

**REQUEST FOR AREA VARIANCE**  
**TOWN OF RANDOLPH**

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

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

\_\_\_\_\_

\_\_\_\_\_

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

**AREA VARIANCE DEFINED** – Persons seeking **Area Variances**, request relief, usually of a dimensional nature, from such zoning requirements as: yard requirements, setback lines, lot coverage, frontage requirements, and density regulations. **Area Variances** may be granted upon a showing of practical difficulties.

**WHEN TO USE THIS FORM** – If a person feels himself/herself aggrieved by a decision of the Zoning Code Enforcement Officer, such as a building permit denied on the grounds that the proposed structure would overlap the side yard, that person is able to appeal this decision by requesting an Area Variance from the Zoning Board of Appeals.

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

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

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

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

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

**3. SKETCH** – Show the size of the lot, adjacent streets, position of the proposed addition or change, existing structures, etc. Additionally, show slopes or other obstructions, which make it difficult to comply with the zoning law on the attached graph paper.

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

- a. Dimensional request (specify) \_\_\_\_\_  
Does not conform with section \_\_\_\_\_, requirements (specify) \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_
- b. Building / Zoning Permit requested \_\_\_\_\_, 20\_\_
- c. Building / Zoning Permit was denied \_\_\_\_\_, 20\_\_

**5. 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. The following are some considerations courts have suggested which can be used to guide the Zoning Board of Appeals in determining practical difficulties. 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. Does the Area Variance request differ substantially in relation to the existing zoning requirements? Yes \_\_\_ No \_\_\_ Comments: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_
- b. If the Area Variance is allowed, will there be an increase in population density creating new burdens on available public facilities and services (e.g., fire, water, sewer, roads, etc.)? Yes \_\_\_ No \_\_\_ Comments: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_
- c. If the Area Variance is allowed, will the resultant change in the character of the neighborhood create substantial detriment to the adjoining properties? Yes \_\_\_ No \_\_\_ Comments: \_\_\_\_\_

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d. Do other feasible methods exist which the applicant might wish to pursue which achieves results similar to those sought in the preliminary request? Yes \_\_\_ No \_\_\_ Comments:

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e. In view of the manner in which the difficulties arose and considering all of the above factors, will justice be served in allowing the variance? Yes \_\_\_ No \_\_\_ Comments: \_\_\_\_\_

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**6. 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: \_\_\_\_\_

In the granting of Area Variances, the Zoning Board of Appeals shall attach such conditions and safeguards as it deems appropriate. A plan for the proposed development of a site for the designated Area Variance shall be submitted with the request, and such plan shall show the location of all buildings, lots, parking areas, landscape and other pertinent information that the board deems necessary.

***USE THE BELOW GRAPH FOR THIS PURPOSE.***

