



**CITY of TAUNTON
ZONING BOARD of APPEALS**

*Location: 15 Summer Street
Mailing address: 141 Oak Street
Taunton, Massachusetts 02780
Phone 508-821-1051/ 1043 Fax 508-821-1665*

To the Zoning Board of Appeals of the City of Taunton:

The undersigned hereby petitions for a public hearing on the action checked below:

- Appeal from decision of _____ to (grant/ deny) permit.
- Variance from section (s) _____ of the Zoning Ordinance for _____
- Special Permit from section _____ of the Zoning Ordinance for _____

To Allow:

On premises situated on the _____ side of _____ Street, Taunton, Ma. And is known as number _____.

The Petitioner will attach hereto the following:

1. Reasons for Petition
2. Legal description of the premise (including most recent deed of property)
3. Certified Abutters List including list of names and addresses of all owners of lands within 300 feet of the property lines of the subject property as they appear on the most recent tax list, notwithstanding that the land of any such owner is locate din another City or Town.
4. A Site Plan of the subject property including information as stipulated in the Zoning Board Rules and Regulations. The plan must be drawn to scale and accurate and shall include (but not be limited to) the following information; all property lines with distances, all buildings located on-site with distances to property lines, any wetlands, all parking and impervious surfaces, all proposed changes, lot area, frontage, abutters, and contiguous min dry area.
5. In the event of an appeal, the decision of the Superintendent of Buildings or officer or Board appealed from must be attached
6. Tax Status Report
7. In the event that any other approvals have been issued on the subject properties by the Zoning Board or other Board or Officer, such decision shall be included as part of the application.
8. The petitioners interest is set out as follows;
 - A. The owner of said land acquired legal title to the property on _____ and is recorded in Book _____, Page _____ of Bristol County No District, Registry of Deeds; and
 - B. State whether you are the owner, or whether you have a lease, purchase and sale agreement etc (giving dates and other pertinent information) _____

If represented by counsel, please enter name, address, and phone number. _____

Signed; _____, Petitioner
Type/ print name: _____ Telephone: _____
Address: _____
City: _____ State _____ Zip Code _____

If petitioner is not Owner, Owner shall affixed assent here: _____, Owner

Office use only: Received By: _____ Reviewed By: _____



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INSTRUCTIONS FOR THE PETITIONER

1. Please review all RULES AND REGULATIONS of the BOARD OF APPEALS prior to appearing before the Board
2. To be granted a variance, a petitioner must establish that special circumstances exist that affect the parcel of land or building in question that do not affect other properties in the same zoning district, that literal enforcement of the zoning ordinance would involve substantial hardship and that the variance may be granted without detriment to the public good and without nullifying or substantially derogating from the intent of the ordinance.
3. In the case of a special permit, be prepared to present evidence that indicates that the public convenience and welfare will be served by granting the permission requested; that the permission requested will not impair the status of the neighborhood, that the permission will be in harmony with the general purposes and intent of the zoning ordinance.
4. All petitions must be filed in **DUPLICATE** to the ZONING BOARD OF APPEALS office.
5. You must check with the City Planner for the section of the zoning ordinance to which your variance/ special permit applies.
6. A list of ABUTTERS within 300 feet must be obtained through the ASSESSOR'S OFFICE. Please make sure you have the current mailing addresses of the owners as stated in the Assessor's records. This list **MUST BE CERTIFIED** and can take up to 10 days for completion.
7. You must submit a SITE PLAN as described in the application and Rule sand Regulations of the ZBA (Some base plans may be available in the CITY ENGINEER'S OFFICE or at the REGISTRY OF DEEDS) If the plan is larger than 11 X 14 (LEGAL SIZE), the applicant must submit 15 Copies with the application.
8. See the attached helpful hints for completing your REASONS FOR PETITION
9. You are responsible for PAYMENT OF THE ADVERTISEMENT IN THE TAUNTON DAILY GAZETTE which will be published 15 and 8 days prior to the hearing. You are also responsible to pick up the advertisement in the ZBA office and bring it to the Taunton Daily Gazette for advertising. You must submit a paid receipt at the hearing. Failure to do so will result in denial or continuance of your case. FAILURE TO ADVERTISE WILL RESULT IN A DISMISSAL OF YOUR PETITION.
10. A TAX STATUS FORM must be completed for each piece of property owned by the applicant and submitted with the application. A blank one is included in the Application packet.
11. If your variance or special permit is granted, you must record the decision with the REGISTRY of DEEDS in order for it to be valid. You must request a copy from the CITY CLERK'S OFFICE after the 20 day appeal period is over.
12. Make checks payable to the "CITY OF TAUNTON" for the required filing fee.

