

# INSTRUCTIONS

## ZONING BOARD OF APPEALS

### APPLICATIONS

1. An application is deemed to be accepted by the ZBA when a completed application along with all required fees, plans, specifications and reports found necessary are in the possession of the ZBA.
2. Placement on the Agenda for the ZBA is on a first come, first served basis.
3. Accepted applications must be in the ZBA possession at least 30 days before a scheduled meeting. This allows for a legal notice to be placed in the newspaper at least ten days prior to the scheduled public hearing.
4. Site plans indicating all improvements to be made are required for all applications, unless the ZBA indicates otherwise. Refer to the attached specification for the data required on site plans.
5. **10 Copies** of the application, plans and reports is required. Plans are to be **collated and folded**.
6. A notarized letter from the property owner granting permission to seek the variance, if the applicant is not the owner, is required for all applications.
7. Fee Schedule for Zoning Board of Appeals are as follows payable to the City of Middletown:

Area Variance.....	\$150.00
Zoning Interpretation.....	\$150.00
Use Variance.....	\$400.00
8. Additional fees may be required if the ZBA determines that an engineers review is necessary. If an engineer's review is necessary the applicant must deposit \$500.00 with the Zoning Board to cover engineering fees. If that entire amount is not used, the balance will be refunded to the applicant. If more than \$500.00 is required, the applicant must deposit additional amounts if determined by the Chairman of the Zoning Board or the Attorney for the Zoning Board. No action will be taken on the application, and the application will be deemed incomplete, unless all such fees are paid.
9. Upon acceptance of the application a list of all property owners within 300 feet of the subject location will be provided by the Assessor's Office. A notice (letter) is required to be sent to each owner 10 days in advance of the Public Hearing. The notice is to contain information on the relief requested along with the date, time and place of the Public Hearing. Proof of mailing is required, and must be given to the ZBA at the Public Hearing.
10. At the public hearing, a presentation of the facts is required by the applicant. You may present all information and data you desire. You may be represented by anyone of your choice. The public will also be provided an opportunity to speak. The members of the board or staff may ask you questions.
11. A decision will be rendered within 62 days after the Public Hearing is closed.
12. If your application is granted you may have to contact the appropriate official(s) to obtain necessary permits. These may include, but are not limited to, building, plumbing, electrical, pool, multiple dwelling, fire and/or sign permits.
13. Persons applying for use variances and/or area variances are directed to the attached excerpt from the Zoning Ordinance. All questions on the application regarding such variance shall be answered in the application. Supporting documentation may be requested at the public hearing.