



PETITION FOR VARIANCE

(Please type or print)

ZBA Use Only

File # _____

Each application for Variance submission shall be prepared in accordance with the provisions of Zoning Ordinance Section 34-213. The purpose of this document is to identify the submission requirements in checklist form, so as to help applicants better understand the process and guide them in the preparation of their application. The applicant should refer to the following resources for more in-depth descriptions of the Variance requirements:

Zoning Ordinance- <http://library.municode.com/index.aspx?clientId=14939>

Chelsea Development Guide- www.ci.chelsea.ma.us/Public_Documents/ChelseaMA_Planning/publications

Site Information- Maps available at Assessor's Office and GIS maps are found at:

<http://maps.chelseama.gov/>

Property Address: _____

Assessor's Map: _____ & Lot: _____

Suffolk Registry of Deeds: Book # _____ Page# _____

Certificate Number (if registered) _____

Current Zoning District (Check One) 

- | | |
|--|---|
| <input type="checkbox"/> Residence 1 | <input type="checkbox"/> Industrial |
| <input type="checkbox"/> Residence 2 | <input type="checkbox"/> Waterfront |
| <input type="checkbox"/> Residence 3 | <input type="checkbox"/> Light Industrial |
| <input type="checkbox"/> Retail Business | <input type="checkbox"/> Light Industrial 2 |
| <input type="checkbox"/> Retail Business 2 | <input type="checkbox"/> Naval Hospital Commercial |
| <input type="checkbox"/> Shopping Center | <input type="checkbox"/> Naval Hospital Residential |
| <input type="checkbox"/> Business | |
| <input type="checkbox"/> Highway Business | |

Overlay Districts (If Applicable): _____

2. General Information

Petitioner Name: _____

Petitioner Address: _____

Tel. #: Days () _____ - _____ Evenings: () _____ - _____

Fax: () _____ - _____ Email: _____

Petitioner is: Owner Prospective Purchaser Tenant
 Licensee Other (Describe) _____

Owner Name (if different): _____

Owner address: _____

Tel. #: Days () _____ - _____ Evenings: () _____ - _____

Fax: () _____ - _____ Email: _____

Designee Name (if different from Petitioner): _____

Designee address: _____

Tel. #: Days () _____ - _____ Evenings: () _____ - _____

Fax: () _____ - _____ Email: _____

3. Written Project Summary- Describe the proposed work, existing & planned uses, existing and proposed dimensional requirements, building(s) and structure(s) size and locations, units/number of bedrooms, and/or other relief necessary: (Use additional sheets as needed):

4. Variance Criteria – A variance may only be granted when all of the four criteria are met:

A). Describe the circumstances relating to *the soil conditions, shape or topography which especially affect the land or structure (s) in question*, but which do not affect generally the Zoning District in which the land or structure is located that would substantiate the granting of a variance.

B). Describe how the literal enforcement of the provisions of the zoning ordinance relating to the circumstances especially affecting the land or structure in question would involve *substantial hardship, financial or otherwise*, to the petitioner.

C). Describe how desirable relief may be granted *without substantial detriment to the public good*.

D). Describe how desirable relief may be granted *without nullifying or substantially derogating from the intent or purpose of the zoning ordinance* of the City of Chelsea.

5. Fee Schedule (Fees may be paid by personal check, treasurer’s check or money order)

Variance Application Fee: **See attached Fee Schedule (effective December 1, 2013)**
\$60.00 payable to the *Chelsea Record*

I/We hereby certify under the pains and penalties of perjury that the foregoing information contained in this petition are true and complete.

SIGNATURE OF PETITIONER

DATE

SIGNATURE OF PROPERTY OWNER

DATE

INCOMPLETE APPLICATIONS WILL NOT BE ACCEPTED AND WILL BE RETURNED TO APPLICANT

Zoning Board of Appeals
City Hall, Room 101, 500 Broadway
Chelsea, Massachusetts 02150
Telephone (617) 466-4180
Fax (617) 466-4195

Special Permit / Major Site Plan / Variance Submission Requirements

The following list is intended to aid the applicant in gathering all required supporting materials for the permit process. Please consult with the Department of Planning & Development to determine if fewer paper copies can be submitted for your project, particularly if you are submitting an application for both a Special Permit and Major Site Plan Approval or submitting electronic documents. An application for a special permit shall be in substantial conformance with Section 34-215 of the zoning ordinance. Specifically, Section 34-215(e) specifies the plan requirements for Major Site Plans. Incomplete applications will not be accepted and will be returned to the applicant. Applicants are invited to submit a pre-application sketch of the proposed project to the Department of Planning & Development and to schedule a comment period at a regular meeting of the ZBA. Plans shall be prepared by a registered engineer, registered land surveyor, architect or landscape architect, as appropriate. Double-sided copies of reports are encouraged for large documents, including drainage calculations, traffic reports, or engineering data.

