Town Of Highgate

VARIANCE APPLICATION

_____
Date

_____
Land Owner

_____
Mailing Address

_____
Primary phone email address

_____
Property (Physical Street #) 911 Address

_____
Tax Parcel Number From Grand List Book Zoning District

Signature of Landowner_____

PROVISION(S) OF ZONING BYLAWS IN QUESTION:

The owner or applicant should submit with this application: a sketch plan, building elevations, unique site conditions, existing setback distances, proposed setback distances, and any additional facts or information or data required to advise the board fully with reference to the application or appeal. All documentation submitted becomes part of the official record for the application and is considered evidence.

Section 3.6 Variance

The Administrative Officer may not issue a permit requiring a variance from the requirements of these bylaws until the Development Review Board (DRB) has approved such application. Requests for Variances are subject to Section 9.3 Public Hearings. You must be present or represented at the hearing.

Please describe your request thoroughly. What is the proposed project?

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Standards. In accordance with the Act [§4469], the DRB may grant a variance from the provisions of the Bylaws for a structure **only if all five facts** listed below are found, and the findings are specified in its written decision.

1. That there are unique physical circumstance or conditions, including irregularity, narrowness, or shallowness of lot size or shape, or exceptional topography or other physical conditions, peculiar to the property, and that unnecessary hardship is due to these conditions, and not the circumstances or conditions generally created by the provisions of the Bylaw in the neighborhood or district in which the property is located.

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2. That because of such physical circumstance or conditions, there is no possibility that the property can be developed in strict conformity with the provisions of the Bylaw, and that the authorization for a variance is therefore necessary to enable the reasonable use of the property.

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3. That unnecessary hardship has not been created by the appellant.

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4. That the variance, if authorized, will not alter the essential character of the neighborhood or district in which the property is located, substantially or permanently impair the appropriate use or development of adjacent property, reduce access to renewable energy resources, or be detrimental to the public welfare.

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5. That the variance, if authorized, will represent the minimum variance that will afford relief and will represent the least deviation possible from the Bylaw and from the Plan.

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