

**TO THE APPLICANT:**

THE VARIANCE REQUEST WILL NOT BE SCHEDULED FOR PUBLIC HEARING UNTIL ALL THE REQUIRED AND COMPLETED DOCUMENTATION IS RECEIVED IN THE CODE ENFORCEMENT OFFICE. THANK YOU.

**REQUIREMENTS TO APPLY FOR A VARIANCE**

1. **COMPLETED** BUILDING PERMIT APPLICATION [ ]
2. APPLICANT MUST BE THE OWNER OF THE PROPERTY, OR SUBMIT A NOTARIZED LETTER FROM THE OWNER STATING THAT THE APPLICANT MAY PROCEED WITH THE VARIANCE [ ]
3. LETTER OF REQUEST – **SIGNED AND DATED** [ ]
  - a. LEGIBLY WRITTEN OR TYPED ON 8½" BY 11" PAPER
  - b. WHY A VARIANCE IS BEING REQUESTED WITH AN EXPLANATION OF THE REASON FOR THE VARIANCE
4. UP TO DATE STAMPED SURVEY OF THE PROPERTY TO SCALE [ ]
  - a. SHOW LOCATION OF PROPOSED CONSTRUCTION
    1. Principle building, other main buildings, accessory buildings, Porches, decks, or overhangs
  - b. SHOW LOCATION OF EXISTING STRUCTURES
  - c. SHOW ALL SETBACKS (dimensions from buildings to lot lines)
  - d. FENCE VARIANCE – NOTE HEIGHT, NOTE MATERIALS AND LOCATION ON SURVEY [ ]
5. DEED OF THE PROPERTY – MUST MATCH SURVEY SUBMITTED [ ]
6. COMPLETED SHORT OR LONG ENVIRONMENTAL ASSESSMENT FORM AS APPROPRIATE [ ]
7. CHECK FOR \$150.00 MADE PAYABLE TO 'BOSTON TOWN CLERK' [ ]  
Note: Fee Schedule subject to change

**The following Code criteria will be used in determining an AREA VARIANCE by the Zoning Board of Appeals**

- (1) Does it create an undesirable change to the character of the neighborhood? Yes [ ] No [ ]
- (2) Can the benefit sought by the applicant be achieved if the variance is not granted? Yes [ ] No [ ]
- (3) Is the requested variance substantial? Yes [ ] No [ ]
- (4) Will the variance have an adverse effect/impact on the physical or environmental conditions of the neighborhood? Yes [ ] No [ ]
- (5) Is the alleged difficulty self-created? Yes [ ] No [ ]

**The following Code criteria will be used in determining a USE VARIANCE  
by the Zoning Board of Appeals**

- (1) Can the applicant realize a reasonable return, as shown by the competent financial evidence? (The lack of return must be substantial) Yes [ ] No [ ]

- *Bill of sale for the property, present value of property, expenses for maintenance*
- *Leases, rental agreements*
- *Tax bills*
- *Conversion costs (for a permitted use)*
- *Realtor's statement of inability to rent/sell*

- (2) Is the alleged hardship relating to the property unique? Yes [ ] No [ ]  
(The hardship may not apply to a substantial portion of the zoning district or neighborhood)

- *Topographic or physical features preventing development for a permitted use*
- *Why would it be possible to construct the applicant's proposal and not any of the permitted uses?*
- *Board members' observations of the property and surrounding area.*

- (3) Will the use variance, if granted, alter the essential character of the neighborhood? Yes [ ] No [ ]

- *Board members' observations of neighborhood*
- *Expected effect of proposal on neighborhood: for example change in parking patterns, noise levels, lighting, traffic*

- (4) Is the alleged hardship self-created? Yes [ ] No [ ]

- *What were the permitted uses at the time the property was purchased by the applicant*
- *Were substantial sums spent on remodeling for a use not permitted by zoning?*
- *Was the property received through inheritance, court order or divorce?*