IF YOU HAVE ANY QUESTIONS REGARDING YOUR PETITION, PLEASE DO NOT HESITATE TO CONTACT OUR OFFICE (508) 821-1043.



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Helpful Hints in Completing Reasons for Petition

In order for the Board to complete the final decision you must submit a written statement regarding the purpose for the petition. The following statements should be addressed.

1. Identify unique or unusual circumstances relating to the soil conditions, shape, or topography of such land or structures which are the basis for the variance request.
(eg triangular shaped lots; lots which have suffered severe erosion, location of wetlands on lot)
2. Explain how such circumstances affect this land or structures, but do not generally affect the Zoning District in which it is located.
(eg no other lots in the district would generally have similar circumstances if created under the current subdivision regulations)
3. Explain how the literal enforcement of the provisions of the Ordinance should involve substantial hardship, financial or otherwise, to the Appellant.
(eg Construction of the site would be impossible without obtaining a variance)
4. Explain how desirable relief may be granted without substantial detriment to the public good.
(eg Undesirable traffic or parking conditions would not be a result of the variance: the granting of the variance would not have a negative impact on public services)
5. Explain how desirable relief may be granted without nullifying or substantially derogating from the intent or purpose of this Ordinance.
(eg the variance will not adversely affect the surrounding properties by allowing a use which will be an incompatible use in the area or allow a structure which is extremely close to an adjacent structure.



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Denise J. Paiva, Secretary

Filing Fees for the Zoning Board of Appeals (ZBA) Filings
Effective November 12, 2009

In calculating the filing fee for a ZBA filing, the fee schedule with the notes below shall be utilized;

Non-residential Variance for Use	\$1,550.00
Non-residential Special Permit for use (5.2,5.3.4 etc)	
Under 5,000 sq ft GFA	\$750.00
5,000 sq ft and over GFA	\$1,550.00
Residential Use (special permit 5.2, 5.3.4)	\$300.00 plus \$75.00 for each unit
Residential Use Accessory Dwelling unit	\$300.00
Residential Use Accessory Dwelling unit renewal	\$100.00

Special Permit requests for expansion or alteration of existing residential dimensional non-conformances \$300.00

Special Permit requests for expansion or alteration of existing non-residential dimensional non-conformances \$300.00 plus \$75.00 for each conformance issue

Residential Dimensional* variance requests \$300.00 plus \$75.00 for each additional item of relief sought

Non-Residential Dimensional* variance requests \$450.00 plus \$75.00 for each additional item of relief sought
*(dimensional shall include but not be limited to intensity of uses, landscaping, parking, signs etc)

Appeals \$300.00 filing fee

Other: In the event a request does not fall under one of the above categories, the filing fee shall be \$750.00

Note; In the event that a filing contains multiple requests that fall under more than one of the above categories, the highest minimum filing fee of the applicable categories shall be utilized and \$75.00 for each additional request shall be added to the fee (for example 1. a commercial use variance with a dimensional variance shall be \$1,550 min fee plus \$75.00, 2. a multi-use commercial residential request shall utilize the commercial min filing fee and add the additional \$75 per additional request)

Comprehensive permits

Applicant shall be required to pay for all fees incurred by the City in the process of reviewing the plans, issuing a decision, reviewing the definitive plans and oversight and inspection of the comprehensive permit through the construction process to completion of the development. In addition, a filing fee per unit is required which shall be calculated utilizing the special permit/ site plan review schedule which has been adopted by the Municipal Council (authorized by MGL ch40B)