

Zoning Board of Appeals

BOARD OF APPEALS

The Zoning Board of Appeals is authorized under the City's Zoning By-Law and MGL Chapter 40A to hold hearings relative to variances, special permits and appeals of decisions made by the Zoning Enforcement Officer. In general, special permits are reviewed by the Board for their potential detriment to the neighborhood. Variances are reviewed to see whether specific statutory conditions are met, such as unique lot shape, topography, soil conditions, structure layout and substantial hardship relating to the uniqueness of the property.

APPLICATION AND FILING FEE

The application should be accompanied by a \$150.00 for Residential and \$160 for Commercial filing fee. Effective January 1, 2024, Applicants must pay the cost of advertising the Public Hearing Notice by direct payment to the local newspaper prior to the Notice being published. See office staff for details.

Complete Zoning Board of Appeals applications, instructions, Rules and Regulations are available in the Building Department.

HEARINGS

Special Permits: The Board is required to hold a hearing within 65 days of application filing and render a decision within 90 days of the hearing, unless a mutual time extension is agreed to. Special permits that are granted shall lapse after two (2) years if not acted upon by the petitioner.

Variances: The Board is required to hold a hearing within 65 days of application filing and render a decision within 100 days of said filing, unless a mutual time extension is agreed to. Variances that are granted shall lapse after one (1) year unless acted upon within that period or unless a request for an extension is submitted and approved by the Board prior to the expiration period. The Board may grant an extension not to exceed six (6) months.

DECISIONS

Approval: If your application for a Special Permit or a Variance is granted, your next step is to obtain a certified copy of the Board's decision and cover sheet from the City Clerk's office for recording at the Plymouth County Registry of Deeds. You must wait twenty (20) days following the filing of the Board's decision with the City Clerk (the expiration of the appeal period) before you can obtain these certified copies.

When you record the cover sheet and decision at the Registry of Deeds you will receive a copy of the validated recording. You then present this document from the Registry of Deeds validating the recording to the Building Department when you reapply for your building permit.