



TOWN OF LEVANT

BOARD OF APPEALS

APPLICATION FOR VARIANCE

A variance may be granted by the Board of Appeals only where strict application of the ordinance, or provision thereof, to the petitioner or his property would cause undue hardship. To prove hardship, the petitioner shall demonstrate to the satisfaction of the Board that all of the following conditions exist (LAND USE ORDINANCE, Article 1500, section 1521):

1. That the land in question cannot yield a reasonable return unless a variance is granted;
2. That the need for the variance is due to the unique circumstances of the property;
3. That the granting of the variance will not alter the essential character of the locality;
4. That the hardship is not the result of action taken by the Applicant or a prior owner.

A variance shall be authorized only for lot area, frontage, and setback.. Establishment or expansion of a use otherwise prohibited in the district shall not be granted by a variance.

APPLICANT: _____ TEL: _____

MAILING ADDRESS: _____

PROPERTY LOCATION (road name): _____

MAP/LOT: _____ BOOK/PAGE: _____

PROPERTY OWNER (if different): _____

ADDRESS: _____

The undersigned requests the Board of Appeals to grant the following variance(s):

A. Nature of Variance. Give ordinance and section involved (see Town of Levant Land Use Ordinance):

b. Sketch. Seven copies of a sketch plan must accompany this application, showing dimensions and shape of the lot, size and location of existing buildings, location and dimensions of proposed buildings or alterations and any natural or topographic peculiarities of the lot. Names of abutting property owners should be noted.

I certify that this information is true and correct.

Signature

Date

JUSTIFICATION OF VARIANCE: In order for a variance to be granted, the appellant must demonstrate to the Board of Appeals that the strict application of the terms of the Ordinance would cause undue hardship. There are four criteria which must be met before the BOA can find that a hardship exists. Please explain how your situation meets each of these criteria.

1. The land in question cannot yield a reasonable return unless the variance is granted: _____

2. The need for a variance is due to the unique circumstances of the property and not to the general conditions in the neighborhood: _____

3. The granting of a variance will not alter the essential character of the neighborhood: _____

4. The hardship is not the result of action taken by the appellant or a prior owner: _____

I certify that the information contained in this application is true and correct.

Signature

Date

RETURN THIS APPLICATION TO THE LEVANT TOWN OFFICE. YOU WILL BE NOTIFIED OF THE DATE OF YOUR HEARING.