

REQUEST FOR VARIANCE
TOWN OF ARLINGTON

In the matter of the Application of _____
to the Zoning Board of Appeals for the Town of Arlington:

Application for a Variance is herewith made, in accordance with Section 3.2 of the Zoning Bylaw of the Town of Arlington, Massachusetts seeking relief from the following specific provisions of the Zoning Bylaw, and as described more fully in the attached form, *Variance Criteria*:

The Petitioner/Applicant states he/she/they is/are the owner-occupant of the land in Arlington located at _____ with respect to such relief is sought; that no unfavorable action has been taken by the Zoning Board of Appeals upon a similar petition regarding this property within the two (2) years next immediately prior to the filing hereof. The applicant expressly agrees to full compliance with any and all conditions and qualifications imposed upon this permission, whether by the Zoning Bylaw or by the Zoning Board of Appeals, should the same be granted. The Applicant represents that the grounds for the relief sought are as follows:

E- Mail: _____ Signed: _____ Date: _____
Telephone: _____ Address: _____

Variance Criteria:

The power of the Board of Appeals to grant a Variance from the literal application of the Zoning Bylaw is strictly limited by State Law. Under MGL, Chapter 40a, Section 10, the Board of Appeals must “specifically find” for a particular piece of land or a specific structure that “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 in which it is located, a literal enforcement of the provisions of the ... by-law would involve substantial hardship, financial or otherwise, to the petitioner ... , and that desirable relief may be granted without substantial detriment to the public good and without nullifying or substantially derogating from the intent or purpose of such ordinance or bylaw.” (emphasis added.)

Thus, Under State Law, a Variance may only be granted when **all of the four (4) following criteria are met:**

1). Describe the circumstances relating to the soil conditions, shape, or topography especially affecting such land or structures but not affecting generally the Zoning District in which it is located that would substantiate the granting of a Variance.

2). Describe how a literal enforcement of the provisions of the Zoning Bylaw, specifically relating to the circumstances affecting the land or structure noted above, would involve substantial hardship, financial or otherwise, to the Petitioner or Appellant.

3). Describe how desirable relief may be granted without substantial detriment to the public good.

4). Describe how desirable relief may be granted ... without nullifying or substantially derogating from the intent or purpose of the Zoning Bylaw of the Town of Arlington, Massachusetts.

State Law (MGL Chapter 40a, Section 10) requires that the Zoning Board of Appeals must find that all four (4) criteria are met in order to be authorized to grant a Variance. If any one of the standards is not met, the Board must deny the Variance.

TOWN OF ARLINGTON
 Dimensional and Parking Information
 For Applications to the Zoning Board of Appeals

1. Property Location: _____ Zoning District: _____

2. Present Use/Occupancy: _____ No. of dwelling units _____

3. Existing Gross Floor Area (refer to Section 5.3.22 of the Zoning Bylaw and provide supporting documentation [worksheet and drawings] showing dimensions of GFA by floor):
 _____ Sq. Ft.

4. Proposed Use/Occupancy: _____ No. of dwelling units _____

5. Proposed Gross Floor Area (refer to Section 5.3.22 of the Zoning Bylaw and provide supporting documentation [worksheet and drawings] showing dimensions of GFA by floor):
 _____ Sq. Ft.

- 6. Lot size (Sq. Ft.)
- 7. Frontage (Ft.)
- 8. Floor area ratio
- 9. Lot Coverage (%)
- 10. Lot Area per Dwelling Unit (Sq. Ft.)
- 11. Front Yard Depth (Ft.)
- 12. Left Side Yard Depth (Ft.)
- 13. Right Side Yard Depth (Ft.)
- 14. Rear Yard Depth (Ft.)
- 15. Height (Stories)
- 16. Height (Ft.)
- 17. Landscaped Open Space (Sq. Ft.)
Refer to Section 2 in the Zoning Bylaw.
- 17A. Landscaped Open Space (% of GFA)
- 18. Usable Open Space (Sq. Ft.)
Refer to Section 2 in the Zoning Bylaw.
- 18A. Usable Open Space (% of GFA)
- 19. Number of Parking Spaces
- 20. Parking area setbacks (if applicable)
- 21. Number of Loading Spaces (if applicable)
- 22. Type of construction
- 23. Slope of proposed roof(s) (in. per ft.)

Present Conditions	Proposed Conditions	Min. or max Required by Zoning
		min.
		min.
		max.
		max
		min.
		min.
		min.
		min.
		max.
		max.
		min.
		min.
		min.
		min.
		N/A
		min.

TOWN OF ARLINGTON
 Open Space / Gross Floor Area Information
 For Applications to the Zoning Board of Appeals

Refer to Section 2: *Definitions*, and Section 5: *District Regulations* in the Zoning Bylaw of the Town of Arlington before completing this form.

Address: _____ **Zoning District:** _____

<u>OPEN SPACE*</u>	EXISTING	PROPOSED
Total lot area	_____	_____
Open Space, Usable	_____	_____
Open Space, Landscaped	_____	_____

* Refer to the Definitions in Section 2 of the Zoning Bylaw.

<u>GROSS FLOOR AREA (GFA) †</u>		
Accessory Building	_____	_____
Basement or Cellar (meeting the definition of Story, excluding mechanical use areas)	_____	_____
1 st Floor	_____	_____
2 nd Floor	_____	_____
3 rd Floor	_____	_____
4 th Floor	_____	_____
5 th Floor	_____	_____
Attic (greater than 7'-0" in height, excluding elevator machinery, or mechanical equipment)	_____	_____
Parking garages (except as used for accessory parking or off-street loading purposes)	_____	_____
All weather habitable porches and balconies	_____	_____
Total Gross Floor Area (GFA)	_____	_____

† Refer to Definition of Gross Floor Area in Section 2 and Section 5 of the Zoning Bylaw.

<u>REQUIRED MINIMUM OPEN SPACE AREA</u>		
Landscaped Open Space (Sq. Ft.)	_____	_____
Landscaped Open Space (% of GFA)	_____	_____
Usable Open Space (Sq. Ft.)	_____	_____
Usable Open Space (% of GFA)	_____	_____

This worksheet applies to plans dated _____ designed by _____

Reviewed with Building Inspector: _____ Date: _____