



OFFICE OF THE
LITTLETON BOARD OF APPEALS
 LITTLETON, MASSACHUSETTS 01460

**Littleton Zoning Board of Appeals
 FILING INSTRUCTIONS**

IMPORTANT: Please see the Building Commissioner/Zoning Enforcement Officer before you fill out this application. He will assist you with the proper zoning sections and applications request(s). His review of your project and your application may save time by preventing delays in the hearing process.

THE ZONING BOARD OF APPEALS HAS THE POWER TO HEAR THE FOLLOWING TYPES OF ACTIONS (Under Town of Littleton Zoning Bylaw, Section 173-6B):

1. To hear and decide applications for **Special Permits**
2. To hear and decide applications or petitions for **Variances** for use with respect to particular land or structures
3. To hear and decide other **Appeals**

You should submit the completed one page **application form** (attached) to the Town Clerk with the appropriate filing fee (See below). **In addition, you must submit to the Town Clerk, at the time of filing, fourteen (14)* copies of the following supporting documentation** (distribution: Original to BOA file, 9 copies to BOA members (5 members, 4 alternates), 1 copy each to Town Clerk, Building Commissioner, Planning Board, and BOA Clerk)

1. Prints of **the latest recorded plan of the land** which will be affected; or in cases where no such plan exists, prints of a plan of the land endorsed by a registered engineer or land surveyor. The plan should show metes and bounds of the land; dimensional layout of all buildings; distances and setbacks from the various boundaries; exact dimensions, setbacks and specifications of any new construction, alterations, additions or installations; direction of North; names of all abutting property owners.
 - a. In cases pertaining to subdivisions of land, prints should show the proposed subdivisions endorsed by a registered engineer or land surveyor, in addition to the requirements described in #1 above.
 - b. In cases pertaining to structures and signs, prints of the building plans are required, in addition to the requirements described in #1 above.
 - c. In cases pertaining to Accessory Dwellings, evidence is to be provided that the Board of Health has approved the septic system pertaining to the dwellings on the lot

2. Include a copy of the **latest recorded deed** to the property which will be affected.

3. **Filing Fee and Registry Fee**

Each Application or Petition for a Special Permit, Variance, or appeal must be accompanied by a filing fee (payable to the Town of Littleton) and a separate recording fee (payable to the Middlesex Registry of Deeds), as set forth below. Fees are used for notice, publication and recording.

	<u>Filing Fee (town)</u>	+	<u>Registry Fee</u>
RESIDENTIAL DWELLING	\$200.00	+	\$75.00
COMMERCIAL BUILDING	\$350.00	+	\$75.00
COMPREHENSIVE PERMIT	\$1,000.00	+	\$75.00

4. The applicant must request **a certified list of abutters**, available from the Assessors' Office who will forward it to the Board of Appeals.

Completed applications filed with the Town Clerk by the third Thursday of the month will be considered at the next regularly scheduled BOA meeting, held on the third Thursday of the following month. The Board, in its discretion, may dismiss an application or petition for failure to comply with any of the foregoing rules.



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Board Use Only Case # _____ Filing Date _____

The undersigned, having standing in this matter, hereby petitions the Littleton Board of Appeals for a _____ VARIANCE _____ SPECIAL PERMIT and/or _____ APPEAL (Check all that apply)
as specified below and as provided by the Town of Littleton Zoning Bylaw

1. LOCATION OF THE PROPERTY: *Please print*

A. Street Address _____

B. Assessors' Map and Parcel # _____

____ Zoning District ____ Aquifer District ____ Water Resource District

C. Deed Reference _____

2. LITTLETON ZONING BYLAW SECTION(S)

A. Variance _____

B. Special Permit _____

C. Appeal _____

3. STATE BRIEFLY REASONS FOR THIS PETITION *Use additional sheets, if necessary*

4. PETITIONER(S) _____

____ Owner ____ Tenant ____ Licensee ____ Agreed Purchaser ____ Agent ____ Other _____

NOTE: If petitioner is not the owner, furnish written authorization from owner below.

Signature

Date

Mailing Address

Telephone #



Town Clerk Use ONLY **Filing Fee Paid** \$ _____
Registry Fee Paid \$ 75.00 _____ **Date** _____



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**PREPARING FOR THE HEARING
with the Board of Appeals**

IMPORTANT: Please see the Building Commissioner/Zoning Enforcement Officer before you fill out the application. He will assist you with the proper zoning sections and application request(s). His prior review of your project and application may save time by preventing delays in the hearing process.

I. REQUEST FOR A VARIANCE

Variances shall be granted only in cases where the Board finds **all** of the following:

1. That a literal enforcement of the provisions of the zoning chapter would involve a substantial hardship, financial or otherwise
2. That a hardship is owing to circumstances related to soil conditions, shape or topography of such land or structures and especially affecting such land or structures but not affecting generally the zoning district in which it is located.
3. That the desirable relief may be granted;
 - a. Without substantial detriment to the public good, OR
 - b. Without nullifying or substantially derogating from the intent or purpose of the zoning bylaw

Note: The law does not permit the Board to grant a Variance unless ALL of the requirements, as set forth above, are satisfied. A Variance cannot be granted for a self-imposed hardship.

*Note: "No person has a legal right to a Variance and they are to be granted sparingly."
Damaskos v. Board of Appeals of Boston, 1971*

II. REQUEST FOR A SPECIAL PERMIT

Usually these involve changing , altering or adding to the size of a pre-existing non-conforming structure. You **must** demonstrate the following;

1. The detail with a Site Plan of the areas of the structure which are non-conforming
2. The detail of the plans of your change, extension or alteration
3. Evidence that no significant nuisance, hazard or congestion will be created
4. That there will be no substantial harm to the neighborhood or derogation from the intent of the zoning bylaw