



TOWN OF CONWAY ZONING BOARD OF APPEALS

SPECIAL PERMIT APPLICATION FOR HEARING

Name of Petitioner: _____

Petitioner Address: _____

Location of Property: _____

Applicant is: _____ (owner, tenant, licensee, prospective purchaser)

Use of Special Permit Requested (attach additional required pages and other useful information as indicated in the underlined portions bylaw printed on reverse of this application – please indicate all building dimensions including height):

Applicable Section of Zoning By-law: _____

I hereby request a hearing before the Town of Conway Zoning Board of Appeals (Special Permit Granting Authority) with reference to the above noted application.

Signed _____

Title _____

Date _____

Town Clerk

Date Received

() With this application, payment of \$160.00 has been received for advertising and notifications.

From Article 4

Protective Bylaws of the Town of Conway, Massachusetts

41.2: Clearances (Setbacks)

(Amended 08 May 2017)

No primary building or structure shall be located within 25 feet of any boundary or within 50 feet of a public way. However, if a primary building or structure already exists on an adjacent lot on the same street and is less than 50 feet from a public way, a new primary building or structure may be located at a distance that is the same or greater from the public way.

For accessory use buildings and structures, the clearances are one-half (½) the distances specified for a primary building or structure.

41.2.1 **Exceptions to dimensional clearances requirements for accessory buildings or structures**

(Added 08 May 2017)

a) The Zoning Board of Appeals may reduce, by Special Permit, the dimensional clearance requirements for front, rear, and side yards related to accessory building or structure setbacks provided that the Zoning Board of Appeals makes a determination that the proposed building or structure is consistent in scale or setback with the structures in abutting parcels and the immediate neighborhood. The Zoning Board of Appeals shall make the following determinations before granting an exception:

1. The Zoning Board of Appeals shall specifically determine that the reduced dimensional clearance requirement for a front, side or rear yard will have no adverse effect on adjacent properties or historic structures.
2. The Zoning Board of Appeals shall specifically determine that the reduced dimensional clearance requirement for a front, side or rear yard will not be a detriment to the public good and will not substantially undermine the intent of the Conway Zoning Bylaws.

b) **The applicant shall file, with the application for a Special Permit, a detailed plan drawn to scale of the property that shows the lot lines and dimensions of the property, the clearance setbacks as they currently exist for front, side or rear yards, the proposed location of the structure, and any proposed reduction to the clearance requirements. In addition, the diagram shall include all utility accesses and shall be signed under pains and penalties of perjury. The applicant shall provide an explanation as to why they are requesting a reduction in setbacks from the clearance requirements of the Zoning Bylaws. The Zoning Board of Appeals may grant any setback reduction where the boundary or lot line from which setback relief is requested has been established, by survey or other recognized documentation from which the ZBA can readily determine the location of the lot lines.**

FINDINGS (why/how does your petition qualify for variance in relation to these criteria?) - Hardship - related to soil conditions, lot shape, topography:

Proposal will not be a substantial detriment to the public good:

Proposal will not nullify or substantially derogate from the intent and purpose of the ordinance by-law:

In your opinion, is it physically possible to accomplish this proposal on any other location on the property where it would comply with the zoning by-law? Please explain your answer.

Signature of Petitioner Date
----- **Do not write below this line.** -----

Received by Town Clerk: _____
Clerk's signature Date & Time received
() With application, payment of \$160.00 has been received for advertising and notifications.

Received by Zoning Board of Appeals: _____
Date Complete? 65 days 100 days
Site Visit: _____ Hearing Date: _____ Posted: _____ Ads: _____
Turned Payment over to Treasurer: _____

