

**ZONING BOARD OF APPEALS
STOW, MASSACHUSETTS 01775**

IMPORTANT: BEFORE PROCEEDING TO THE HEARING APPLICATION

*It is suggested the Town Clerk's office be contacted
for copies of applicable Zoning Bylaws*

READ THE INSTRUCTIONS!

It is important that ALL of the information contained in the "Hearing Application Information" be read, understood and followed. However a Petition or an Application is submitted to the Board, it must be accepted, whether correctly or incorrectly filed. Incorrectly filed petitions/applications could result in an unfavorable decision of the Board, or a delay of decision.

Application for Hearing must be submitted on the forms provided (last three pages of the information package).

The Inspector of Buildings is the Zoning Enforcement Officer for the Town of Stow. It is he who determines that a Variance and/or Special Permit should be sought.

When both a Variance and a Special Permit are required, there must be a separate filing for each and in accordance with the information to be submitted for each, i.e., number of copies, plan, etc.

The Board of Appeals meeting schedule is posted in the Town Clerk's office, along with the deadlines for filing petitions/applications. Applicants are urged not to wait until the final day for filing with the Town Clerk. That does not provide enough time for review by the Board for clarification, for corrections to be made, or for additional information to be furnished.

Questions about the process may be referred to the Secretary to the Board.

Variance: The Zoning Bylaw sets forth regulations for use of land, buildings and structures. A deviation from any of those provisions may be sought through the variance process. The most commonly sought variance involves setback from lot lines. Example: A homeowner wishes to construct an addition to his dwelling that will cause it to be 20 feet from the side lot line. The Bylaw currently requires a 25-foot side yard, therefore, a 5-foot setback variance should be sought under Section 4.4.

Special Permit: The Zoning Bylaw Section 3.9 provides that any pre-existing, non-conforming use or structure may be extended or altered upon application for Special Permit and a finding by the ZBA that such change is not substantially more detrimental to the neighborhood than the existing non-conforming use. The most common application in this regard involves alteration or addition to dwellings/structures on lots with area of less than the current zoning of 65,340 sq. ft. and 200-ft. frontage. The Board requires plans of the new construction showing dimensions, elevations and maximum height from grade level.