

APPLICATION FOR AN AREA VARIANCE

Appeal Concerns Property at the following address:

County Tax Map Section: _____ Block: _____ Lot: _____

Zoning District Classification: _____

Date Applicant Acquired Property: _____

(If property is not owned by the applicant, the applicant must submit a statement by the property owner authorizing the applicant to appeal on his/her behalf.)

The applicants appeal from a decision of the Zoning Enforcement Officer, or on direct appeal from the planning board as permitted by State Law, concerns the following:

- _____ Denial of an Application for a Building Permit (Attach to Application)
- _____ Denial of an Application for a Certificate of Occupancy (Attach to Application)

For the Proposed Activity: _____

Denial was made because of a violation or conflict with the Zoning Code(s): _____

Date of Zoning Enforcement Officer's Decision: _____

State what type and size of an area variance you are requesting, ex. 3 foot side yard variance:

State the reason you are applying for the area variance: _____

Describe the character of the neighborhood: _____

Applicant: _____ Telephone: _____

Mailing Address: _____

Signature: _____ Date: _____

OFFICE USE ONLY

Application No. V- _____

Date of Appeal: _____

(Postmark or Hand Delivered)

Date of Receipt by Board: _____

Date of Public Hearing: _____

Date of Final Action: _____

Date of Filing of Decision with the

Municipal Clerk: _____

ZONING BOARD OF APPEALS
AREA VARIANCE FINDINGS & DECISION

OFFICE USE ONLY

Applicant: _____

Appeal Concerns Property at the following address:

County Tax Map Section: _____ Block: _____ Lot: _____

Zoning District Classification: _____

Requirement for which Variance is Requested: _____

Application No. AV- _____

Date of Application: _____

(Postmarked or Hand Delivered)

Date of Public Hearing: _____

Date Notice Published: _____

Date of County Referral: _____

Date of Filing of Decision with the

Municipal Clerk: _____

Applicable Section(s) of Zoning Code: _____

TEST: No area variance will be granted without a consideration by the board of the following factors:

1. Whether undesirable change would be produced in character of neighborhood or a detriment to nearby properties: Yes___ No___

Reasons: _____

2. Whether benefit sought by applicant can be achieved by a feasible alternative to the variance: Yes___ No___

Reasons: _____

3. Whether the requested variance is substantial: Yes___ No___

Reasons: _____

4. Would the variance have an adverse impact on the physical or environmental conditions in the neighborhood: Yes___ No___

Reasons: _____

5. Whether the alleged difficulty was self-created: Yes___ No___

Reasons: _____

DETERMINATION OF ZBA BASED ON THE ABOVE FACTORS:

The ZBA, after taking into consideration the above five factors, finds that:

- the Benefit to the Applicant DOES NOT Outweigh the Detriment to the Neighborhood or Community and therefore the variance request is denied.
- the Benefit to the Applicant DOES outweigh the Detriment to the Neighborhood or Community.

Reasons: _____

The ZBA further finds that a variance of _____ from Section _____ of the Zoning Code is the minimum variance that should be granted in order to preserve and protect the character of the neighborhood and the health, safety and welfare of the community because:

CONDITIONS: The ZBA finds that the following conditions are necessary in order to minimize adverse impacts upon the neighborhood or community, for the reasons following:

Condition No. 1: _____

Adverse impact to be minimized: _____

Condition No. 2: _____

Adverse impact to be minimized: _____

Chairman, Zoning Board of Appeals Date

RECORD OF VOTE

	MEMBER NAME	AYE	NAY
Chair	_____	_____	_____
Member	_____	_____	_____
Member	_____	_____	_____
Member	_____	_____	_____
Member	_____	_____	_____