It is the applicant's responsibility to deliver all application and attachments as follows:

Special Permit Submission Requirements

Submitted and stamped at the
City Clerk's Office:

Seventeen petition sets

*(including three 24" x 36" plans
and fourteen 11" x 17" plans)*

- City Clerk (original copy)
- Zoning Board of Appeals
- Planning Board

Five sets are delivered to:

- Inspector of Buildings (1)
- Department of Public Works (1)
- Fire Department (1)
- Conservation Commission (1)
- Board of Health (1)

*Special permit applications to reconstruct, extend, alter, a non-conforming single or two-family structure need to submit only one (1) original 11" x 17" plan and fifteen (15) copies of plans. (Section 34-214(c)(3))

Major Site Plan Submission Requirements

Submitted and stamped at the
City Clerk's Office:

Seventeen petition sets

*(including three 24" x 36" plans
and fourteen 11" x 17" plans)*

- City Clerk (original copy)
- Planning Board

Six petition sets are delivered to:

(including three 24" x 36" plans)

- City Council (1)
- Inspector of Buildings (1)
- Department of Public Works (1)
- Fire Department (1)
- Conservation Commission (1)
- Board of Health (1)

Variance Submission Requirements

Submitted and stamped at the
City Clerk's Office:

Seven petition sets

*(including two 24" x 36" plans
and five 11" x 17" plans)*

- City Clerk (original copy)
- Zoning Board of Appeals

Waiving of Requirements

A letter requesting a waiver of requirements for Major Site Plans should accompany an application that does not include all checklist items in Section 34-215 (e). This waiver letter should also explain the reasons for the Planning Board to grant a waiver. In addition, the Zoning Board of Appeals and Planning Board reserve the right to require the additional information, including plans, as allowed in the Zoning Ordinance.

Complete sets of plans, applications, narratives, and photos will help avoid delays.

The City Clerk will not accept incomplete applications that do not contain the minimal submission requirements.

Dimensional Worksheet

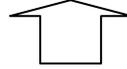
Structure Dimensional Checklist To Be Completed By Applicant

Petitioner Name	
Parcel Address	
Zoning District	
Lot Area	
Total Building Gross Floor Area	

	Allowed/ Required	Existing		Proposed
Minimum Lot Area (sf)				
Lot Area/Dwelling Unit				
Maximum Floor Area Ratio				
Minimum Frontage (ft)				
Total Dwelling Units				
Rental/Ownership				
Affordable				
Density				
Minimum Yard Setbacks				
Front				
Side, Left				
Side, Right				
Rear				
Maximum % Lot Coverage				
Minimum Open Space/Family				
Total Off-Street Parking Spaces				
Total Loading Areas				
Maximum Height/Stories				



Available in the City
of Chelsea Zoning
Ordinance



Provided by the
Applicant



Provided by the
Applicant



Checklist of Petition Requirements

	Special Permit	Variance	Major Site Plan
Copies of the denial letter from the Zoning Enforcement Officer	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Photographs of the proposed site (Black & White copies for petition sets are sufficient)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Submittal Fees (Fees vary and may be paid by personal check, treasurer's check or money order)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Development Impact Statement (DIS)*	At discretion of ZBA*		<input type="checkbox"/>
Plans			
Locus plan or certified plot plan at a scale of one (1) inch equals one hundred (100) feet, showing the entire project and its relation to existing areas, buildings and roads for a distance of one thousand (1,000) feet from the project boundaries or such other distance as may be approved or required by the planning board.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Site layout plan , which shall contain the boundaries of the lot(s) in the proposed development, existing structures to be retained, proposed structures, drives, parking, fences, walls, walks, outdoor lighting, loading facilities, areas for snow storage after plowing, and all proposed recreational facilities and open space areas.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Architectural plan , which shall include the ground floor plan and architectural elevations of all proposed buildings and a color rendering. (See Note 1 below)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Topography and drainage plan* , which shall contain the existing and proposed final topography at two-foot intervals and plans for handling stormwater drainage (including drainage calculations if necessary), and all wetlands including floodplain areas.	At discretion of ZBA*		<input type="checkbox"/>
Utility plan* , which shall include all facilities for refuse and sewage disposal or storage of all wastes, the location of all hydrants, fire alarm and firefighting facilities on and adjacent to the site.			<input type="checkbox"/>
Landscaping plan* , showing the limits of work, existing tree lines, and all proposed landscape features and improvements including screening, planting areas with size and type of stock for each shrub or tree, and including proposed erosion control measures.			<input type="checkbox"/>

Note 1: Certification is required that the proposal is in conformance with the provisions of the Americans with Disabilities Act and the Massachusetts Architectural Barriers Board.

