



Town of Weare

Zoning Board of Adjustment

15 Flanders Memorial Road
Weare, New Hampshire 03281
Tel. 529-2250 FAX 529-2753

Office Hours:
Monday, Tuesday &
Friday
8 AM – 4:30 PM
Wednesday
8 AM – 7 PM
Thursday
8 AM – 1 PM

Date Submitted _____

ZBA Case # _____

Hearing Date _____

APPLICATION FOR A VARIANCE

Variations authorized under RSA 674:33 paragraph I shall be valid if exercised within 2 years from the date of final approval.

Property Location _____

Map _____ Lot _____ Acres _____ Zone _____

Name of Applicant _____ Telephone _____
Address _____

Name of Owner _____ Telephone _____
Address _____

Required Information: Application shall include: scale drawing showing; plot plan, boundaries, dimensions, abutters, adjacent roads, and rights of way, location of buildings, well, septic system, photos (when applicable) and floor plans (when applicable).

Please list all abutters (use additional sheet if needed)

Owner: _____ Address: _____

Owner: _____ Address: _____

Owner: _____ Address: _____

Owner: _____ Address: _____

Owner: _____ Address: _____

Owner: _____ Address: _____

Owner: _____ Address: _____

Application for Variance

The undersigned hereby requests a variance to the terms of Section(s) _____
Paragraph(s) _____ of the Zoning Ordinance of the Town
of Weare and asks that said terms be **waived to permit:**

To qualify for a variance from the terms of the zoning ordinance, you must demonstrate that

1. The variance will not be contrary to the public interest;
2. The spirit of the ordinance is observed;
3. Substantial justice is done;
4. The values of surrounding properties are not diminished; and
5. Literal enforcement of the provisions of the ordinance would result in an unnecessary hardship
 - A. For purposes of this subparagraph, "unnecessary hardship" means that, 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.
 - B. If the criteria in subparagraph (A) are not established, an unnecessary hardship will be deemed to exist if, and only if, owing to specific 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.

With the foregoing standards in mind, please provide the following facts relative to your application:

1. **The Variance will not be contrary to the public interest:** because: (the proposed use must not conflict with the purpose of the ordinance and that it must not alter the essential character of the neighborhood, threaten public health, safety, or welfare, or otherwise injure "public rights.")

2. **Please describe how the spirit of the ordinance is observed;** because:(the proposed use must not conflict with the general purpose of the ordinance and must not alter the essential character of the neighborhood, threaten public health, safety, or welfare, or otherwise injure “public rights.”)

3. **Please describe how substantial justice is done;** because: (the benefits to the applicant must not be outweighed by harm to the general public)

4. **Please describe how the values of surrounding properties are not diminished;**

5. **Literal enforcement of the provisions of the ordinance would result in an unnecessary hardship;**

A. Please describe the special conditions of the property that distinguish it from other properties in the area (explain any details of the property/structure that are different than the surrounding properties such as slopes, wetlands, size etc.)

i. Owing to the special conditions identified above, please indicate how no fair and substantial relationship exists between the general public purposes of the ordinance and the specific application of that provision to the property;

ii. Owing to the special conditions identified above , please indicate how the proposed use is a reasonable one; (explain how the special conditions of the property and the zoning restriction interferes with the reasonable use of the property)

Or (this is filled out if you cannot meet 5Ai and 5Aii)

(If the criteria in subparagraph (A) are not established, an unnecessary hardship will be deemed to exist if, and only if, owing to specific 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.)

The definition of "unnecessary hardship" set forth in subparagraph (5) shall apply whether the provision of the ordinance from which a variance is sought is a restriction on use, a dimensional or other limitation on a permitted use, or any other requirement of the ordinance.

B. Please describe the special conditions of the property that distinguish it from other properties in the area;

Owing to the special conditions identified above, please indicate how 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;

Description of proposed use:

(if applicable) answer the following questions:

- a. Number of Employees _____
- b. Hours and Days of Operation _____
- c. Number of daily/weekly visits to the premises by customers, vendors _____
- d. Number of daily/weekly commercial deliveries to the premises _____
- e. Will a sign be installed Yes No if yes, dimensions? _____ (include drawing)

Signed: _____
(Owner of Property)

Date: _____

The Town of Weare Zoning Board of Adjustment may conduct an on-site inspection of the property under consideration.

