



HANOVER, NEW HAMPSHIRE 03755
Department of Planning and Zoning
P.O. Box 483 (603) 643-0708

VARIANCE
SUBMISSION REQUIREMENTS

ALL APPLICATIONS MUST BE RECEIVED BY NOON on the submission deadline dates. This checklist and the Requirements for Granting a Variance checklist must accompany the application submittals to verify that the required materials are included. **INCOMPLETE APPLICATIONS WILL NOT BE ACCEPTED.**

ONE ORIGINAL AND TEN COLLATED COPIES of the following are required for application submittal:

- ___ 1. Application signed by the property owner or accompanied by a letter of agent authorization signed by the property owner;
- ___ 2. Completed Notification List; (Form attached)
- ___ 3. Filing fee and Notification fee; (Please refer to attached Rate & Fee schedule)
- ___ 4. A detailed letter:
 - ___ Describing the request **and**
 - ___ Addressing the application criteria;
- ___ 5. Detailed plans showing the exact location of existing conditions **and** proposed changes. (Please contact Judy Brotman with questions about what should be included. 640-3213)
- ___ 6. Copy of Administrative Decision

ALL PLANS MUST BE FOLDED AND COLLATED WITH THE OTHER MATERIALS

The Zoning Board of Adjustment typically meets on the fourth Thursday of the month at 7:00 pm in the Boardroom of the Municipal Building. However, the exact date, time and location may differ from the annual schedule. Certified notices will be mailed to the Notification List recipients in accordance with State Statutes and the Town's adopted ordinances.

Requirements for Granting a Variance

THE APPLICANT MUST ESTABLISH ALL OF THE FOLLOWING:

Requirement	Explanation
<p>_____ 1. The variance is not contrary to the public interest.</p> <p>_____ 2. The spirit of the ordinance is observed.</p>	<p>The proposed use must not conflict with the explicit or implicit 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.”</p>
<p>_____ 3. Substantial justice is done.</p>	
<p>_____ 4. The values of surrounding properties are not diminished.</p>	<p>Expert testimony on this question is not conclusive, but cannot be ignored. The board may also consider other evidence of the effect on property values, including personal knowledge of the members themselves.</p>
<p>_____ 5. Literal enforcement of the ordinance would result in unnecessary hardship.</p> <p>Unnecessary hardship means:</p> <p><i>Because of</i> special conditions of the property that distinguish it from other properties in the area:</p> <p>(a) There is no fair and substantial relationship between the general public purposes of the ordinance provision and the specific application of that provision to the property; <i>and</i></p> <p>(b) The proposed use is a reasonable one.</p> <p><i>Alternatively</i>, unnecessary hardship means that, 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.</p>	<p>The applicant must establish that the property is burdened by the zoning restriction in a manner that is distinct from other similarly situated property.</p> <p>(a) Determine the purpose of the zoning restriction in question. The applicant must establish that, because of the special conditions of the property, the restriction as applied to the property does not serve that purpose in a “fair and substantial” way.</p> <p>(b) The applicant must establish that the special conditions of the property cause the proposed use to be reasonable. The use must not alter the essential character of the neighborhood.</p> <p>As an alternative to (a) and (b) above, the applicant can satisfy the unnecessary hardship requirement by establishing that, because of the special conditions of the property, there is no reasonable use that can be made of the property that would be permitted under the ordinance. If there is any reasonable use (including an existing use) that is permitted under the ordinance, this alternative is not available.</p>

**ZONING BOARD OF ADJUSTMENT
TOWN OF HANOVER, NH**

APPLICATION FOR VARIANCE

FOR OFFICE USE ONLY

Application No.: _____
Fee total: _____
Date filed: _____
Received by: _____

1. Applicant Name: _____
Address: _____
Phone No.: _____
Email: _____

2. Property Owner Name: _____
Address: _____
Phone No.: _____

3. Project Location (Street Address): _____
Tax Map: _____ Lot No: _____ Zoning District: _____

4. Applicant hereby requests a Variance as provided in Article: _____ Section: _____
of the Hanover Zoning Ordinance to permit: _____

5. Applicant alleges the following circumstance(s) exist which prevent the proposed use of
the property under the strict terms of the Hanover Zoning Ordinance:

6. THE UNDERSIGNED HEREBY GRANTS PERMISSION for members of the Zoning
Board to enter property for purposes of reviewing the information provided in this
application.

