

BEFORE YOU BUILD:

CHECKING ON ZONING REQUIREMENTS

Early in any project, especially where it appears there may be site issues, or for all new construction, the homeowner may want to review the proposed project with the Zoning Department. The following is a checklist of what you may want to do before involving an architect or builder.

TIP: Go to the Building Department desk at Town Hall and give them your address, and they should be able to tell you if they have any drawings or other information on file regarding your house.

A. Go to Zoning Department Office:

1. Check building department for recent floor plans or survey information.
2. Review Zoning Bylaws excerpts below, or full text of Bylaws can be found online at,

NOTE: For Towns where changes to the bylaws are made through Town Meeting, check for any revisions after annual Town Meeting, generally in the spring or fall.
3. Go to Zoning Department Office with whatever information you already possess including any site or mortgage plans, real estate company floor plans. Review with Zoning Director any issues he/she can foresee. (Depending on the issues, he/she may redirect you to the Building Inspector.) They will be able to help you figure out if you need a Special Permit application or a Variance application.

NOTE: Special Permits are granted fairly regularly, as the intent of a Special Permit is to allow homeowners to basically build within the setbacks currently established by the existing building. As long as the addition does not encroach any further than the existing setback, it is usually approved. Variances, on the other hand, are much more difficult to get approved. A true hardship must be presented (things like needing a two-car garage, or a larger family room generally do not qualify as hardships).

4. If it appears you will need to apply for a Special Permit or a Variance, pick up a copy of the Zoning Application, and ask for the next two application due dates, and the next two Zoning Hearing dates. Depending on your schedule, and whether you already have an architect, you may be looking at applying for a hearing 2-3 months out.

TOWN OF WELLESLEY



MASSACHUSETTS

ZONING BOARD OF APPEALS

TOWN HALL • 525 WASHINGTON STREET • WELLESLEY, MA 02482-5992

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****MATERIALS NECESSARY FOR VARIANCE APPLICATION TO BOARD OF APPEALS****

I. APPLICATION FORM: Must be filled out completely and signed by the property owner. Please state the factors causing hardship as specified in the following paragraph:

SECTION XXIV-D 1. of the ZONING BYLAW STATES:

"The Permit Granting Authority shall have the power, after a public hearing for which notice has been given pursuant to the applicable sections of this Bylaw and by mailing to all parties in interest, to grant upon appeal or upon petition, with respect to particular land or structures, a variance from the terms of this Zoning Bylaw where the Permit Granting Authority specifically finds that:

- a. Literal enforcement of the provisions of the Zoning Bylaw would involve substantial hardship, financial or otherwise, to the petitioner or appellant owing to circumstances relating to i) soil conditions, ii) shape, or iii) topography of such land or structures, especially affecting such land or structures but not generally affecting the zoning district in which it is located, and the hardship shall not have been self-created; AND
- b. Desirable relief may be granted without substantial detriment to the public good, and without nullifying or substantially derogating from the intent or purpose of this Zoning Bylaw."

II. PLOT PLAN: Must be an instrument survey, drawn by a Registered Land Surveyor, of recent date, signed and dated, on an 8 and 1/2 by 11 size paper in a scale of 1"= 20', indicating the proposed addition, all eaves and bay windows all dimensions, distance from side, rear and front property lines as applicable. Percentage of lot coverage existing and proposed and all easements must be shown. PLOT PLAN MUST AGREE WITH CONSTRUCTION PLANS.

III. CONSTRUCTION PLANS Must indicate: 1) existing conditions of structure, interior and exterior including floor plans and elevations. 2) proposed changes to structure, interior and exterior, including floor plans and elevations. ALL PLANS MUST BE SIGNED AND DATED AND SHALL BE NO LARGER THAN 11" BY 17".

IV. PHOTOGRAPHS: Seven copies. Must show the existing structure and property area in question

V. FILING FEE: A check payable to TOWN OF WELLESLEY in the amount of \$200.00.

VI. MAILING & PUBLICATION FEE A check payable to TOWN OF WELLESLEY in the amount of \$25.00.

VII. PUBLIC HEARING Petitioner must attend the public hearing.