



TOWN OF SALISBURY, MA

ZONING BOARD OF APPEALS

PETITION FOR RELIEF by SPECIAL PERMIT - ACCESSORY APARTMENT

as per M.G.L. Ch. 40A, Section 9 and Salisbury Zoning By-Law Article, VII

The special regulations contained in this article have been enacted for the purpose of encouraging the construction of a limited number of housing units suitable for occupancy by persons that may not need or afford single-family detached housing, while ensuring compliance with local planning standards and policies concerned with land use, building design, and requirements of the health, safety, convenience and general welfare of the inhabitants of the Town. S.300-57

To the Salisbury Board of Appeals;

The undersigned petitions the Board of Appeals to allow by Special Permit, in the manner and for the reasons hereinafter set forth in this application and as per the provisions of the zoning ordinance, to the following described premises;

1. APPLICANT'S CONTACT INFORMATION

Name of Homeowner : _____
Full Name

Address : _____
#/Street Town/City State

_____ Phone _____ Email

2. ADDITIONAL INFORMATION

Assessors Map and Lot/Parcel	_____ / _____	_____
	<small>Map Lot</small>	<small>Assessing Dept. Sign-off</small>

Zoning District _____ (see Building Dept.) Area of Lot _____ sq ft

Has the Applicant appeared before any other Town Board/Commission related to this Request? _____
yes/no

What Zoning Bylaw Section is Special Permit being requested from? _____
Article XI - Acc. Apartments
Section # & Title

3. REQUEST FOR RELIEF INFORMATION

Is this for a new Accessory Apartment? _____ Is this for a previously existing Accessory Apartment? _____

After notice and public hearing, and after due consideration of the reports and recommendations of the Planning Board and the Health Board the Zoning Board of Appeals may grant such a Special Permit provided the Board finds the following facts;

A Is the Apartment is accessory to the principal residence? *The floor area of the apartment shall not be more than 900 total square feet for all new construction or additions to existing residential structure.*

_____ no _____ yes _____ if no, please explain

B Is the Apartment or the Principal Residence to be occupied by the Owner of the lot? _____

C Has adequate provision been made for the disposal of sewage, waste and drainage generated by the occupants of such apartment in accordance with the requirements of the Board of Health? _____

no yes if no, please explain

D Has adequate provision been made for 2 means of egress to the outside of the Apartment?

no yes if no, please explain

E Will the construction and occupancy of the apartment be detrimental to the neighborhood or injurious to persons or property?

no yes if yes, please explain

F Does the lot, on which the apartment and principal residence are located, contain at least 20,000 sf?

no yes if no, please explain

G Have adequate provisions been made for off street parking of motor vehicles in such a fashion as is consistent with the character of a single family residence.

no yes if no, please explain

H Is there already another apartment on the lot on which the apartment is to be located?

no yes if yes please explain

** If the requested Special Permit is to be granted, the Board may impose conditions as it finds reasonably appropriate to safeguard the neighborhood in accordance with the applicable By-law.*

4. AFFIDAVIT & SIGNATURES

By entering and signing my name below, I hereby attest under the pains and penalties of perjury, that all of the information contained in this Petition for Relief is true and accurate to the best of my knowledge and understanding.

Applicant's Signature: _____

5. DOCUMENTATION TO BE ATTACHED

Is a Site Plan, with building dimensions, attached to this application?

no yes if no, please explain

Is a Floor Plan, with dimensions, showing the Accessory Apartment and Principal Residence attached to this Application?

no yes if no, please explain

Is a letter of approval from the Board of Health attached to this application?

no yes if no, please explain

Is a letter of approval from the Planning Board attached to this application?

no yes if no, please explain

Please also see CHECKLIST FOR RELIEF PETITIONS as provided by the Town of Salisbury.

APPEALS PROCESS INFORMATION

APPEALS

- * Within **(14) days** of acting on a Petition for Relief, the Board will file the **decision** with the Salisbury Town Clerk.
- * Notice shall be mailed to the Petitioner/Appellant and parties of interest once a **decision** is filed.
- * The **decision** may be appealed within **(20) days *after*** filing with the Salisbury Town Clerk.

All Appeals shall be conducted in accordance with Mass. General Law, Ch.40A, Section 17

DECISION FILING W/REGISTRY

- * After the **(20) days** appeal period, a Certified Copy of the decision will be available from the Town Clerk.
- * The variance will take effect once the **Petitioner/Appellant** has picked up the Certified Copy from the Town Clerk and recorded it with the Salem Registry of Deeds. The Town of Salisbury does ***not*** record the decision for you.
- * A copy of that recorded decision will need to be filed with a Building Permit Application before a permit is issued.
- * The decision will lapse if substantial use is not made within 2 years of the Clerk's filing.

CAVEAT FOR INCOMPLETE SUBMISSION

Please be advised, if the application is submitted without complete information, not fully filled out or lacks signatures, the Zoning Board of Appeals has the right to dismiss without prejudice.

THIS FORM IS NOW COMPLETE AND READY FOR SUBMISSION TO THE SALISBURY TOWN CLERK