Note 2: This list should be considered a summary of the requirements for Petition sets. The applicant should refer to the Chelsea Zoning Ordinance for a full description of the required contents as well as the distribution information. The Zoning Board of Appeals and Planning Board retain the right to require additional information as allowed in the Zoning Ordinance.

For assistance with project requirements and submission procedure, please call the Department of Planning & Development at (617) 466-4180.

All Petition Sets Must be Submitted and Stamped by the City Clerk's Office

City Hall, Room 101, 500 Broadway
 Chelsea, Massachusetts 02150
 Telephone (617) 466-4180
 Fax (617) 466-4195



Checklist of Plan Requirements & Written Summary

Topography and Drainage Plans

- Existing topography at 2' contour intervals
- Proposed topography at 2' contour intervals
- Plans for stormwater management
- Wetland resource area delineation

Utility Plans

- Sewer
- Water
- Refuse and storage of waste
- Hydrants and fire alarms

Architectural Plans

- Floor plans
- Elevations of proposed building(s)
- Color rendering of proposed building(s)

Landscaping Plans

- Limit of Work delineation
- Existing vegetation proposed to be saved and/or removed
- Screening
- Plant List (size and type of stock) with key to plan
- Erosion control measures

Written Summary

- Number of dwelling units
- Acreage in residential use
- Evidence of compliance with parking and off-street loading requirements
- Forms of ownership
- Maintenance provisions
- Identification of land that will be common or public
- Certification of Americans with Disabilities Act compliance
- Time required to complete project and phases (with site plans)
- Written estimate, showing cost of site improvements planned (with site plans)

Completeness of Plans

Complete and accurate sets of plans, applications, narratives, and photographs will help avoid delays.

The Petitioner should refer to the Zoning Ordinance (Sections 34-214 and 34-215) for a description of the required contents as well as the application distribution information. The Zoning Board of Appeals and Planning Board retain the right to require additional information as allowed in the Zoning Ordinance.

The City Clerk will not accept any incomplete applications that do not contain the minimal

Waiver Request

In accordance with Section 34-215 (c)(1) of the Zoning Ordinance, a letter requesting a waiver of requirements for Major Site Plans should accompany a Petition that does not include required checklist items. This waiver letter should also explain the reasons for the Board to grant a waiver. The Planning Board always reserves the right to deny a waiver and require the additional information.



Fee Schedule

City of Chelsea Zoning Ordinance

In calculating the filing fee for an application before the Zoning Board of Appeals, the fee schedule below is used:

1. Special Permit application for parking relief for an existing one-or two-family dwelling:
\$150.00 payable to the City of Chelsea
\$60.00 payable to the Chelsea Record
2. Variance application for dimensional relief for an existing one-or two-family dwelling:
\$150.00 payable to the City of Chelsea
\$60.00 payable to the Chelsea Record
3. Special Permit application for construction of a new multi-family dwelling with greater than six units:
\$1,000.00 payable to the City of Chelsea
\$60.00 payable to the Chelsea Record
4. Special Permit application for Planned Development or Major Commercial Project:
\$1,000.00 payable to the City of Chelsea
\$60.00 payable to the Chelsea Record
5. Special Permit application for a commercial and/or industrial use where new construction of 8,000 or more g.s.f. is proposed, or there is a change in use or alteration of 8,000 g.s.f. or more in an existing building:
\$500.00 payable to the City of Chelsea
\$60.00 payable to the Chelsea Record
6. Other Special Permits:
For a Special Permit request that does not fall in one of the above categories in Item 1, 3, 4 or 5 above, the filing fee shall be \$350.00 payable to the City of Chelsea and \$60.00 payable to the Chelsea Record
7. Variance:
For a Variance application that does not fall into the category Item 2 above, the filing fee shall be \$350.00 payable to the City of Chelsea and \$60.00 payable to the Chelsea Record

In addition, the following fees shall apply:

8. Major Site Plan Review by the Planning Board where neither a Special Permit or Variance application is filed:
\$350.00 payable to the City of Chelsea
\$60.00 payable to the Chelsea Record
9. Major Modification to an Existing Special Permit:
\$350.00 payable to the City of Chelsea
\$60.00 payable to the Chelsea Record
10. Appeal:
\$350.00 payable to the City of Chelsea
\$60.00 payable to the Chelsea Record



City of Chelsea
ZONING BOARD OF APPEALS
Chelsea City Hall
500 Broadway, Room 101
Chelsea, Massachusetts 02150
Tel: (617) 466-4187 Fax: (617) 466-4195

John DePriest, AICP, Chairman
Janice Tatarka, Member
Arthur Arsenault, Member
Joseph Mahoney, Associate
Marilyn Vega-Torres, Associate