Signed: _____
(Owner of Property)

Date: _____



TOWN OF WEARE
PLANNING BOARD
ZONING BOARD OF ADJUSTMENT

15 Flanders Memorial Road
Weare, NH 03281
Phone: (603) 529-2250
Fax: (603) 529-2753

Charles (Chip) Meany
Land Use Coordinator

Office Hours:
Monday, Tuesday &
Friday
8 AM – 4:30 PM
Wednesday
8 AM – 7 PM
Thursday
8 AM – 1 PM

APPLICATION FOR ZONING HEARING

Case # _____

Applicant: _____ Telephone: _____

Address: _____

Owner: _____

Address: _____

Property Address or Location: _____

Tax Map & Lot #: _____ Zone: _____

Property Description (length of frontage, side and rear lines, etc.):

Proposed use or existing use affected:

Why does your proposed use require an appeal to the Zoning Board of Adjustment?



TOWN OF WEARE
PLANNING BOARD
ZONING BOARD OF ADJUSTMENT
15 Flanders Memorial Road
Weare, NH 03281
Phone: (603) 529-2250
Fax: (603) 529-2753

Charles (Chip) Meany
Land Use Coordinator

Office Hours:
Monday, Tuesday &
Friday
8 AM – 4:30 PM
Wednesday
8 AM – 7 PM
Thursday
8 AM – 1 PM

Required Documentation Checklist

Case #: _____ Applicant Name: _____

Application Date: ____/____/____

Important Notice to Applicants: *The Required Documentation Checklist is a tool to assist you and us by optimizing operational review of your application by the Land Use Coordinator prior to your appeal to the Zoning Board of Adjustment. Improperly completed applications shall be rejected upon initial review by the Land Use Coordinator and appeal to the Zoning Board of Adjustment denied.*

1. All original application forms must be complete, clear and easily readable; typewritten is preferred. (If using a word process make sure you attach the typed information to the original application document) All forms must answer and/or demonstrate:
 - [a] Who owns the property (copy of deed to be attached)?
 - [b] Where is the property located?
 - [c] What do you propose to do?
 - [d] Why does your proposed use require an appeal to the ZBA?
 - [e] Why should your appeal be granted?
2. Written authorization is required from the owner or legal representative if applicant is not the owner of record of the affected property.
3. Location Map identifying area street names, north orientation arrow and abutting properties. (note: a location map is not the same as the site map or plan)
4. Site plan of property at issue identifying current structures, location[s] of proposed structures, location of well and septic systems, defined setbacks, wetlands, slope characteristics, etc. Survey plans are always preferred, however, well drawn, IN SCALE, non-professional drawings may be acceptable. [A] IF YOU ARE SEEKING RELAXATIONS FROM SETBACKS, LOTLINES OR WETLANDS A PROFESSIONAL STAMPED PLAN SHALL BE MANDATORY. [B] EACH COMPONENT IDENTIFIED ABOVE MUST BE IDENTIFIED ON THE SITE PLAN.
(note: a site plan or map is not the same as a copy of the tax map)
5. Abutters list identifying all property owners names and addresses that abut the subject property on all sides of the property, as well as across any road, street, or stream. If you have difficulty, ask, but the accuracy of this list is the sole responsibility of YOU.
6. For a **variance** application, you must demonstrate some form of determination that the proposed use is not permitted without a variance. Applications must identify the type of variance being applied for (Use or Area). Applications that do not contain this determination SHALL NOT be collected and SHALL NOT be reviewed by the Board.
7. For an **appeal from an administrative decision** application, a copy of the decision you are appealing must accompany your application. If the decision copy is not attached your application SHALL NOT be collected and SHALL NOT be heard by the Board.
8. Any other additional information, pictures, construction plans, etc that will assist you in your presentation should accompany your application.