



## Town of Oak Bluffs

### Zoning Board of Appeals

P.O. Box 1327 Oak Bluffs, Massachusetts 02557

## Petitioning the Zoning Board of Appeals

The Zoning Board of Appeals may be petitioned to grant a **special permit** or a **variance** or to **review** a zoning decision or inaction of any of the permit granting authorities in Oak Bluffs by any person aggrieved by reason of his inability to obtain a permit or enforcement action.

### Special Permits and Variances:

Persons who believe that they might need a Special Permit or a variance should also apply for a Building Permit. This will reduce the amount of lead time associated with the permit review and may eliminate the need for a public hearing entirely. It will also help the applicant by ensuring that applicant provides all of the information necessary that the Zoning Board of Appeals needs in order to render a decision.

If you wish to **appeal** a zoning decision or Building Inspectors failure to act proceed to step 3. Plans are generally not required for an appeal. but you should supply the board with any information relevant to the case.

1. Complete the Town Building Permit Application, and obtain signatures from the following Departments:  
Assessors Tax collector Conservation
2. Complete this ZBA application Form. Indicate whether a special permit or variance is being sought and under which section(s) of zoning the application is being made. This is done either by the applicant or his/her representative with a letter stating such. The form **must** be signed by the property owner.
3. Proceed to the Town Hall Building Assessor's Office. Pay \$28.00 for a 300' Abutter's Parcel List. From that office you will receive a list of certified abutters, 2 maps and mailing labels.  
**(NOTE: YOU WILL BE BILLED FOR THE PUBLIC HEARING NOTICE THAT, BY STATE LAW, MUST BE ADVERTISED IN THE LOCAL PAPERS TWO WEEKS PRIOR TO YOUR MEETING WITH THE ZBA.)**
4. Return to the ZBA administrator with the following documents:
  - A) Completed building permit and the ZBA Request for Hearing Form – 1 copy;
  - B) The Assessor's Package (300 foot abutter notification);
  - C) The Deed of Land, Certificate of Title, or Purchase and Sales Agreement – 1 copy.  
(If the legal owner of the property is not applying to the ZBA, a copy of the lease and notarized authorization from the owner must be included in the application.);
  - D) Certified site plans (by registered land surveyor), showing the existing structure(s) and the development proposal – 2 paper copies+ 1 electronic copy;
  - E) Construction plans included in the building permit application – 2 paper copies+ 1 electronic copy;
  - F) Documents proving Title V or better septic system in place for property within Coastal District 2.6 Zoning Area required – 1 paper copy+ 1 electronic copy;
  - G) Documentation from any other town boards where by-law review was required – 1 paper copy+ 1 electronic copy;
  - H) A check payable to the Town of Oak Bluffs for \$275.00.

**(NOTE: THE TOWN NOW REQUIRES ALL PROPOSED CONSTRUCTION PLANS COME IN ELECTRONIC FORMAT. PLEASE EMAIL APPLICATION AND PLANS TO:**

**[zbaadmin@oakbluffsma.gov](mailto:zbaadmin@oakbluffsma.gov)**



# TOWN OF OAK BLUFFS Zoning Board of Appeals Request for a Hearing

\_\_\_\_\_, 20\_\_

PLEASE PRINT

**Applicant Information:**

\_\_\_\_\_  
Name (print) Phone Email

\_\_\_\_\_  
Address PO Box City/Town

Property in Oak Bluffs to be reviewed by the OB ZBA

Map \_\_\_\_\_ Lot \_\_\_\_\_ Street Address \_\_\_\_\_

Property Owner \_\_\_\_\_

Business Owner \_\_\_\_\_

The Applicant is Petitioning the Zoning Board of Appeals for (please Check):

- Special Permit OB Bylaws S. 10.3 MGL C.40A §§ 6, 9
- Variance OB Zoning Bylaws S. 10.2.2 MGL C. 40A §10
- Review a Zoning Action or Enforcement or Lack thereof. Zoning Bylaws S. 10.2.3, MGL C. 40A §§8, 15

The undersigned hereby petitions the Board of Appeals to grant a Special Permit, Variance, or to Review a Zoning Decision or any action or lack of enforcement pertaining thereto of the Zoning By-Laws of the Town of Oak Bluffs at the address located at \_\_\_\_\_, in the Town of Oak Bluffs, in the following respect: \_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Relating to Section(s) \_\_\_\_\_ of The Town of Oak Bluffs Zoning Bylaws

Name \_\_\_\_\_

Signature \_\_\_\_\_