

## **HEATH PLANNING BOARD and ZONING BOARD OF APPEALS**

### **SPECIAL PERMITS and VARIANCES**

#### **Who should apply for a Special Permit?**

Individuals or businesses applying for an approved use in compliance with the regulations of the zoning bylaw. Also, changes in nonconforming buildings or nonconforming uses of buildings require a Special Permit. If you think you might require a special permit, the Planning Board urges you to get a copy of the Heath Zoning Bylaw and Subdivision and Wetland Regulations, available at the Town Hall.

Section 4 of the bylaws provides detailed information on Special Permits. Note Section 4.2 for the items marked SP.

#### **What is the difference between a Special Permit and a variance?**

A variance is a request to build something that does not comply with either the use or dimensional regulations of the zoning bylaws. For example, a building that is more than 40 feet tall or a driveway going through wetlands.

The general regulations are described in the above-mentioned Bylaws, Section 2.

#### **Who grants variances?**

The Zoning Board of Appeals. You would need to make a case to the ZBA that complying with those regulations would prove to be an undue hardship in your instance and that desirable relief may be granted without substantial detriment to the public good and without nullifying or substantially deviating from the intent or purpose of such bylaw.

#### **Who grants Special Permits?**

The Heath Planning Board.