

**REQUEST FOR USE VARIANCE**

**TOWN OF RANDOLPH**

Name of Applicant: \_\_\_\_\_

Mailing Address: \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

Phone (Home): \_\_\_\_\_ (Cell): \_\_\_\_\_

**USE VARIANCE DEFINED:** A Use Variance is defined as a tool, which will allow a land use legally prohibited by the zoning law, in order to relieve an unnecessary hardship upon a particular owner caused by interpretation of the zoning law.

**WHEN TO USE THIS FORM:** The local Zoning Board of Appeals cannot entertain a request for a Use Variance until a building permit or other administrative relief has been denied and a formal appeal made to the Zoning Board. This form should be used to make such an appeal in situations where the facts of the cases require a Use Variance, as opposed to area variances, special use permits, etc.

1. **PROPERTY IDENTIFICATION** - Section: \_\_\_\_\_ Block: \_\_\_\_\_ Lot: \_\_\_\_\_

Physical Location - Street Address: \_\_\_\_\_

Application Date: \_\_\_\_\_ Fee Paid: \_\_\_\_\_ Received by: \_\_\_\_\_

2. **PROJECT DESCRIPTION:** \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

3. **REASONS FOR BUILDING PERMIT DENIAL:**

a. Use Permit (specify) \_\_\_\_\_ is not listed as a permitted use in the District (Section \_\_\_\_\_).

b. Building / Zoning Permit requested \_\_\_\_\_, 20\_\_

c. Building / Zoning Permit was denied \_\_\_\_\_, 20\_\_

4. **CONSIDERATIONS:** – The burden of proof that the variance requested is necessary and should be allowed is upon the applicant, not on the local Zoning Board of Appeals in determining unnecessary hardship. The more complete the answers, the easier a determination will be facilitated.

**Please answer Yes or No to each question and provide additional information when necessary or pertinent.**

a. Would the land (property) in question yield a reasonable return if used for any purpose allowed in the zoning district? Yes \_\_\_ No \_\_\_ Comments: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

b. Is the current plight of the owner (that is the person requesting the Use Variance) due to unique circumstances? Yes \_\_\_ No \_\_\_ Comments: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

c. If the Use Variance is granted, will the modifications or use alter the essential or existing character of the locality? Yes \_\_\_ No \_\_\_ Comments: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

d. Is the hardship self-imposed: (for example was the land (property) purchased after the zoning ordinance which prohibits the proposed use in effect?) Yes \_\_\_\_ No \_\_\_\_ Comments:

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5. HEARING – A public hearing is required within 62 days of this request. Please specify which days or times are inconvenient for you or your representative to attend such a hearing.

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**You will be notified in writing of the time and place for the hearing**

Signature of the applicant: \_\_\_\_\_

Date signed: \_\_\_\_\_