

Town of Franklin
Zoning Board of Appeals: Worksheet for Variances

Appeal No. _____
Date _____

Type of Appeal: () Area Variance () Use Variance

AREA VARIANCE

In making its determination, the zoning board of appeals shall take into consideration the benefit to the applicant if the variance is granted, as weighed against the detriment to the health, safety and welfare of the neighborhood or community by such grant. In making such determination the board shall also consider:

In the case at hand:

1. Will an undesirable change be produced in the character of the neighborhood or will a detriment to nearby properties be created by the granting of the area variance?

() Yes. Why?

() No.

2. Can the benefit sought by the applicant be achieved by some method, feasible for the applicant to pursue but would not require an area variance?

() Yes. Why?

() No.

3. Is the requested area variance substantial?

() Yes. Why?

() No.

4. Will the proposed variance have an adverse effect or impact on the physical or environmental conditions in the neighborhood or district?

() Yes. Why?

() No.

5. Was the alleged difficulty self created? Consideration of this factor shall be relevant to the decision of the board of appeals, but shall not necessarily preclude the granting of the area variance.

() Yes. Why?

() No.

Signature / Date

USE VARIANCE

A use variance allows a land use prohibited by the zoning regulations, thus is very rarely appropriate. No such use variance shall be granted by a board of appeals without a showing by the applicant that applicable zoning regulations and restrictions have caused unnecessary hardship. In order to prove unnecessary hardship the applicant shall demonstrate to the board of appeals that:

In the case at hand:

1. Under the applicable zoning regulations, is the property incapable of earning a reasonable return on initial investment if used for any of the allowed uses in the district? This deprivation must be established by competent financial evidence.

() Yes. Why?

() No.

2. Is the alleged hardship relating to the property in question unique? Or, does it apply to a substantial portion of the district or neighborhood?

() Yes. Why?

() No.

3. If the variance is granted, will it alter the essential character of the neighborhood?

() Yes. Why?

() No.

4. Is the alleged hardship self created?

() Yes. Why?

() No.

Signature / Date