Owner / Agent Signature: _____ Date: _____

7. This application has been completed in accordance with the Zoning Ordinance of the
Town of Hanover.

Owner / Agent Signature: _____ Date: _____

8. New Hampshire State law requires the Zoning Board to hold a hearing within 30 days of
the filing date of this application unless the applicant agrees to extend that period. The
undersigned hereby waives the 30-day time limit with the understanding that the
application will be heard on: _____ (Projected Public Hearing date)

Owner / Agent Signature: _____ Date: _____

I hereby acknowledge receipt of this application.

Zoning Administrator: _____ Date: _____

Notification List

Complete mailing address of property owners, abutters*, applicants (if different from property owner), consultants, architects, soil scientists, land surveyors and engineers whose seal appears on any plat submitted with your application. Also include the names and addresses of any holders of conservation easements on the subject property or abutting properties. Please check the current tax mailing list in the Town Assessor's Office for abutters' mailing addresses. Date of address verification: _____ **(must be within 10 days of date of submittal.)**

* *"Abutter" means any person whose property is located in New Hampshire and adjoins or is directly across the street or stream from the land under consideration by the local land use board.* [See RSA 672:3 Abutter.] *"In the case of an abutting property being under a condominium or other collective form of ownership, the term abutter means the officers of the collective or association, as defined in RSA 356-B:3, XXIII."* When the officers or association are unknown all unit owners must be listed.

Subject Property:	Owner	
Map _____ Lot _____		_____

	Abutters, Applicants, Consultants, etc. (see above)	
Map _____ Lot _____		_____

Map _____ Lot _____		_____

Map _____ Lot _____		_____

Map _____ Lot _____		_____

Notification List (continued)

Abutters, Consultants, etc. (see above)

Map _____ Lot _____ _____

Map _____ Lot _____ _____

Map _____ Lot _____ _____

Map _____ Lot _____ _____

Map _____ Lot _____ _____

Map _____ Lot _____ _____

Map _____ Lot _____ _____

Map _____ Lot _____ _____

Map _____ Lot _____ _____

Map _____ Lot _____ _____

Zoning Board Application Fees:

Appeal an Administrative Decision	\$150.00 + notification fee	Notification Fee = actual cost of postage
Equitable Waiver	\$150.00 + notification fee	(First Class Mail rate + Certified Mail rate)
Hearing under RSA 674:41	\$150.00 + notification fee	
Rehearing	\$ 50.00 + notification fee	
Special Exception	\$150.00 + notification fee	
Variance	\$150.00 + notification fee	

Zoning Board Schedule: 2010

HEARING DATE: 01/28/10	HEARING DATE: 05/27/10	HEARING DATE: 09/23/10
Deliberation Date: 02/04/10	Deliberation Date: 06/03/10	Deliberation Date: 09/30/10
Submission Deadline: 12/30/09	Submission Deadline: 04/28/10	Submission Deadline: 08/25/10
HEARING DATE: 02/25/10	HEARING DATE: 06/24/10	HEARING DATE: 10/28/10
Deliberation Date: 03/04/10	Deliberation Date: 07/01/10	Deliberation Date: 11/04/10
Submission Deadline: 01/27/10	Submission Deadline: 05/26/10	Submission Deadline: 09/29/10
HEARING DATE: 03/25/10	HEARING DATE: 07/22/10	
Deliberation Date: 04/01/10	Deliberation Date: 07/29/10	HEARING DATE: 12/02/10
Submission Deadline: 02/24/10	Submission Deadline: 06/30/10	Deliberation Date: 12/09/10
		Submission Deadline: 11/03/10
HEARING DATE: 04/22/10	HEARING DATE: 08/26/10	
Deliberation Date: 04/29/10	Deliberation Date: 09/02/10	
Submission Deadline: 03/31/10	Submission Deadline: 07/28/10	

****The November and December hearings are combined.**