



VARIANCE APPLICATION

Do not write in this space.

To: Zoning Board of Adjustment,

Town of Charlestown

Case No. _____

Filed _____

Paid _____

Name of Applicant _____

Address _____

Owner _____

(If same as applicant, leave blank)

Location of Property _____

(street, number, map and lot number)

NOTE: This application is not acceptable unless all required statements have been made. Additional information may be supplied on a separate sheet if the space provided is inadequate.

Application for a Variance

A variance is requested from article _____ section _____ of the zoning ordinance to permit:

Facts in support of granting the variance:

1. Granting the variance would not be contrary to the public interest because:

2. If the variance were granted, the spirit of the ordinance would be observed because:

3. Granting the variance would do substantial justice because:

4. If the variance were granted, the values of the surrounding properties would not be diminished because:

5. Unnecessary Hardship: Answer either a or b.

- a. Owing to special conditions of the property that distinguish it from other properties in the area, denial of the variance would result in unnecessary hardship because:

- i. No fair and substantial relationship exists between the general public purposes of the ordinance provision and the specific application of that provision to the property because:

-AND-

- ii. The proposed use is a reasonable one because:

-OR-

- b. Explain how, if the criteria in subparagraph (a) are not established, an unnecessary hardship will be deemed to exist if, and only if, owing to special conditions of the property that distinguish it from other properties in the area, the property cannot be reasonably used in strict conformance with the ordinance, and a variance is therefore necessary to enable a reasonable use of it.

Applicant _____
(Signature)

Date _____



**Town of Charlestown
Planning & Zoning Boards
SCHEDULE OF BOARD FEES**

No Application will be considered complete until all fees are paid in full.
All checks, except recording fees, should be payable to the Town of Charlestown.

Applicant Information Subdivision _____ Site Plan _____ Other _____

Name _____

Address _____ City/State _____ Zip _____

Phone # _____ Email _____

A. APPLICATION FEE

All Formal Applications (except Sign Permit) \$100.00 \$ _____

B. SUBDIVISION APPLICATIONS

Pre-application Review

Preliminary Conceptual Consultation N/C \$ -0-

Design Review (Notification Costs Only) \$ -0-

Formal Application

Two Lots \$150.00 \$ _____

_____ Additional lots @ \$80.00 each \$ _____

Lot Line Adjustment \$50.00 \$ _____

Upon final approval of a subdivision the applicant will be required to submit the Registry fee for recording of the mylar. Checks should be payable to Sullivan County Registry of Deeds.

The current fees are as follows but are subject change at the discretion of the Registry:

17" x 22" \$16.00

22" x 34" \$26.00

Plus separate LCHIP surcharge (separate check) \$25.00

C. SITE PLAN REVIEW APPLICATIONS

Pre-application Review

Preliminary Conceptual Consultation N/C \$ -0-

Design Review (Notification Costs Only) \$ -0-

Formal Application

Use Change or Home Occupation only \$50.00 \$ _____

Exterior alteration \$100.00 \$ _____

New Construction < 2500 sf \$200.00 \$ _____

> 2500 sf \$400.00 \$ _____

Sign Permit \$40.00 \$ _____

D. NOTIFICATION COSTS (for all applications)

Applicant + _____ Abutters X \$10.00 each = \$ _____

(Include surveyor, engineer and all other consultants)

E. OTHER:

Copies of Town Regulations - _____ copies @ \$ 10.00 \$ _____

Zoning Map @ \$ 3.00 \$ _____

Zoning Applications \$100.00 \$ _____

TOTAL AMOUNT DUE \$ _____

Helpful tips for filling out the Zoning Variance Criteria

An applicant for a variance has to show that the zoning regulation deprives reasonable use of the property and that the standard is too restrictive and doesn't properly balance the municipality's right to zone with the landowner's right to use the property. You will find that some of the criteria answers are redundant but it is important for you to answer each criterion thoroughly.

1. The variance will not be contrary to the public interest;

To complete this statement, explain whether granting the variance would:

- alter the essential character of the neighborhood,
- affect the public health, safety, welfare, and/or create hazards,
- have detrimental demand on public services such as fire and police.

2. The spirit of the ordinance is observed

To complete this statement, explain what you think is the purpose of the ordinance and how your proposal does not conflict with that purpose.

- The purpose of ordinances could be reasons such as:
- protect health and safety,
- provide less congestion,
- keep rural space,
- protection from light and noise pollution,
- fire safety etc.

3. Substantial justice is done.

To complete this statement, explain how justice might play a role in your situation.

- The benefits to you would not be outweighed by harm to the general public or to other individuals,
- A variance would be fair and reasonable.

4. The values of surrounding properties are not diminished.

To complete this statement, explain if your project could increase and/or decrease surrounding property values as well as yours.

- Would it improve the looks of the property? And how?
- How does it change the value of your property?
- Is the project visible from other properties?

5. Unnecessary hardship

A. Owing to special conditions of the property that distinguish it from other properties in the area, denial of the variance would result in unnecessary hardship because:

i. No fair and substantial relationship exists between the general public purposes of the ordinance provision and the specific application of that provision to the property because:

To complete this statement, consider the purpose of the zoning restriction in question and explain:

- why there is no reasonable use that can be made of the property that would be permitted under the ordinance,
- how the unique conditions of the land render the use for which the variance is sought 'reasonable',
- any details of the property that are different than the surrounding properties such as slopes, wetlands, size, etc.

ii. The proposed use is a reasonable one because:

To complete this statement, establish the unique conditions of the property that cause the proposed use to be reasonable.

- explain how the use does not alter the essential character of the neighborhood.

OR

B. If the criteria in subparagraph (A) are not established, an unnecessary hardship will be deemed to exist if, and only if, owing to special conditions of the property that distinguish it from other properties in the area, the property cannot be reasonably used in strict conformance with the ordinance, and a variance is therefore necessary to enable a reasonable use of it.

To complete this statement, explain why the use is reasonable and won't alter the character of the neighborhood.

- Explain the unique conditions of the property, and why there is no reasonable use that can be made of the property that would be permitted under the ordinance.