

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

VARIANCE

FOR OFFICE USE ONLY

Case No. _____

Fee total _____

Date filed _____

Received by _____

Applicant _____

Mailing Address _____

Phone No _____

Email _____

Property Owner _____

Mailing Address _____

Phone No _____

Project Location (Street Address) _____

Tax Map _____ Lot _____ Zoning District _____

Applicant hereby requests a Variance pursuant to Article _____, Section _____ of the Hanover Zoning Ordinance to permit:

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

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 _____

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

Owner/Agent Signature _____ Date _____

I hereby acknowledge receipt of this application.

Zoning Administrator: _____ Date: _____

VARIANCE

SUBMISSION REQUIREMENTS CHECKLIST

Payment of **filing fee** \$300 + \$25 Legal Notice + \$16.04 per name on notification list* (*NO exclusions; every name)

SEVEN copies of the following, COLLATED

This **checklist** – completed by the applicant

1st page of this application – completed by the applicant

Application bears the signature of the property owner or authorized agent **OR** is accompanied by a letter of authorization signed by property owner or authorized agent

Notification List – provided by the applicant

Notification requirements are outlined in NH RSA 676:7 & in the Zoning Ordinance. The notification list shall be drafted not more than FIVE days prior to filing.

The notification list shall include the **names AND mailing addresses** of:

Owner of the subject property

Applicant (if different from the owner of the subject property)

Abutting property owners

A list of abutting property owners & mailing addresses can be generated & printed from the Assessor's records at: axisgis.com/HanoverNH/ For properties under a condominium or other collective form of ownership, a list of the officers of the collective or association, is acceptable. When the officers are not known, each individual condominium owner must be listed. Please call (603) 640-3213 for assistance.

All holders of conservation, preservation or agricultural preservation restrictions as defined in RSA 477:45

*** Failure to provide accurate information may result in hearing delays ***

The **Requirements Checklist for Granting a Variance** – completed by applicant

A **detailed letter**

Describing the request

Addressing the application criteria

Detailed, legible **plans** showing the exact location of existing conditions **and** proposed changes. (Please contact the Zoning Staff with any questions about what should be included on the plans at 640-3213)

ONE copy of full-size plan set (no larger than 24"x36")

SEVEN copies of file-size plan sets (11"x17")

Digital copy of complete submission emailed to bruce.simpson@hanovernh.org

REQUIREMENTS CHECKLIST for GRANTING A VARIANCE

APPLICANT MUST ESTABLISH ALL OF THE FOLLOWING:

Requirement	Explanation
<input type="checkbox"/> 1. The variance is not contrary to the public interest.	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.”
<input type="checkbox"/> 2. The spirit of the Ordinance is observed.	
<input type="checkbox"/> 3. Substantial justice is done.	The benefit to the applicant should not be outweighed by harm to the general public or to other individuals.
<input type="checkbox"/> 4. The values of surrounding properties are not diminished.	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.
<input type="checkbox"/> 5. Literal enforcement of the Ordinance would result in unnecessary hardship. “Unnecessary hardship” means that owing to a special condition of the property that distinguish it from other properties in the area: (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; and (b) The proposed use is a reasonable one. <i>Alternatively</i> , if the (a) and (b) criteria above are not established, “ unnecessary hardship ” will be deemed to exist if, and only if, 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, and a variance is therefore necessary to enable a reasonable use of it.	<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>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>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><i>Alternatively</i>, 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 SCHEDULE: 2025

- Hearings are usually held on the fourth Thursday of the month, in the Town Hall Boardroom, beginning at 7:00 PM
- Deliberations are usually held the week after the public hearing, on Thursday, in the Town Hall Boardroom, beginning at 7:00 PM
- Submission date is usually the last business day of the preceding month

MONTH	SUBMIT APPLICATION BY	HEARING DATE	DELIBERATIONS
JANUARY	December 31	JANUARY 23	January 30
FEBRUARY	January 31	FEBRUARY 27	March 6
MARCH	February 28	MARCH 27	April 3
APRIL	March 31	APRIL 24	May 1
MAY	April 30	MAY 22	May 29
JUNE	May 30	JUNE 26	July 3
JULY	June 30	JULY 24	July 31
AUGUST	July 31	AUGUST 28	September 4
SEPTEMBER	August 29	SEPTEMBER 25	October 2
OCTOBER	September 30	OCTOBER 23	October 30
NOVEMBER	October 31	NOVEMBER 20	December 4
DECEMBER	November 28	DECEMBER 18	January 8

The ZBA reserves the right to hold deliberations on the same night as the hearing and/or to reschedule, postpone, or continue hearings or deliberative sessions when warranted by the circumstances.