

# Attachment to Application for Public Hearing

for

## Variance

Town of Springfield  
Development Review Board

Applicant:

**Description of proposal:** \_\_\_\_\_

**Springfield Zoning Regulations Section 6.2 Variances (A)** The Development Review Board is empowered to authorize a variance from the provisions of these regulations on appeal under Section 6.1, for specific cases where, owing to special conditions of a property, literal enforcement of these regulations will result in an unnecessary hardship. In accordance with the Act [§4469], however, the Board may approve a variance only if *all* of the following facts are found, and the findings are specified in its written decision:

1. **That** there are unique physical circumstances or conditions, including irregularity, narrowness, or shallowness of lot size or shape, or exceptional topographical or other physical conditions peculiar to the particular property, and that unnecessary hardship is due to such conditions and not the circumstances or conditions generally created by the provisions of the zoning regulations in the neighborhood or district in which the property is located; **Applicants statement of supporting facts** (If necessary continue on reverse side):

2. **That** because of such physical circumstances and conditions, there is no possibility that the property can be developed in strict conformity with the provisions of the zoning regulations and that the authorization of a variance is therefore necessary to enable the reasonable use of the property; **Applicants statement of supporting facts** (If necessary continue on reverse side):

3. **That** the unnecessary hardship has not been created by the appellant; **Applicants statement of supporting facts** (If necessary continue on reverse side):

4. **That** the variance, if authorized, will not alter the essential character of the neighborhood or district in which the property is located, substantially or permanently impair the appropriate use or development of adjacent property, reduce access to renewable energy resources, nor be detrimental to the public welfare; and **Applicants statement of supporting facts** (If necessary continue on reverse side):

5. **That** the variance, if authorized, will represent the minimum that will afford relief and will represent the least deviation possible from the zoning regulations and from the plan. **Applicants statement of supporting facts** (If necessary continue on reverse side):

**Signature of applicant:** \_\_\_\_\_ **Date** \_\_\_\_\_

-----**Rest of Section 6.2 SZR**-----

(B) On an appeal for a variance from the provisions of these regulations that is requested for a structure that is **primarily a renewable energy resource structure**, the Board may grant such variance only if it finds that all of the facts listed in the Act [§4469(b)] are found in the affirmative and specified in its decision.

(C) **Variances within the Flood Hazard Area** Overlay District shall be granted by the Development Review Board only in accordance with the Act [§4424(E)] and the criteria for granting variances found in 44 CFR, Section 60.6, of the National Flood

Insurance Program regulations, and **Section 5.6 (I)** of these regulations.

(D) **In granting a variance, the Development Review Board may impose conditions** it deems necessary and appropriate under the circumstances to implement the purposes of this bylaw and the municipal plan currently in effect. In no case shall the Development Review Board grant a variance for a use which is not permitted or conditionally permitted within the zoning district, or which results in an increase in allowable density.