The Zoning Board of Appeals ("ZBA") has the authority, upon petition or appeal, to grant a variance from strict enforcement of the zoning ordinance if it finds that:

[O]wing to circumstances relating to the soil conditions, shape, or topography of such land or structures ... literal enforcement of [the ordinance] would involve substantial hardship ... and that desirable relief may be granted without substantial detriment to the public good and without nullifying or substantially derogating the intent or purpose [of the zone ordinance].

In granting such variances, the ZBA may impose such conditions, safeguards and limitations (both of time and of use), including the continued existence of any particular structures as they deem appropriate.

A variance must be exercised within one year of the date granted, or such rights shall lapse. Grantees may seek an extension of time to exercise rights provided application is filed before the expiration of one year. If the ZBA does not grant an extension within thirty days, grantees rights may be reestablished only after notice and (new) hearing consistent with G.L. c. 40A.

**FILING INSTRUCTIONS**

- Completed applications, including all required supplemental documentation, must be received AT LEAST 3 weeks prior to the ZBA meeting at which you wish to be heard. The ZBA may grant a variance only after a public hearing. The public hearing must be advertised for two weeks prior.

- In addition to the fully completed application, petitioners shall submit:
  1. **Evidence of Standing to Seek Relief:** Deed or certificate of title, signed option to purchase or written authorization from Lessor/Condominium Association.
  2. **Site & Plot Plans:** Nine (9) certified plans showing scale, north arrow, lot dimensions and area, existing and proposed parking, existing and proposed structures with dimensions, floor area(s) and elevation(s), as well as all relevant features (topography, floor plain, wetlands, etc.) shall be prepared by a licensed professional engineer or architect. Proposed developments/additions and lot lines shall be staked upon the property.
  3. **Photos of each side of the building/lot:** One (1) photo from each side of the building/lot.
  4. **Prior ZBA actions relating to the property:** Applicants shall identify prior actions relating to the property including date(s), docket number(s), subject of application(s) and decision(s).

**COMPLETED APPLICATIONS MAY BE SUBMITTED BY DELIVERING TO:**

Inspectional Services Department  
Zoning Board of Appeals Applications  
City Hall, Room 103  
Lynn, MA 01901  
Email: ISDonline@lynnma.gov  
Facsimile: (781) 477-7031

Application fees may be paid by business check, cashier’s check or money order payable to: City of Lynn. Please be sure to include the property address and parcel ID number if paying by check. Please ensure that your name and contact information, as well as the name and address of the establishment appear on the cover page of materials delivered by facsimile.
ZONING BOARD OF APPEALS APPLICATION

Petition seeks the following relief:  ☐ Variance  ☐ Special Permit  ☐ Appeal

Location Address: ___________________________________________________________
Zoning District: ___________________________________________________________

Map: __________  Block: __________  Lot: __________

Detailed Description of Proposed Work:

________________________________________________

Applicant Name: ___________________________________________________________

Organization/DBA: __________________________________________________________

Applicant Address: __________________________________________________________

Applicant Telephone: __________  Email: ______________________________________

(If applicable)

Petitioner’s Agent/Representative: ____________________________________________

Agent/Representative’s Address: _____________________________________________

Agent/Representative’s Telephone: __________  Email: __________________________

Signature of Applicant: ____________________________

Signature of Agent/Representative: ____________________________
ZONING BOARD OF APPEALS TIMELINE

- Petitioner and abutter’s will receive notice of public hearing. The hearing will be advertised for twice, on two consecutive weeks, before the public hearing.

- Public hearing to be held within sixty-five (65) days of filing completed application package.

- ZBA shall vote to grant/deny application within one hundred (100) days of filing. Written decision shall be filed with the City Clerk within fourteen (14) days of the vote.

- Notice of Appeal may be filed with the City Clerk and the ZBA within twenty (20) days after the decision is filed with the City Clerk. If no appeal is filed upon a granted variance, it shall take effect when the appeal period ends.

- Petitioners shall file a granted variance with the Southern Essex Registry of Deeds within one (1) year of the date of decision to perfect their property right.

APPLICATION FEE WORKSHEET

1. Advertising/Mailing Fee.......................................................... $150.00 ☒

2. Variance Application Fee
   a. Minimum Side/Back Yard Encroachment
      • 1-3 Family Residential Dwelling ............................................ 150.00 ☐
      • Commercial/All Others .......................................................... 350.00 ☐
   b. Minimum Lot Area Variance
      • 1-3 Family Residential Dwelling ............................................ 300.00 ☐
      • Commercial/All Others .......................................................... 500.00 ☐
   c. Non-conforming Building/Use ................................................... 250.00 ☐
   d. Subdivide Lots (per Lot subdivided) ........................................... 1000.00 ☐
   e. Additional Dwelling Unit (per Unit added) ............................... 1000.00 ☐
   f. Waiver Off-Street Parking (per Space to be waived)
      • 1 & 2 Family Residential Dwelling ............................................ 50.00 ☐
      • Commercial/All Others .......................................................... 350.00 ☐

TOTAL APPLICATION FEE: ____________________________

** FEE DUE UPON APPLICATION. CERTIFIED BANK CHECK/NON-REFUNDABLE CHECK REQUIRED**

OFFICIAL USE ONLY

Method of Payment:
☐ Cash
☐ Business/Cashier’s Check or Money Order Processed by: ____________________________