

PETITION FOR VARIANCE FROM ZONING ORDINANCE

Case # _____
For ZBA use only

Property Owner: _____

Applicant (if different): _____

Description of Property: North Hampton Tax Map #: _____ Lot # _____

A. Existing Variances or Special Exceptions:

Are there any existing Variances or Special Exceptions on the property?

Yes No If yes, please explain when and why such was required:

B. Previous Denials:

Has an application for a Variance or Special Exception on this property ever been denied? (If you are unsure of the answer to this question, please ask the Planning and Zoning Administrator) Yes No If yes, please explain when and why:

C. Material Differences if Previously Denied: If you were denied previously, state how this particular application and use proposed is now materially different from that which was denied: _____

D. Proposed Use:

Please explain why you need a variance: _____

E. Applicable Zoning Ordinance Provision:

This application is for Variance to the following Ordinance Article(s) and Section(s): _____

F. Additional Actions:

1. Does your proposed use also require Subdivision Approval by the Planning Board? Yes No

2. Does your proposed use also require a Site Plan Approval by the Planning Board? Yes No

3. Is this application required as a prerequisite to, or otherwise necessary for, a Site Plan Approval by the Planning Board? Yes No

G. Criteria your application must meet for a Variance:

- 1. The proposed use would not diminish surrounding property values.
- 2. Granting the Variance would not be contrary to the public interest.
- 3. Granting the variance would do substantial justice.
- 4. The use is not contrary to the spirit of the ordinance.

5A. Use Variance: Denial of the variance would result in unnecessary hardship to the owner because:

I. The zoning restriction as applied to the property interferes with the reasonable use of the property, considering the unique setting of the property in its environment.

II. No fair and substantial relationship exists between the general purposes of the zoning ordinance and the specific restriction on the property.

III. The variance would not injure the public or private rights of others.

5B. Area Variance: Denial of the variance would result in unnecessary hardship to the owner because:

I. The following special conditions of the property make an area variance necessary in order to allow the development as designed:

II. The same benefit cannot be achieved by some other reasonably feasible method that would not impose an undue financial burden.

CERTIFICATION: I hereby certify that:

_____ I have read the instructions for completing this application for Variance.

_____ I have completed this application as completely and fully as possible.

_____ I have completed the checklist provided in the instructions and have attached all evidence, including plans or sketches that I intend to discuss at the Public Hearing on the application.

_____ I understand that if this application is incomplete, it will be returned within a reasonable time following its submission, and that this may delay the scheduling of a Public Hearing.

_____ I understand that I must appear in person at the Public Hearing to present and discuss this application. If I cannot appear in person, I will notify the Chair of the ZBA, in writing, designating the name of the individual who will appear for me.

_____ The ZBA has permission to enter the property in order to conduct scheduled site walks upon reasonable prior notice.

Initials

Applicant's Signature: _____ **Date:** _____

Agent or Legal Counsel's Signature: _____ **Date:** _____