

Town of Barnstable
Zoning Board of Appeals

Application for a Other Powers

For Office Use Only	
Date Application Received:	Appeal No.:
Hearing Due Date:	Hearing Date:
Decision Due:	

Property Owner:			Phone:	
Property Location: <small>Street #, Street Name</small>			Village:	
City:			State:	Zip:
Address of Owner (if different from above): <small>Street #, Street Name</small>				
City:			State:	Zip:
Assessor's Info:	Map:	Parcel:	Zoning District:	Groundwater Overlay: <small>AP, GP or WP</small>
Registry of Deeds/Land	Book:	Page:	Document #:	Certificate #:
Court Reference:	Plan Book:			Plan Page:
Appellant's Name:			Phone:	
Appellant's Address: <small>Street #, Street Name</small>			Fax #:	
City:			State:	Zip:

This is a request for:

<input type="checkbox"/> Enforcement Action	<input type="checkbox"/> Appeal of Administrative Official's Decision	<input type="checkbox"/> Other General Powers
---	---	---

Has a Building Permit Been Issued: Yes <input type="checkbox"/> No	Has a Building Permit been Refused: Yes <input type="checkbox"/> No
---	--

Please provide correspondence to/from Zoning Enforcement Officer, Building Commissioner, Building Inspector, etc.

The undersigned hereby applies to the Zoning Board of Appeals for Other Powers, in the manner and for the reasons set forth below:

Cite Section(s) & Title(s) from Zoning Ordinance:	240-
Nature of Appeal & Description of Request: <small>Attach additional sheet if necessary</small>	

Is property subject to an existing Special Permit or Variance:	<input type="checkbox"/> Yes Please list Appeal #(s):	<input type="checkbox"/> No
--	--	-----------------------------

Existing Level of Development of Property – Existing Number of Buildings:	
Existing Use of Property:	
Existing Gross Floor Area:	
Proposed Level of Development of Property – Total Number of Buildings:	
Proposed Use of Property:	
Proposed New Gross Floor Area:	
Site Plan Review Number: <i>Not required for Single or Two-Family Use</i>	Date Approved:

Description of Construction Activity (if applicable):	<i>Attach additional sheet if necessary</i>

Is the property located in a designated Historic District:	<input type="checkbox"/> Yes	<input type="checkbox"/> No
Is the building a designated Historic mark:	<input type="checkbox"/> Yes	<input type="checkbox"/> No
Is this proposal subject to approval by the Board of Health:	<input type="checkbox"/> Yes	<input type="checkbox"/> No
Is this proposal subject to the jurisdiction of the Conservation Commission:	<input type="checkbox"/> Yes	<input type="checkbox"/> No

Signature: <i>Appellant or Representative's Signature</i>	Date:	
Print Name:	Phone:	
Mailing Address: <i>Street #, Street Name</i>		
City:	State:	Zip:
Fax Number:	Email Address:	

Town of Barnstable
Zoning Board of Appeals
Other Powers

DO NOT TIME
STAMP THIS SHEET

Instructions

In accordance with Town of Barnstable's Ordinance, §240-88, "Any individual aggrieved by a decision of the Building Commissioner may appeal to the Barnstable Board of Appeals, as provided under Massachusetts General Law Chapter 40A". This form is to be used only for requests to the Zoning Board of Appeals for Enforcement Actions, Appeals of Administrative Officials, and Other General Powers of the Board. Please note that appeals of Administrative Officials or for Enforcement Actions require specific details and procedures for filing and for proper standing in order to Appeal.

FORMS

Application forms are available at the Zoning Board of Appeals Office, Planning & Development Department, 367 Main Street, Hyannis, MA or by going to our website: town.barnstable.ma.us/ZoningBoard. Two (2) completed application forms with original signatures, along with all required information and materials, must be time stamped with the Town Clerk. One copy is to remain at the Town Clerk's office and one (1) completed application with materials must be submitted to the Zoning Board of Appeals office. It is strongly recommended that before filing with the Town Clerk, to have your application reviewed by the Zoning Board of Appeals staff located at 367 Main Street, Hyannis, MA. Failure to supply required information is sufficient reason for a denial of your request.

FEES

Also required will be a check payable to the Town of Barnstable for the applicable filing fee of **\$600.00** which is non-refundable. Also, in accordance with Massachusetts General Laws Chapter 40A, §11, a legal ad must be published in a newspaper of general circulation. You will be responsible for the legal ad fees once your appeal is advertised. Staff will inform you of the amount of the legal ad fees which should be paid prior to the date of your hearing. The check or money order must be made payable to the Town of Barnstable and sent to the Zoning Board of Appeals.

