

Town of Hillsborough, NH
Zoning Board of Adjustment
FORM C – Application for Variance

Case No. _____
Date Received _____
Office Use Only

1. Variance Request Check here if description or additional pages are attached

Check all that apply:

- Variance from applicable **USE requirements.** (Complete Sections 1, 2 & 4)
 Variance from applicable **DIMENSIONAL requirements.** (Complete Sections 1, 2 & 4)
 Variance when **REASONABLE ACCOMMODATIONS** are necessary for those with **RECOGNIZED PHYSICAL DISABILITIES.** (Complete Sections 1, 3 & 4)

The undersigned hereby requests that the Board of Adjustment grant a variance from Hillsborough Zoning Ordinance Section(s) _____ in order to permit the following:

2. Criteria Check here if description or additional pages are attached

In order to secure a variance, the Zoning Board of Adjustment must determine by law that your variance request satisfies the following criteria, which are more specifically set forth in [RSA 674:33.I\(b\)](#). Please provide a written response along with any other supporting documentation for each of the following criteria. Please note that all criteria must be satisfied and supported by the Board in order for a variance to be granted. Should the space be provided be inadequate, please attach additional pages to this application.

A. Granting the proposed Variance will not be contrary to the public interest because:

B. Granting of the proposed Variance will observe the spirit of the Hillsborough Zoning Ordinance because:

C. Granting the proposed Variance will do substantial justice because:

D. Granting the proposed Variance will not diminish the values of the surrounding properties because:

E. Literal enforcement of the provisions of the ordinance will result in an “unnecessary hardship” because:

(1). Owing to special conditions of the property that distinguish it from other properties in the area: (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; and (ii) The proposed use is a reasonable one because:

(2). If the criteria in subparagraph E(1), immediately above, are not established, 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 because:

3. Criterion for Reasonable Accommodations

Pursuant to [RSA 674:33.V](#), the Zoning Board of Adjustment may grant a variance from the terms of the Zoning Ordinance without finding a hardship arising from the condition of a premises subject to the ordinance, when reasonable accommodations are necessary to allow a person or persons with a recognized physical disability to reside in or regularly use the premises. In order to secure a variance, the Zoning Board of Adjustment must determine by law that your variance request satisfies the following criterion, which is more specifically set forth in [RSA 674:33.V](#). Please provide a written response along with any other supporting documentation. Please note that this criterion must be satisfied and supported by the Board in order for a variance to be granted. Should the space be provided be inadequate, please attach additional pages to this application.

Please note that if such a variance is approved, the Board may provide, in a finding included in the variance, that the variance shall survive only so long as the particular person has a continuing need to use the premises. Any medical information submitted in support of this application to substantiate a disability will remain confidential.

A. Granting the proposed Variance will be in harmony with the general purpose and intent of the Zoning Ordinance because:

4. Additional Submittals

The following items are required to complete the application and must be attached:

_____ Three (3) copies of plat, survey, or site plan of the subject property for which the variance is requested clearly depicting the proposed variance prepared by a licensed surveyor, civil engineer, or architect. At least seven (7) reduced size (11"x17") plan sets is also required. Submittal standards for plats shall be those as detailed in the Subdivision Regulations and/or Site Plan Review Regulations. The applicant shall retain the right to petition the Zoning Board of Adjustment to grant waivers to any plat standards as defined. In addition to these requirements, the Board, at its discretion, may require additional information be provided.

_____ Affidavit of Ownership (copy of warranty deed).

_____ Completed Form N – Certified Notification List