



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

<h2>VARIANCE</h2> <h3>SUBMISSION REQUIREMENTS</h3>
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**ALL APPLICATIONS MUST BE RECEIVED BY NOON** on the submission deadline dates. This checklist and the Variance Standards 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, 24" x 36" 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.

## VARIANCE STANDARDS

Excerpt of Section 1006.1 of the Adopted Zoning Ordinance:

“1006.1 The Board of Adjustment may, on an appeal, grant a Variance from the provisions of this Ordinance, if the applicant produces evidence to support a finding of each of the following facts by the Board of Adjustment:

- \_\_\_ A. Special conditions exist such that a literal enforcement of the Ordinance results in unnecessary hardship. “Special conditions” can include irregularity, narrowness, shallowness, size or shape of the lot, or exceptional topographical or other physical conditions peculiar to the property and not the circumstances or conditions generally created by the provisions of the Ordinance in the neighborhood or district in which the property is located. What constitutes unnecessary hardship will depend on whether the applicant is seeking a use variance or an area (dimensional) variance.
  - \_\_\_ (1) For a use variance, the applicant must demonstrate that:
    - \_\_\_ (a) The zoning restriction as applied interferes with applicant’s reasonable use of the property, considering the unique setting of the property in its environment;
    - \_\_\_ (b) No fair and substantial relationship exists between the general purposes of the Ordinance and the specific restriction on the property; and
    - \_\_\_ (c) The variance would not injure the public or private rights of others.
  - \_\_\_ (2) For an area variance, the applicant must demonstrate that:
    - \_\_\_ (a) The variance is necessary to enable the proposed use of the property given the special conditions of the property; and
    - \_\_\_ (b) The benefit sought cannot be achieved by some other method reasonably feasible to pursue, other than the variance.
- \_\_\_ B. The variance will be consistent with the spirit of the ordinance and would not violate the ordinance's basic zoning objectives.
- \_\_\_ C. The variance will not be contrary to the public interest, such that it would alter the essential character of the neighborhood or threaten the public health, safety or welfare.
- \_\_\_ D. The value of surrounding properties will not be diminished.
- \_\_\_ E. Substantial justice is done, such that the loss to the applicant from the denial of the variance is not outweighed by the gain to the general public from such a denial.

**Please remember that you must meet all standards of the Variance criteria.**

**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 \_\_\_\_\_ \_\_\_\_\_  
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Map \_\_\_\_\_ Lot \_\_\_\_\_ \_\_\_\_\_  
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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: 2009

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

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