HEARING

The Zoning Board of Appeals will hold a public hearing on your appeal within 65 days of the filing with the Town Clerk and shall render a decision within 100 days from the Town Clerk's time and date stamped completed application unless extended by signed agreement. Cases are assigned in order of receipt and given the Board's case load, an extension form is included in the application. Abutters and persons of interest, will be notified by mail of the date of the Public Hearing

When the application is filed, you should be fully prepared to go forward with the public hearing. If additional materials are submitted after the filing of the application, they must be submitted to this office no later than eight (8) days prior to the hearing. Materials submitted thereafter shall be given to the Board Members the night of the hearing along with a recommended continuance date. Continuances must be mutually agreed upon and you, or your representative, will still be required to attend the hearing and should be prepared to go forward with the application.

DECISIONS

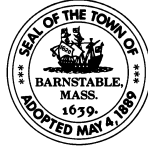
All of the applications to the Board are reviewed by staff of the Planning & Development Department and approximately one week prior to the hearing, a staff report written by the Board's Principal Planner, shall be provided to you, or your representative. Cases must be presented to the Board and the public at an open public hearing. During the hearing, public comment will be taken and inquires by the Board made. All communication with the Board outside of the public hearing must be in writing and directed through this Board's office at 367 Main Street, Hyannis, MA.

All decisions of the Board are made at an open public hearing. The written notice of that decision shall be filed with the Town Clerk's Office within 14 days after the Board renders the decision. A copy of that filed decision will be sent certified mail to the applicant or applicant's representative and notices of the decision filing sent to all abutters. There is an appeal period of 20 days from the date the decision is filed with the Town Clerk. Thereafter, and if no appeal is filed, the Town Clerk shall certify the decision and a copy of that decision will be mailed to you via regular first class mail.

Please review all applicable zoning rules and regulations and Massachusetts General Law (MGL) Chapter 40A. If you are not familiar with the issues of zoning and the requirements of an appeal, you may wish to seek additional advice and guidance.

For more information or to speak to a staff person, please call 508-862-4682.

Thank you.



**Town of Barnstable
Zoning Board of Appeals
Other Powers**

**DO NOT TIME STAMP THIS
SHEET**

Town Clerk's stamp is to be placed on the first page of the application which is page 3 and 4 of this packet.

Thank you.

CHECKLIST

The following required Information, as it applies to your application, must be submitted with the application at the time of filing, failure to do so may result in a denial of your request.

Two (2) copies of the completed application form, each with original signatures and time stamped by the Town Clerk. One copy remains with the Town Clerk's office, one copy to the Zoning Board Of Appeals office

Check made payable to The Town of Barnstable in the amount of \$600.00.

Postage stamps will be required in order to notify abutters. Please contact this office for the amount of stamps prior to submitting your application

Email anna.brigham@town.barnstable.ma.us with supplemental documentation to be submitted eight (8) days prior to the public hearing

If applicable:

Two (2) copies of a 'wet sealed' certified property survey (plot plan) and one (1) reduced copy (8.5" X 11" or 11" X 17") showing dimensions of the land, all wetlands, water bodies, surrounding roadways and the location of the existing improvements on the land

Two (2) copies of a 'wet sealed' certified property survey (plot plan) and one (1) reduced copy (8 1/2" x 11" or 11" x 17") showing the dimensions of the land, all wetlands, water bodies, surrounding roadways and the location of the existing improvements on the land as well as the proposed improvements.

Two (2) copies of a proposed site improvement plan, as found approvable by the Site Plan Review Committee with building dimensions, elevations and layout as may be required plus one (1) reduced copy (8 1/2" x 11" or 11" x 17") of each drawing. These plans must show the exact location of all proposed improvements and alterations on the land and to the structures.



Town of Barnstable Zoning Board of Appeals

Agreement to Extend Time Limits for Holding of a Public Hearing and Filing of a Decision on a Other Powers

ZBA Appeal #:	Map:	Parcel:
Appellant(s):		
Address:	Village/City:	State:
Date Application was Time Stamped with Town Clerk:	Original Hearing Date:	
Original Decision Due:	Number of Days Extended:	
New Decision Due Date:		

In the matter of: _____

Appellant(s)

the Applicant(s) and the Zoning Board of Appeals, pursuant to Mass. General Laws, Chapter 40A, Section 15, agree to extend the required time limits for holding of a public hearing and filing of a decision on this application for Other Powers for a period of ___ days beyond that date the hearing was required to be held and the decision was to be filed. This extension requires that the decision be filed 14 days after the decision is rendered by the Zoning Board of Appeals and that the decision be filed no later than: _____.

In executing this Agreement, the Appellant(s) hereto specifically waive any claim for a constructive grant of relief based upon time limits applicable prior to the execution of this Agreement.

Signatures	
Appellants)	Zoning Board of Appeals
Print Name: <i>Appellant(s) or Appellant(s) Representative</i>	Print Name: <i>Chair or Acting Chair</i>
Signature:	Signature:
Date:	Date:

Zoning Board of Appeals
Planning & Development Department
367 Main Street, Hyannis, MA 02601
Phone: 508-862-4682 Fax: 508-862-4784

cc: Town Clerk
Applicant(s)
File