

Town of Middlefield in the Commonwealth of Massachusetts

**TOWN OF MIDDLEFIELD
ZONING BOARD OF APPEALS**

P.O. Box 238, Middlefield, MA 01243

VARIANCE APPLICATION

(To be filed with the Town Clerk)

Applicant:

Name(s) _____
Address _____
Telephone Number(s) _____
Address (if different from applicant) _____

Property Information:

Deed Book No. _____ Page No. _____
Map No. _____ Lot No. _____
Street Address _____

Variance Information:

-Indicate applicable section number of the Zoning ByLaws that you are seeking a Variance from. Refer to section 3.0 General Use Regulations in Zoning By-laws

-Description of project requiring a Variance: _____

Application Requirements:

- CLERICAL FEE: \$100.00 payable to "Town of Middlefield" included with application.
- APPLICATION: To be submitted in triplicate, each accompanied by a site plan indicating the following:
 - a. Location of premises showing dimensions, abutting properties with owner's name and address, abutting and nearby streets and ways, and the zoning of all properties shown.
 - b. Location and dimensions of all existing and proposed structures.
 - c. List how your application meets the criteria (A,B &C) on the attached Variance Criteria Questions page.
- COMPLETED APPLICATION: Must be filed with the municipal clerk who must certify the date and time of filing. Two copies of the application, including the certification by the municipal clerk, must then be filed by the petitioner with the Zoning Board of Appeals.

Applicant signature(s) _____
Property Owner's signature (if different) _____

The Building Inspector is available to assist applicants with preparation for the hearing

For Town Use Only

Received by Town Clerk: _____ Date _____
ZBA Case # _____ Hearing Date: _____
Decision: _____ Date _____

VARIANCE CRITERIA QUESTIONS

A request for a variance can only be granted if the application meets all three of the following criteria:

These criteria are established by Massachusetts General Laws, Chapter 40 A, Section 10. The Zoning Board of Appeals does not have the authority to change these criteria in any way.

A.) A literal enforcement of the provisions of this bylaw would involve a substantial hardship, financial or otherwise, to the petitioner or appellant.

IN OTHER WORDS, TELL THE BOARD HOW NOT BEING GRANTED THE VARIANCE WILL CAUSE YOU A HARDSHIP. TELL THE BOARD WHY IT IS DIFFICULT OR IMPOSSIBLE FOR YOU TO CARRY OUT YOUR PROJECT THE WAY THE BYLAW SAYS IT SHOULD BE DONE.

B.) The hardship is owing to circumstances relating to the soil conditions, shape or topography of such land or structures and especially affecting such land or structures but not affecting generally the zoning district and which is located

IN OTHER WORDS, TELL THE BOARD HOW YOUR SITUATION IS SPECIAL AND UNIQUE IN YOUR NEIGHBORHOOD. EXPLAIN HOW THE SITUATION WITH YOUR LAND EITHER THE SHAPE, SLOPE, PRESENCE OF LEDGE, ETC PREVENTS YOU FROM DOING WHAT THE BYLAW SAYS.

C.) Desirable relief may be granted without either:

[1] Substantial detriment to the public good; or

[2] Nullifying or substantially derogating from the intent or purpose of the bylaw.

IN OTHER WORDS, TELL THE BOARD HOW THEY CAN GIVE YOU RELIEF FROM THE BYLAW WITHOUT COMPROMISING THE REASONS THE LAWS WERE PUT INTO PLACE. EXPLAIN HOW THE GRANTING OF A VARIANCE WILL NOT HARM ANYONE OR HAVE ANY NEGATIVE IMPACTS ON THE NEIGHBORHOOD.

in Middlefield By Laws 6.5 Variances Sect. 6.5.2