

Town of Hudson
VARIANCE HARDSHIP QUESTIONNAIRE

Applicant: _____

Date: _____

Please Respond items c i – c vii below that apply to your request for a variance.

Section 16-31(g)(2) of the Land Development Code specifies the findings by which the Board of Adjustment is enabled to grant a zoning variance:

c. A variance may be granted by the board of adjustment by a concurring vote of at least four (4) members if it concludes that strict enforcement of this chapter would result in practical difficulties or unnecessary hardships for the applicant and that, by granting the variance, the spirit of this chapter will be observed, public safety and welfare secured and substantial justice done. It may reach these conclusions if it finds that:

i. If the applicant complies strictly with the provisions of this chapter, the result is that there is no reasonable use of the property;

ii. The hardship of which the applicant complains is one (1) suffered by the applicant alone and not by neighbors or the general public;

iii. The hardship relates to the applicant's land, rather than personal circumstances;

iv. The hardship is unique and unusual, or nearly so, rather than one (1) shared by many surrounding properties;

v. The hardship is not the result of the applicant's own actions;

vi. The variance requested is the minimum that will afford relief and the least possible modification of the requirements of this chapter;

vii. The variance will neither result in the extension of a nonconforming situation in violation of Section 16-67, nor authorize the initiation of a nonconforming use of land, nor conflict with the goals and policies of the comprehensive plan and the Land Development Code;

viii. For variances relating to floodplains and floodways, the requirements of Sections 16-49 and 16-146 and FEMA must be met.