from above)
3. Building Inspector _____ Date _____
4. Town Clerk _____ Date _____

E. NOTES:

1. The Building Inspector is available to assist applicants, but the Applicant is responsible for criteria details as applicable.
2. The ZBA will notify the Applicant of the date and time of the public hearing.
3. The Applicant(s) or authorized representative(s) shall be present at the public hearing.
4. A copy of the rules for the operation of the ZBA is detailed in the current Protective and Planning Zoning By-law available on the town web site. Go to www.cheshire-ma.net .
5. The ZBA's Clerk will file a "Notice of Decision" in the Town Clerk's Office within 14 days from the date of the final public hearing.
6. A 20 day appeal period will commence after the "Notice of Decision" has been filed. This period allows anyone to appeal the ZBA's decision according to Massachusetts General Laws Chapter 40A, Section 15.
7. If the variance is granted and after the appeal period has expired the Applicant(s) will be provided with the approved "Notice of Decision". It is the Applicant(s) responsibility to file that decision with the Registry of Deeds to make it official.
8. Contacts:
Building Inspector (413) 743-7881
Town Clerk (413) 743-1690 ext. 22
9. For location and hours of operation go to www.cheshire-ma.net municipal directory.