

TOWN OF HAMLIN

Area Variance Application

Application Number: _____

To the Zoning Board of Appeals:

I (we) _____ of _____
(Name of Applicant) (Street Address)

_____ (Town) _____ (State) _____ (Zip Code) _____ (Telephone)

Do hereby:

1. Make application for an Area Variance to the Zoning Board of Appeals for the following reason(s): _____

OR,

2. Appeal to the Zoning Board of Appeals from the decision of the Building Inspector on application for building permit number _____ dated _____ whereby the Building Inspector did:

- Grant Grant with Restriction Deny
- A Building Permit
- A Certificate of Occupancy
- A Certificate of Compliance

Provision(s) of the Zoning Code Being Appealed

Article(s)-Section(s)-Paragraph(s): _____

Fees

There is no application fee. There is a public hearing fee which is due two (2) weeks prior to your scheduled public hearing.

Property Identification

Location of Property: _____

Tax Account No.: _____

Zoning of the Property: _____

Use of the Property: _____

Statement of Ownership and Interest

1. The applicant(s) _____
(is/are) the owner(s) of the property for which the variance(s) (is/are) sought,

OR,

2. The applicant's appeal concerns the property owned by _____.
Said owner has consented to the variance request in writing. Said consent is attached hereto.

Area Variance

An area variance shall mean the authorization by the Zoning Board of Appeals for the use of the land in a manner, which is not allowed by the dimensional or physical requirements of the applicable zoning regulation. _____

(Initials)

The Zoning Board of Appeals, in granting of area variances, shall grant the minimum variance that it shall deem necessary and adequate and at the same time preserve and protect the character of the neighborhood and health, safety and welfare of the community. _____

(Initials)

Imposition of Conditions

The Zoning Board of Appeals shall, in the granting of area variances, have the authority to impose such reasonable conditions and restrictions as are directly related to and incidental to the proposed use of the property. Such conditions shall be consistent with the spirit and intent of the Zoning Code of the Town of Hamlin, and shall be imposed for the purpose of minimizing any adverse impact such variance may have on the neighborhood or community. If conditions are imposed, the applicant shall be required to read and understand the final resolution and shall have a statement to the fact notarized and returned to the Clerk to the Board within ten (10) days of receipt of the resolution. _____

(Initials)

PLEASE ADDRESS ITEMS 1 THROUGH 5 BELOW AND SUBMIT WITH YOUR APPLICATION TO THE SUPPORT BOARD CLERK. (Use additional pages if necessary)

In making its determination, the Zoning Board of Appeals shall take into consideration the benefit to the applicant if the variance is granted, as weighed against the detriment to the health, safety and welfare of the neighborhood or community by such grant. The Statute provides that in balancing the interests of the applicant and those of the neighborhood or community, the Zoning Board of Appeals must consider the following five (5) factors:

1. Whether an undesirable change will be produced in the character of the neighborhood or a detriment to nearby properties will be created by the granting of the area variance:

2. Whether the benefit sought by the applicant can be achieved by some feasible method other than an area variance:

3. Whether the requested area variance is substantial:

4. Whether the proposed area variance will have an adverse effect or impact on the physical or environmental conditions in the neighborhood district:

5. Whether the alleged difficulty was self-created, which consideration shall be relevant to the decision of the Zoning Board of Appeals, but shall not necessarily preclude the granting of the area variance.

(DATE)

8/06

(SIGNATURE OF APPLICANT(S))

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