

ZONING BOARD OF ADJUSTMENT
Application for a Variance



Do not write in this space.

Case No: _____

Date accepted: _____

(signed – ZBA)

Name of Applicant _____ Tel _____ Email Address _____

Mailing Address _____

Owner _____

(if same as applicant, write “same”)

Location of Property _____

(street, number, & lot number)

APPLICATION FOR A VARIANCE

A variance is requested from article _____, section _____ of the zoning ordinance to permit _____

Explain how the proposal meets the following variance criteria as specified in Article XII, Section F of the zoning ordinance. Attach a separate paper if needed.

Facts in support of granting the variance:

1. – Granting the variance would not be contrary to the public interest because:

2. – If the variance were granted, the spirit of the ordinance would be observed because:

3 – Granting the variance would do substantial justice because:

4 – If the variance were granted, the values of surrounding properties would not be diminished because:

5. Unnecessary Hardship:

A. Owing to special conditions of the property that distinguish it from other properties in the area, denial of the variance would result in unnecessary hardship because:
(Financial considerations do not constitute a hardship.)

B. Explain how, if the criteria in subparagraph (A) are not established, an unnecessary hardship will be deemed to exist if, and only if, owing to special conditions of the property that distinguish it from other properties in the area, the property cannot be reasonably used in strict conformance with the ordinance, and a variance is therefore necessary to enable a reasonable use of it.

NOTES:

1. This application will not be considered complete unless all statements have been made and the application signed and dated by the applicant. The application will be considered accepted when signed and dated by the Board Chairman and his/her designated representative.

2. A site visit and recommendations relating to the proposed use from the Planning Board, Conservation Commission, and Health Officer may be required (at the discretion of the Board of Adjustment) prior to the Board hearing on the appeal. The applicant, or a designated knowledgeable representative, shall be present at the scheduled site visit time to respond to any questions. Further, any structural additions and/or setback variance relief shall be clearly marked as to footprint locations and the abutting property lines. A scaled drawing or sketch is recommended as an attachment to this application, and may be required by the Board of Adjustment prior to conclusion of the hearing.

In certain instances, the Board of Adjustment may require professional or technical consultants to assist the Board in assessing the impact of your proposed use if a majority of the Board deems such information necessary during the hearing. If so, the applicant agrees that said consultants will be selected by the Board and the cost of the work will be paid by the applicant, with full payment made prior to any decision rendered by the Board.

Applicant's Signature_____ Date_____

Any conditions stipulated by the board of adjustment's decision is binding unless changed by a subsequent board of adjustment appeals hearing to modify them, and failure to adhere to any specified condition(s) effectively places the use in violation of our zoning. Conditions imposed by the board of adjustment may not be altered by any other Town Board or Official.

***Adopted: May 27, 2010
Amended March 24 & December 8, 2011***