VARIANCE OR APPEAL

PETITION PROCEDURES

Variance Petitions shall be submitted to the City of Chelsea, City Clerk's Office, Room 209, 500 Broadway, Chelsea, MA. A complete Variance Petition includes the following:

- 1) A **Variance Petition**, completed and executed; and/or an **Appeal** from the Decision of the Inspectional Services Department – Zoning Enforcement Officer.
- 2) **Photographs** in sufficient quantity, quality and detail to indicate the environment features of the site and any existing structures, adjacent or nearby open space, and adjacent structures and/or uses.
- 3) A **Denial Letter** from the Inspectional Services Department – Zoning Enforcement Officer stating the reasons for the denial of a building or occupancy permit.
- 4) A **Certified Plot Plan/Site Layout Plan**, drawn to scale, stamped by a registered engineer or land surveyor, illustrating the bulk, dimensional, or other requirements for which a Variance is sought shall be submitted for projects as follows:
 - a) The lot or lots for which the Petition is submitted. Multiple lots assembled to form a building lot should be illustrated with hash lines between lots to indicate location of multiple lots. Petitions for Variances related to the subdivision of land must clearly illustrate existing lot lines, proposed new lot lines, and existing and proposed lot numbers.
 - b) Lot dimensions, i.e., lot frontage and lot area. Plans with existing/proposed buildings, or building additions, must also illustrate yard dimensions, i.e., front, side, and rear yard setbacks that are existing and as proposed.
 - c) Calculations of existing and proposed percentage of lot coverage, useable open space, and current and proposed building and/or structure height, and floor area ratio, as applicable.
 - d) Location and dimensions of parking spaces (see Section 34-106 of the Chelsea Zoning Ordinance for off-street parking requirements).
 - e) Current zoning district of lot(s) as well as street address of lot(s).
 - f) All existing structures, stairs, decks, sheds, patios, chimney foundations, swimming pools, landscaping/open space, etc.
 - g) Depending on your proposal, you may need to submit other plans to illustrate the nature of Variance relief requested. The Zoning Board of Appeals retains the right to require additional information as allowed in the Zoning Ordinance.
- 5) The required fees for submission of a Petition for a Variance or Appeal to the Chelsea Zoning Board of Appeals. (Fees may be paid by personal check, treasurer's check or money order).

Application Fee: See **Fee Schedule** (effective December 1, 2013) payable to the **City of Chelsea**.
Advertising Fee: \$ **60.00** payable to the **Chelsea Record**.

- 6) The Petition form with plans, photographs, and the Inspectional Services Department's denial letter, together with the appropriate fees to cover expenses of the hearing by the Board and

advertising costs, must be filed in the **City Clerk's Office, City Hall, 500 Broadway, Room 209, Chelsea, MA 02150.** Office Hours: Monday, Wednesday and Thursday 8 a.m. to 4 p.m., Tuesday 8 a.m. to 7 p.m. and Friday 8 a.m. to 12:00 p.m.

- 8) The Zoning Board of Appeals Hearings are held on the **2nd Tuesday of the Month at 6:00 p.m.** in City Hall, 500 Broadway, Room 102, Chelsea. The Board will notify each Petitioner by mail of their scheduled hearing date. Petitioners with any questions may contact the Zoning Board of Appeal Clerk Paulette Velastegui at (617) 466-4181.

CRITERIA FOR GRANTING OF VARIANCE

Each Petition for a Variance from the specific terms of a zoning regulation shall include a written statement justifying the Variance, as required by M.G.L. chapter 40A, section 10:

- A. The Variance is sought because of soil conditions, shape or topography of such land or structure and especially affecting such land or structures, but not affecting generally the zoning district in which it is located.
- B. A literal enforcement of the provisions of this ordinance would involve a substantial hardship, financial or otherwise, to the petitioner or appellant.
- C. Desirable relief may be granted without substantial detriment to the public good.
- D. Desirable relief may be granted without nullifying or substantially derogating from the intent and purpose of this zoning ordinance.

PETITION REQUIREMENTS CHECKLIST

- 1. Petition Application – Complete and Signed by Petitioner (and Property Owner, if different).
- 2. Photographs
- 3. Denial Letter of Building/Occupancy Permit
- 4. Certified Plot Plan and/or Site Layout Plan as well as other plans as needed to illustrate the relief that is requested
- 5. Application Fee: See **Fee Schedule** (effective December 1, 2013) payable to the **City of Chelsea**
Advertising Fee: \$ **60.00** (Check payable to the **Chelsea Record**)
- 6. Other (explain): _____

Petitions for Variances or Appeals will not be accepted by the City Clerk unless the Petitioner fulfills the Petition requirements of the Chelsea Zoning Board of Appeals.