

# APPLICATION FOR A VARIANCE

**Do not write in this space**

Case No \_\_\_\_\_

Date Filed \_\_\_\_\_

\_\_\_\_\_  
(signed - ZBA)

## **Washington Zoning Board of Adjustment**

Name of Applicant \_\_\_\_\_

Address \_\_\_\_\_

Owner \_\_\_\_\_  
(if same as applicant, write "same")

Location of Property \_\_\_\_\_  
(street, number, subdivision and lot number)

Applicant \_\_\_\_\_ Date \_\_\_\_\_  
(Signature)



This application is not acceptable unless all required statements have been made. Additional information may be supplied on a separate sheet if the space provided is inadequate.



Variances must be requested from specific sections of the Washington Land Use Ordinance. For example, a setback variance must be requested from section 202. The Land Use Ordinance can be downloaded from <https://www.washingtonnh.org/planning-board>

**Variance #1** is requested from section \_\_\_\_\_ of the Land Use Ordinance  
to permit \_\_\_\_\_  
\_\_\_\_\_

**Variance #2** is requested from section \_\_\_\_\_ of the Land Use Ordinance  
to permit \_\_\_\_\_  
\_\_\_\_\_

**Variance #3** is requested from section \_\_\_\_\_ of the Land Use Ordinance  
to permit \_\_\_\_\_  
\_\_\_\_\_

**Variance #4** is requested from section \_\_\_\_\_ of the Land Use Ordinance  
to permit \_\_\_\_\_  
\_\_\_\_\_



Variances are evaluated by considering five criteria. **All five must be met** for the variance to be granted. The questions provided below are intended to serve as a guide when addressing the individual variance criteria, and you are encouraged to consult with an attorney if you are having trouble understanding the application. For complete definitions, see [RSA 674:33 Powers of Zoning Board of Adjustment](#). The concurring vote of at least three members of the board is required to take any action.

## 1. Variances must not be contrary to the public interest

Will the variance alter the essential character of the neighborhood and/or threaten the health, safety, or general welfare of the public? If the answer is no, explain why.

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## 2. The spirit of the Land Use Ordinance will be observed

The Land Use Ordinance, in accordance with the Town's Master Plan, is designed to:

- Prevent the overcrowding of land
- Avoid undue concentration of population
- Lessen congestion in the streets.
- Secure safety from fire, panic and other dangers
- Promote health and the general welfare
- Facilitate adequate provision of water, light, air, transportation, school and recreation facilities and the safe disposal of solid waste and sewage
- Ensure proper use of natural resources and other public requirements

How will the variances observe these objectives?

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### 3. Substantial justice will be done

What is the loss to you if the variance is denied? Why will the variance not cause a loss to the general public? Is the variance requested consistent with the area's present use?

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### 4. The values of surrounding properties will not be diminished

Will the variance decrease surrounding property values? What evidence supports a conclusion that it will not? Are there any statements of approval or objections by abutters?

## 5. Literal enforcement of the Land Use Ordinance would result in unnecessary hardship



Only hardship to the property, not the owner, can be considered. For example, unnecessary hardship might be imposed on a small lot with a significant amount of ledge, requiring setback variances.

What special conditions **of the property** (or of its setting or environment) distinguish it from other properties in the area?

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Will the variance preserve the objectives of the Land Use Ordinance, whereas a literal enforcement would fail to advance them in a fair and substantial way?

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Is the proposed use a reasonable one? How will it affect neighboring properties?

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