

CITY OF LEBANON **ZONING BOARD OF ADJUSTMENT**

Instructions for filing Applications

The Zoning Board of Adjustment meets the first Monday of each month. Meetings begin at 7:00PM, and are held at City Hall, 51 North Park Street, Lebanon, NH, in City Council Chambers, Level 5. Attached are the forms and instructions necessary for applications to the Zoning Board of Adjustment.

Please Submit:

- a cover application;
- a support statement;
- a certified notification list;
- a site plan; and
- the required filing fee (must be paid upon submission of the application).

If your site plan is larger than 11"x17", please submit ten (10) 10 copies of the plan and a digital copy (.pdf).

Please include the following on the site plan:

- The lot that is the subject of your application;
- location of all buildings and structures on the lot, showing building setbacks to all property lines;
- driveways and/or parking areas, and
- any other prominent features of the lot that will assist you in explaining why you need relief from the Zoning Ordinance (i.e., location of on-site utilities, landscaping features, wetlands, riverbanks, and topographic information as applicable).

If you have a survey or plot plan, please use that as your base plan. Assessing maps are available on the City's website [at lebanonnh.mapgeo.io](http://at.lebanonnh.mapgeo.io). However, please note, GIS maps are not surveys, and are not always accurate. It is your responsibility to determine the location of your building and property lines.

After filing your application and supporting documents with the Planning & Development Department, City Staff will confirm the date of your public hearing. City Staff will advertise your request in the Valley News and will send a notice about the hearing, by certified mail, to you, the owner of record, co-applicants, and any agent(s) listed on your cover application. City staff will also mail a hearing notice, by certified mail, to the abutting property owners listed on the certified notification sheet you provide with your application. These notifications are mailed at least five (5) days prior to your public hearing.

What will happen the night of the Public Hearing:

- The Chairperson calls the meeting to order. Usually the first order of business is the acceptance of the meeting minutes from the previous meeting. There *may* also be continued public hearings or unfinished business from the previous

meeting.

- The Zoning Board Chairperson will announce your request, at which time you will be asked to come forward and present your application.
- After you have presented your application to the Board, your hearing is opened for public comment. After public comment is taken, and if the Zoning Board is satisfied that all relevant questions concerning your application have been answered, your hearing is closed. Once a hearing is closed, no further testimony from the applicant or the public can be taken.
- The Board will hold deliberation on your application after closing the public hearing. The Board *may* finalize a decision and vote that evening on your request. If not, deliberation will be continued to the following meeting.
- At least 3 members* of the Zoning Board must vote in the affirmative in order to approve any matter before the Board.
**ZBA By-Laws, Appeals, Section 4. "The failure of the Board to reach any result by 3 concurring votes constitutes a defacto denial unless a subsequent motion is made at the same meeting that garners the required 3 votes. If there are fewer than 5 members able to sit on the appeal, the applicant has the choice of either (a) wait until a 5-member board can sit or (b) proceeding with the understanding that the failure of any motion to receive at least 3 votes will automatically constitute grounds for a rehearing."*
- A formal copy of the decision and the Zoning Permit will be prepared and sent to the applicant following the final vote. Audio recordings of all public meetings are usually available on the City's website the day after the meeting.

If your application is granted, in most cases, you will also need to obtain a Building Permit for your construction project. Please contact the Planning & Development Department at (603) 448-1524 for the appropriate Building Permit application and assistance.

If your appeal is denied, you have the right to request a rehearing. A motion for rehearing must be filed within 30 calendar days. The 30-day time frame to file an appeal begins the day after the Board voted. See *Section 802.5 of the Zoning Ordinance*.

The Zoning Ordinance and Zoning Map are both available on-line at the City's website: www.lebanonnh.gov. Please go to the **Planning & Development page, Zoning & Code Enforcement section, and look for the link to Current Zoning Ordinance & Map**. Copies of all Zoning Board application packets are also available on-line, see **Planning & Development page, Zoning & Code Enforcement, Zoning Board Applications**.

If you have any questions concerning the Zoning Board or the filing of a Zoning Board application, please contact the Planning & Development Department at (603) 448-1524 or by email planning@lebanonnh.gov.