

**BOARD OF ADJUSTMENT
DECISION MAKING WORKSHEET**

APPLICANT NAME _____

DATE _____

Variance Standards:

1. Do physical limitations of the property prevent compliance with ordinance standards?

Examples of situations that may limit the reasonable use of the property:

- Wetland presence
- Parcel shape
- Steep slope

Yes No

The physical limitation(s) of the property are:

2. Granting the variance will not harm the public interest.

Agree/Yes Disagree/No

Public interest includes:

- Additional runoff.
- Affect quality of fish or wildlife habitat.
- Impact on scenic beauty, etc.

Other considerations:

- The public interest includes the interest of the public at large, not just that of nearby property owners.
- Lack of local opposition does not in itself mean that a variance will not harm the public interest.
- A variance should include only the minimal relief necessary to allow reasonable use of the property.
- The board's actions should be consistent with the objectives stated in the zoning ordinance.

Note: Cumulative effects must be taken into consideration.

3. Unnecessary Hardship Is Present.

Yes No

For an area variance, unnecessary hardship exists when compliance with the ordinance would unreasonably prevent the owner from using the property for a permitted purpose or when conformity with restrictions would be unnecessarily burdensome.

- Unnecessary hardship arises because of some unique property limitation of a parcel. (See above).
- The variance is not warranted if the physical character of the property allows a landowner to develop or build in compliance with the zoning ordinance.
- Financial hardship is not in and of itself grounds for a variance.
- Self imposed hardship or personal preference are not grounds for a variance.
- The hardship cannot be one that would have existed in the absence of a zoning ordinance.

Unnecessary hardship is present because: _____

All three of the above tests must be answered "yes" in order for variance to be granted.

Does the variance request meet all of the preceding tests?

Yes No