



Town of Mashpee

16 Great Neck Road North
Mashpee, MA 02649

PETITION FOR A VARIANCE

Date _____

The undersigned hereby petitions the Zoning Board of Appeals for a Variance from certain dimensional requirements of the Mashpee Zoning Bylaws pursuant to MGL Chapter 40A Section 10.

Name of Applicant: _____ Phone #: _____

Mailing Address: _____ Email: _____

Name of Owner (if different): _____ Phone #: _____

Subject Property Address: _____ Zoning District: _____
(Street) (City) (State) (Zip Code)

Barnstable County Registry of Deeds Book _____ Page _____ or Land Court Certificate of Title No. _____ (*Attach copy of the most recent recorded deed*).

Mashpee Assessor's Map(s) and Block(s): _____

Is this property within any of the following:

New Seabury Special Permit Area? ☐ YES ☐ NO
Any Overlay District(s)? ☐ YES ☐ NO
Cluster Subdivision? ☐ YES ☐ NO

Please identify which overlay districts apply and if in a cluster subdivision, please indicate the Book and Page of the recorded special permit decision authorizing the cluster, if applicable. If no special permit, please indicate the year that the lot was created and the applicable dimensional criteria:

Please complete the table below (Lot area and structure coverage should be shown below in square feet):

Criteria	Existing (if applicable)	Proposed
Lot Area (upland)		
Lot Area (wetlands)		
Lot Area (total)		
Frontage		
Structure Coverage*		
Lot Coverage**		

Building Height		
Side Yard Setback(s)		
Front Yard Setback		
Rear Yard Setback		
Setback to Water and Wetlands		

*For structure coverage please show the aggregate total of existing and proposed structures on the site in square feet including but not limited to houses, barns, sheds, garages, pools, carport, pergolas, etc.

**Lot coverage shall be calculated utilizing the Structure Coverage as the numerator and lot area exclusive of water and wetlands as defined in MGL Ch. 131 Sec 40 as the denominator. Land Subject to Coastal Storm Flowage (LSCSF) is a wetland for the purposes of calculating lot coverage.

$$\text{Lot Coverage} = \text{Structure Coverage} / \text{Lot Area}$$

Description of the relief requested:

Variances may only be granted if hardship is created as a result of lot shape, topography, or soil conditions unique to the Zoning District. Please indicate which conditions are impacting your lot and which may constitute a hardship (check all that apply):

☐ Lot Shape ☐ Topography ☐ Soil Conditions

Please describe how the existing conditions of the subject lot affects the land in a manner whereas a literal enforcement of the provisions of the Mashpee Zoning Bylaw would involve substantial hardship, and how granting the desired relief would not constitute a detriment to the public good, or derogate from the intent or purpose of the Zoning Bylaw (you may provide this separately if desired).

Signature of Owner or Authorized Representative (Attach written authorization signed by property owner if applicable):

Mail certified copy of Decision to: _____

Scheduled Date _____

**TOWN CLERK
DATE STAMP**



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**PLEASE SUBMIT FORM WITH ZBA PETITION AFTER OBTAINING TAX COLLECTOR
AND 911 COORDINATOR SIGNATURES**

Date: _____

Property address: _____

Assessor's Map # _____ Parcel # _____

I have reviewed the address. _____

GIS and E911 Coordinator Signature
Clay Nicholson

Date

I hereby attest that _____

OWNER OF RECORD

Is (are) the owner(s) of the above-referenced property.

I hereby further attest that the owner of the above-cited property is not, to the best of my knowledge, in arrears of payment of any local taxes as may be applicable under Section 1 of Chapter 112 of the Mashpee Code.

Treasurer/Collector

Date

CHECKLIST FOR A VARIANCE

1.) Plan Submittal: The application shall be accompanied by three (3) hardcopies of the building plans and three (3) hardcopies of the Site Plans. In addition, all plans shall be provided in pdf format to the Administrative Secretary (mrromero@marshpeeema.gov) to the Zoning Board of Appeals at the time of filing.

It is strongly encouraged that applicants engage the Building Commissioner for a pre-application conference to ensure the application is complete. Plan submissions that do not comport with the minimum requirements enumerated below will be found to be incomplete and will be denied.

The information detailed in §174-24(C)(3) of the Mashpee Zoning Bylaw shall be depicted on the plan set submitted in support of a petition for a Written Finding. In addition, the plan should include the items shown in the checklist below at a minimum:

- ☐ The plans shall clearly list all applicable existing and proposed dimensional criteria detailed in Section 174-31: Land Space Requirements of the Mashpee Zoning Bylaw in a table format. The Zoning Table should indicate the difference between the existing conditions and proposed conditions, and clearly identify those conditions that are pre-existing nonconforming:
 - ☐ Lot area inclusive of water and wetlands MGL C. 131, §40.
 - ☐ Lot area exclusive of water and wetlands MGL C. 131, §40.
 - ☐ Frontage.
 - ☐ Setback distances to the front lot line.
 - ☐ Setback distance to the side lot lines (If setback to the side lot lines differ on either side, please clearly identify which setback applies to which lot line (northerly, southerly, easterly, westerly).
 - ☐ Setback distances to the rear lot line.
 - ☐ Setback distance to any water and wetland as defined in MGL C. 131, §40.
 - ☐ Lot coverage by structures.
 - ☐ Building Height/Number of Stories above grade.
 - ☐ If the lot is partially or totally within the Floodplain Zone Overlay District the area of the lot within said zone needs to be shown on the plan. If there are other wetlands delineated on the site, the plan should note the area of the lot that is wetlands to accurately calculate lot coverage in accordance with the bylaws. Land Subject to Coastal Storm Flow (LSCSF) is a wetland as defined in MGL C. 131, §40 and must be considered accordingly.
 - ☐ If applicable, a landscaping plan that shows existing and proposed landscaping conditions. EASEMENTS, LIGHTING, AND DRAINAGE STRUCTURES, EXISTING AND PROPOSED.
 - ☐ Any exterior non-structural appurtenances including but not limited to AC Condensers, all retaining walls less than 4' in height, and fences.
 - ☐ If relevant, an interior floor plan with ALL rooms clearly labeled. A design engineer certification noted on the plan that the plan as designed is true and correct to the best of his/her knowledge.
 - ☐ Any additional information that may assist the Board in their deliberation.

2.) FILING FEES: Each Petition must be accompanied by a filing fee payable by check to the Town of Mashpee.

Filing Fee: \$125 for Residential Petitions (per Petition)
\$250 for Commercial Petitions

3.) GIS/911 COORDINATOR/TAX COLLECTOR FORM

- ☐ GIS/E911 Coordinator's signature verifying correct address.
- ☐ Confirmation from Town Treasurer/Tax Collector that all taxes have been paid on the subject property.

4.) ABUTTERS' LISTS:

- ☐ Payment for Certified Abutters List from the Mashpee Tax Assessor's office.